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Decentralization and Service Delivery: A Case Study of District Mardan, Khyber Pakhtunkhwa, Pakistan

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Abstract *This article attempts to examine the relationship between decentralization and service delivery through an analysis of the performance of local governments established under the "Khyber Pakhtunkhwa Local Government Act 2013" with respect to the delivery of basic social services. While exponents of decentralization often argue that the devolution of powers to the lower levels of government improves public service delivery through equity, productive efficiency, and cost recovery, the findings of this study evince that the effects of decentralization on service delivery are often contingent on the social and political dynamics prevalent within a given context.*

Key Words:
Decentralization, Public Service Delivery, District Council Mardan, Local Government.

Introduction

Decentralization refers to the transfer of authority and responsibilities from central to sub-national governments (Hamid 2013). Decentralization entrusts citizens with decision making powers and hence enable them to influence the implementation of public policies. Citizens are more accessible to the elected representatives of the local government (Neven 2011). Decentralization allows the community to manage their own affairs. An effective system of local government enables responses to the citizen's needs and can ensure different social needs (UNDP 1999). It is argued that decentralization can increase efficiency, and accountability, alleviating poverty, has better information about local affairs, protect minority rights, very closer to the people, fair and equitable allocation of public resources and improve service delivery as well (White 2011).

First time in the history of Pakistan civilian government introduced a local government election in Pakistan. In 2015, the provincial government of Pakistan Tehreek Insaaf (PTI) conducted local government elections throughout Khyber Pakhtunkhwa (KP) province. The 2015 elections paved the way for the establishment of three tiers local government system (District, Tehsil and neighbourhood and village councils) in KP province. The establishment of the local government system was essentially driven, inter-alia, by service delivery concerns. The paper probes the relationship between decentralization and service delivery in district Mardan between the years 2015 and 2017.

Since the beginning of decentralization reforms, controversy and arguments happened. The antagonist of the views considers it as a desert and ruin place. Some of the views of decentralization is very sensitive, Prud'homme (1995) of views decentralization is like a potent medicine using with the proper dose of prescription will lead to effective result but using with an improper dose will resulted in harmful rather than heal. Different studies have been taken on the impact of decentralization on public service delivery, but debate and controversy always happen. World Bank (2001) found empirical evidence of the Philippine and Uganda shows that allocative efficiency may be increased by decentralization if local governments have given full authority of allocation. In both countries the local governments are more informed of the local preferences and needs than the central government. Isham and Kahkonen (1999) analyzed the positive impact of decentralization that water services have been improved in Central Java, Indonesia. Azfar and Livingston (2002) have not been observed any good result of decentralization in Uganda. Buzdar (2015) has studied that water, sanitation, and sewerage as well as primary and secondary school enrollment were 50% increased between 1989 and 1996.

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Since 1980 the trends of decentralization has spread all over the world especially in developing countries. Due to worldwide trends, the term decentralization has been discussed briefly; first of all definition of decentralization and its types have been discussed. The worldwide trend makes very important questions in the human mind that why is almost all over the world countries attempting to initiate decentralization reforms? However, objectives of decentralization are discussed in this research paper for the purpose to know the questions 'why' all over the world countries intending to initiate decentralization reforms. The promises and risk of decentralization are also illustrated. The most important section of this research paper, the effects of decentralization on public service delivery, a problem associated with decentralization and countries experiences are discussed in detail. This research paper finds out the impact of local government on public service delivery in District Mardan. The study focused on the local government election 2015 under the Khyber Pakhtunkhwa LGA 2013.

Definition of Decentralization

Decentralization is the opposite form of centralization, where a gathering of authority and power in one office or with one person and the chief executive has the authority over decision-making, operation and instruction. While decentralization is dispersing power and functions to the local level or sub-national government and day-to-day administrative work faster and more efficient. There is no simple definition and meaning of decentralization, it is defined in different ways. Rondinelli (1981a), defines decentralization *as "the transfer of responsibility for planning, management and resource raising and allocation from the central government and its agencies to: (a) the field units of central government ministries or agencies, (b) subordinate units or levels of government, (c) semiautonomous public authorities or corporations, (d) area-wide, regional or functional authorities, or (e) nongovernmental private or voluntary organizations".* It may be defined that *"The term decentralization is used to cover a broad range of transfers of the "locus of decision making" from central governments to regional, municipal or local governments"* According to V. Vankata Rao *"Local Government is that part of the government which deals mainly with local affairs, administered by authorities subordinate to the state government but elected independently of the state authority by the qualified residents.*

It may be define that decentralization *"refers to the transfer of state/national responsibilities or functions from central government to sub-national levels of government, or from central agencies/offices to regional bodies or branch offices, or to non-governmental organizations or private concerns. It can be described as "the redefinition of structures, procedures and practices of governance to be closer to the citizenry"* (Miller 2002).

Goals of Decentralization

Local-level Government has capability of bringing government closer to the citizens and to form representative and participatory forms of governance. The governance process may be brought closer to the citizens through decentralization that devolve the adminsitrative authority and responsibiility from the central and provincial government to the local-level bureaucrats and representatives. (Jain 2005). According to Rondinelli et al. (1983), it is hope that decentralization decreases the burden on central government and less time has be spent on the process of any decentralized programs. It improves the government responsiveness to public services, projects are quickly completed and quick response to any public problem because of the local manager has greater voice in decision making. It is more effective and efficient public service delivery, more accountable and transparent, speedier resolution of local disputes. In decentralization citizens and local representatives have more power in public decision-making.

Effects of Decentralization and Service Delivery

Countries are motivated to start decentralization with the following reasons;

The very first is that the central government does not have the ability of providing essential public services, i.e. education, health, water and sewerage, etc. it is considered that problems with public service delivery are because of the centralization of these public services. It is also conceived that decentralization reforms are undertaken for the purpose to improve the basic delivery of services (Ahmad et al. 2005). Centralized provision/delivery of basic public services may lead to higher corruption and misuse of funds (Bardhan & Mookherjee 2000). On the other hand, it is argued that decentralization improves basic public service delivery by increasing: (a) Allocative efficiency/resource allocation through better matching of public services to local preferences. (b) And Productive efficiency through increased accountability of LG to people and reduced corruption in government, fewer levels of bureaucracy, and better knowledge of local costs (World Bank 2001). According to Azfar, et al (1999), decentralization improve public service delivery through increasing; allocative efficiency, accountability, and cost

recovery as well. Bardhan & Mookherjee (2005) of views decentralization might be decreased corruption and misuse of funds.

Allocative Efficiency

Decentralization increases the efficiency of resource allocation is the most well-known statement of theorist (Azfar et al. 1999). According to World Bank (2001) Decentralization may improve allocative efficiency by giving power and authority to adjust resource allocations and powers and functions are dispersed to lower level because the lower level government are better informed of preferences of local citizens than higher level government. Low enough level governments are more aware of the needs and preferences of local people so possible to adjust service provision accordingly.

In decentralization the people particpate in decision making through a proper mechanism to express the services and quantity and quality of the services, thus the citizens will be willingly pay the cost of those services (Miller 2002 compiled in Cramer 2004).

Productive Efficiency

Decentralized or sub-national government should have the authority to give response to local preference as well as adequate mechanisms for accountability. Because giving authority without accountability can pave the way for corruption and the productive deficiency (World Bank, 2001). An effective system of accountability may be possible through the following mechanism: Policy makers should have accountable to local people for resources allocation of the services required and the service providers should have accountable to the policy makers for public service provision. Decentralization is likely to reduce corruption and increase accountability because local governments are closer to citizens and citizens can easily monitor the policy makers because they are well-informed about the actions of decentralized government (Khan 2006).

Cost Recovery

When the delivery of services matching the preferences of the citizens and demand antiphonal then citizens will pay willingly for those in the form of taxes and fees (Khan 2006; and Azfar et al. 1999). When costs recover in the form of taxes and fees, greater the chances of improvement in the delivery of services.

The Local Government Act 2013

Each Province had established its own structure of Local Government under the LGA 2013 this study is limited to Mardan, KP Province; its structure is as follow;

Village and Neighbourhood Council

Village and neighbourhood council is the third and lowest tier of local government in KP, composed of 10 to 15 members on the basis of population in which five to ten general seats, two seats reserved for women, one seat reserved for each non-Muslim, youth, and peasants/workers. All of the above members were elected through the adult franchise. A candidate from general seat, who secures the highest number of votes in the election, shall become Nazim and a candidate from the general seat, who secure the second highest numbers of votes, shall become Naib Nazim. Non-party based election was held in the village and neighbourhood level. In KP province village and neighbourhood council was established as a third tier of local government instead of the Union Council.

Tehsil Council

The middle tier of local government comprised of the Tehsil Council, and Tehsil administrations which is headed by Nazim. A Tehsil council is consists of general seats, seats reserved for women, peasants/workers, youth, and non-Muslim. Party base election was contested in Tehsil Council.

District Council

District council is the first and highest tier of local government. District government comprised of the district council and district administration which is headed by district Nazim. The council is composed of general seats, seats reserved for women, youth, non-Muslims and workers/peasants. The election of the district council was contested on a party basis.

Institutional Arrangement for Budget Approval

- *Before the commencement of the next financial year, each Nazim shall, present the budget for consideration and approval of the respective local council.*
- The budget bill shall be approved by a simple majority of the entire membership of the district council.
- No other matter shall be discussed in the council during the budget session.
- In case if district council could not approve the budget bill before the commencement of the financial year, the provincial government will prepare, allocate the funds on her owns will.

Table 1. Sector Wise Allocations

	Name of Sector	Allocation 2015-16	Carried over Funds from 2015-16	Allocation 2016-17	Total 2016-17	Carried over Funds 2016-17	Allocation 2017-18	Total 2017-18
Development Share	Education Share	115.9784	57.989	140.47	198.455	92.652	97.604	190.256
	Health Share	57.9892	24.37	70.233	94.603	26.839	48.802	75.641
	Road Share	115.9784	57.989	140.47	198.455			
	Agriculture Share	28.9946	7.497	27.616	35.113	0.254	24.401	24.655
	Women Development Share	28.9946	14.497	35.116	49.613	13.856	24.401	38.257
	Youth/Sport Share	28.9946	14.497	35.116	49.613	18.441	24.401	42.842
	Discretion of District Govt.	144.973	75.384	198.082	273.466	0.788	268.411	269.199
	Total Developmental Fund	579.892	281.218	702.328	983.544	152.830	488.020	640.850
Public Funds	Salary							8547
	Non-Salary							715

Source: Based on Information Retrieved From District Council Mardan In the light of the first financial year, the first budget for the year 2015-16 was unanimously approved by the district council Mardan. 580 million was allocated in the first budgetary year in which 281 million was not managed by the district government in time due to different reasons which are discussed in the coming section 'lapses of the funds'. Not managing of the persistent 280 million funds, carried to the next year for 2016-17. Contrary to the first budget for the year 2015-16, the second budget for the year 2016-17 was increased from 580 million to 702 million which resultantly improved the performance of district government Mardan to some extent, the second budget raised from 702 million to 983 million with the carried over funds from the previous budget. In the first year 291 million was managed but in the second budget the district government got some experience, they managed 831 million which indicated a pleasant improvement as compare to the first budget. From the second budget for the year 2016-17, 152 million were persisted and carried to the next year for 2017-18, contrary to the previous two budget, the budget allocation for the year 2017-18 was unanticipated decreased from the two previous budget, first budget 580 million and second budget 702 million to 488 million which raised to 640 million with the carried over fund 152 million from the previous budget. The third budget with an unexpected less budget, badly affected the performance of the district government Mardan especially in public service provision because in the third budget the allocation of discretionary share was increased which was considered by Nazim as he was the sole authority to use it.

Collection of taxes

According to Chapter 10 Section 42, sub-section 1 to 5 of the KP Local Government Act 2013 the district government has the authority to levy/impose, reduce, and suspend taxes in the district. The taxes will be collected through the controlling authority which consists of district Nazim and the deputy commissioner. The district government will generate its own resources in the form of taxes and fines. The procedure to impose taxes is as same as the provincial government. Once the taxation approved by the district council, the deputy commissioner

will be bounded to implement and taxes will be going to Account Four and D.C has the authority to release the funds from Account Four. He is the principal accounting official.

Table 2. Proposal of taxes in the session meeting on 28 July 2016 for the year 2016-17

S. No	Category	Rs.
1	Marble Load Truck for Education	500 per truck
2	Mines and Minerals	300 per truck
3	Non-commercial mutation tax for health and education	01%
4	Health Tax on Private Laboratories	1000 Annual
5	Education Tax on Petrol Pump (Rural)	5000 annual
6	Education Tax on Petrol Pumps (Urban)	10000 Annual
7	Every big bedfort Truck	200
8	Mazda	100
9	Big Trickter Traly	100
10	Small Trickter Traly	50
11	Dotsan, suzuki vain	50
12	Raksha etc.	20

Source: *Information Retrieved From District Council Mardan.*

Table 3. Proposed District Receipts 2016-17

S. No	Description	Amount in Million
1	Commercial/Non-Commercial receipts	200.00
2	Health Institutions receipts	19.00
3	CNG Stations receipts	20.00
4	Shadi Halls/Mega Marts/Bargains/ Medical whole sellers/Sweets etc receipts	4.00
5	Private Schools receipts	3.00
6	Fines/offences receipts	50.00
7	Miscellanies receipts	4.00
Total		300.00

Source: *Information Retrieved From District Council Mardan.*

A meeting was convened by the district Nazim Mardan on August 1, 2017, regarding the recovery of the taxes already levied by the district government of Mardan. The meeting was started with the recitation of the Holy Quran. First of all, district Nazim welcomed the participants and then explained the aims of the meeting. He said that the district government has been vested with the authority under the Local Government Act 2013 Section 42, Schedule 3rd part-1 to levy taxes in the district. As such the district government Mardan had levied taxes in the year 2015-16 and 2016-17 to the tune of Rs. three hundred million and two hundreds millions respectively. A member of the finance department was asked by the district Nazim Mardan about the update of recovery of these taxes. A member of the finance department told that only fifty millions have been received till date, mostly out of imposed fines. The district Nazim expressed dissatisfaction and invited the participations to share their valuable input for the betterment and improvement of the recovery system.

The receipts of these taxes amount spend on developmental works and public service provisions. The expected amount of taxations was 300.00 million in 2016-17 but district council Mardan received only fifty millions which were less than 20% of the expected amount. The low amount of taxes badly affected the developmental works as well as the delivery of services. The council made a wise plan for the 300.00 million but less than 20% of the total expected amount razed the plan which was made for the betterment of the citizens.

Three reasons were traced that the less amount of taxes was received by the district government Mardan. First was the political reasons and the second reason was the lack of technical and the third reason due to lack of transparency. Every member of the district council was trying to protect their voters from taxation for the purpose to gain support and popularity in the next elections. The second reason of the low amount of taxes was receives due to illegal taxes collected by unauthorized bodies. One of the cases was found in Sabzi Mandi that the taxes was collected by some of the people of the union which was illegal and not authorized by the district council as well as other government department. Third reason lack of transparency in tax collection they do not report the actual amount of taxes which was collected from different areas of the district. Last but not least one reason was traced by DC Mardan that he said in a meeting of the council that very less recovery which was under expectation

due to the reason that the mutation are banned in Tehsil Takht-i-Bhai and Katlang for want of computerization of the revenue record. He said the recovery of fifty millions rupees contains the mutation fee received from the revenue department Tehsil Mardan only.

Inter-Governmental Relation

The 2013 general election was held in Pakistan in which Pakistan Tehreek Insaf (PTI) became the largest political party in Khyber Pakhtunkhwa. PTI initiated a local government election in the province held on August 31, 2015. The election was contested on a party basis in twenty four districts of KP, only nine district seats won by PTI. District Mardan has a total of 112 seats, 75 general seats, 25 reserved for women, 4 reserved seats for each peasants, youths and minorities. It was obvious that a political party required a simple majority for making government in the district council which comes to 57.1% members. Pakistan Tehreek Insaf (PTI) and Awami National Party (ANP) became the largest political party in the council. However, both political parties could not clearly sweep the local government election of district Mardan. Thus, that was the reason that the coalition was made by two different group, first group consisted of six parties, Awami National Party (ANP), Pakistan People Party (PPP), Jumiat-Ulema-Islam Fazal (JUI-F), Pakistan Muslim League Nawaz (PML-N), Jamshed Mahmand Group and one independent, this was the first group who secured sixty seats, the second group comprised of PTI and JI who gained 52 councilor seats. The requirement for making government in district council Mardan was fulfilled by the first group and the Nazim was elected from ANP and Naib Nazim was elected from PPP, they took oath on August 31, 2015.

According to proponents of decentralization, the dispersal of powers to the lower levels of government ameliorates/improve public service delivery in at least three important ways – equity, productive efficiency and cost recovery. However, service delivery outcomes are shaped by a variety of different factors. Among others, inter-governmental relations stand as an impact factor which in this particular case ostensibly seems to have profoundly shaped the public service delivery in District Mardan that Nazim and Naib Nazim was suspended for 30 days due to some irregularities. The Nazim and Naib Nazim approved the budget bill for the year 2015-16 which was claimed by the members of the opposition party that the approval of the budget bill was without the consent of the simple majority. The opponents made complaint to Local Government Commission about the budget bill for the year 2015-16 which was approved by the district Nazim and Naib Nazim without the consent of a simple majority which comes to 57.1 out of 112 members of the total district members. They had claimed that the member were present in the session were less than 57 and the district Nazim and Naib Nazim approved the budget bill at the date of 10-12-2015 at Salateen Shadi Hall which was a totally violations of Codal Formalities.

Assistant Director LG & RDD and sectary to district council referred to deputy commissioner Mardan. He said in his letter that he entered in the meeting hall at about 10:00 am the meeting was also started at 10:00 am in Salateen Shadi Hall. The other members were also coming. He said that he went to the wash room when he return to the hall the meeting was started at the recitation of the Holy Quran and then neither a hand show had taken nor not simple majority were present in the meeting hall. The convener of the district and Nazim of the district council Mardan, both said that as you (members) know enough discussion was made yesterday and no further discussion is required in this regard. The budget bill was approved without the consent of simple majority because the total members were present in the hall almost 38 to 40 out of 112 of the total district members. He claimed that he had seen irregularities.

On 10/12/2015, deputy commissioner Mardan sent a letter to district Naib Nazim about the budget proceeding. DC Mardan asked in his letter that the meeting were attended by only 40 members and the required members are 57.1 for the approval of the budget bill which is simple majority but the bill was approved without the consent of the simple majority which is a violation of the codal formalities. He also requested the convener of the house that kindly look to the matter as a custodian of the house and ensure that no irregularities happens in this regard. He also requested to the convener of the district council in case the aforementioned complaint is genuine and accurate then kindly take immediate action accordingly.

In response to the letter of the deputy commissioner, the convener of the district council ensured that all the complaints against the council were totally false, inaccurate and baseless.

The chief minister of Khyber Pakhtunkhwa suspended the district Nazim and district Naib Nazim for a period of 30 days through formal notification. The Nazim and Naib Nazim appealed in the Peshawar High Court against the chief minister decision of their suspension. The Peshawar High Court decided the case in the favor of Nazim and Naib Nazim district council Mardan. The Court argued that the suspension order for 30 days was illegal, wrong, ultravires, malafide and based on political victimization. The facts of the case are as follows:

- That Petitioner No.1 is the district president of Awami National Party (ANP) and was elected as district Nazim for the session commenced from October 2005 to February 2010.

- That Petitioner No.1 also remained MNA from 2012 up to 2013 similarly Petitioner No.2 is an active member of the Pakistan People Party (PPP) and enjoyed the post of Secretary General of District Mardan City.
- That Petitioner No.1 being a ticket holder of ANP was elected District councilor from Mayar Union Council where as Petitioner No.2 was elected as District councilor being the ticket holder of PPP from Union Council Guli Bagh Hoti Councilor.
- That after the Local Government Election Petitioner No.1 was elected as district Nazim where as Petitioner No.2 was elected as Naib Nazim of District Government Mardan. In this respect notification of the Petitioners for the said Office's was issued on September 8, 2015.
- That after taking of the oath, Salary Budget was unanimously passed on October 22, 2015, by Zila Council Mardan.
- That in continuation of the budget proceedings Annual Development Program (ADP) was passed on December 10, 2015, by a simple majority of 59 Members out of total 112 of Zila Council.
- Later on Salary and non-salary budget of Zila Council Staff was also unanimously approved by the Zila Council on January 15, 2016.
- That the previous proceeding conducted regarding the approval of ADP 2015-16 in the light of the approved budget were subsequently approved by the majority of Members of Zila Council in a meeting held on January 25, 2016.
- That in compliance with the Budget District Government Development Committee headed by District Nazim was convened on February 16, 2016 where in schemes were approved.
- That another meeting in the light of the approved Budget was convened by District Development Committee (Tech) on March 25, 2016 headed by Deputy Commissioner Mardan (Respondent No.5).
- That in light of the approved budget the approved schemes were duly thrashed out by DDC (Tech), thereafter overwhelming majority of the Members including the Members of PTI and JI from the opposition benches submitted their respective Project. Identification Forms regarding their respective development schemes.
- That the Zila Council meeting held on May 3, 2016, for approval of the guide line in the light of the budget was unanimously approved. The said approval clearly suggests that there was no ambiguity regarding the passing of the budget by the majority of the Members of the Zila Council.
- That Respondent No.1 due to ulterior motive for his ends of his political victimization by exercising colorable authority has wrongly, illegally issued impugned Notification bearing No. DG (LG) RD/LGC/2016 Dated May 6, 2016, vide which the Petitioners were suspended for 30 days.
- That all the said proceedings are duly entered and recorded by Secretary being the custodian of all Official Records. According to the above mentioned record, the budget has been approved unanimously or by the majority of the total members of the district council the proceedings of which were later on confirmed but the impugned Notification No. DG (LG) RD/LGC/2016 is against fact and law, being malafide, illegal, ultravirse, based on the colorable exercise of authority, biased, against equity and justice and political victimization is liable to be set aside on the following grounds.

The Peshawar High Court acquitted/vindicated both the District Nazim as well as Naib Nazim.

- *The salary and Non Salary Budget of devolved departments was passed unanimously and the Budget for Annual Development Program was passed by a simple majority. But nowhere was mentioned that which budget was passed by the minority thus the impugned notification is ambiguous and baseless.*
- *Majority of district council members including members of opposition benches have also submitted the project identification form regarding their respective development scheme. It is sufficient proof that the budget was passed with the consent of the majority members because if they did not passed the budget then how/why did they submitted a project identification form regarding their respective development schemes.*
- *The Secretary of the District Government has the responsibility to maintain the minutes of the meeting and other records under section 70(9) of the KPK LGA (2013). While it is no where indicated that the budget bill was not passed by the majority of the district council members.*
- *That in compliance to the approved budget the meeting of the District Government held on 16/3/2016 is sufficient proof that the budget was legally passed by a majority of the Members.*
- *The entire record is maintained by the Secretary District Council. There is no sign of complaint ever rose that the aforementioned budgets are not passed by the majority of the members.*
- *That there is no provision in the Ibid Act for the suspension of District Nazim and Naib Nazim due to failure of the passing of the budget.*

- *And there is also no provision in the Ibid Act that in case of Nazim and Naib Nazim were suspended then who will run the functions of the district government thus the notification is illegal and unconstitutional which is based on political victimization vide which the will of the people has been snatched and razed.*
- *The Petitioners have never violated KPLGA 2013 or Bye Laws or Rules of Business. The notification against petitioners was ultravires and political victimization. While Respondent No.1 has violated the provision of Article 25 and 140 (A) of the Constitution of Pakistan 1973.*
- *Due to false notification against petitioners the District Government Mardan function has collapsed which is against the interest of the public and against the major theme and goals of the LGA as well as against the goal of 140 (A) of the Constitution of Pakistan 1973.*

The legal battle between the chief minister and the district Nazim had far-reaching consequences for the smooth functioning of the district council for almost half a year the district council remained dysfunctional because the Nazim and Naib Nazim as well as the whole district officials were engaged in the aforesaid matter. Thus, the district council was not in a position to give proper time and proper preferences to citizens. The problem badly affected the delivery of services because day to day interaction among D.C, A.D, Nazim, and Naib Nazim and the high court as well. It was obvious that Nazim and Naib Nazim were not mentally fit to utilize funds and deliver services to the people. 'The Nazim and Naib Nazim were suspended for 30 days although there is not any such factual evidence in KPLGA 2013 that if a bill is not passed by a simple majority then they shall be suspended. The decision of the provincial government was unconstitutional and unlawful. It was seen that the suspension order by CM was based on political rivalries and political victimization. Five members committee was made for dealing of the aforementioned problem.

The chief minister who considered himself as a giant of the province misused his power and authority and seen political victimization because both Nazim and Naib Nazim belonged to the opposition and rival party. He suspended them for not passing the budget bill by a simple majority. Although the documents showed that for a simple majority of 112 required 57.1 votes but the budget was approved by 59 members also approved salary and developmental funds in budget. After the approval of the budget development committee of the district government also approved different developmental plans.

The advocate general of Khyber Pakhtunkhwa said that the chief minister did not politically victimizes the Nazim and Naib Nazim, but they were accused of taking bogus/fake signature of the district councilors on the attendance sheet of the session. The advocate general of Khyber Pakhtunkhwa 'Abdul Lateef Yousafzai' said in Court that the chief minister of KP did not act on the bases of political victimization because there are 26 district in KP but where local government election were held in 24 districts only 9 district seats was won by PTI and there are more district where PTI is not ruling party, but the budget needed to be passed by simple majority.

The district Nazim Mardan also said that PTI members also submitted their pro farma in the district council for developmental plans he also said that the district government made a lot of developmental plan for the citizens of Mardan but the provincial government suspended him which showed conspiracy against the development of the citizens of Mardan but would never let success the conspiracy against the development of the citizens Mardan, District Nazim said.

Issues such as this paved the way to ignore the opposition party members in the district council Mardan. A member of district council also mentioned discrimination, on the first day of the session meeting on June 28, 2017. He requested to Nazim Mardan not to distribute funds on a party basis. He also argued that the funds were spent on a party basis in his jurisdiction - Union Council Garhi Dolat Zai.

Opposition party members boycotted from any sessions of the council in the future because the distribution of the funds on a partisan basis. Oppositions claimed that they have the right to receive the discretionary fund. They also complained that Nazim was giving preference to his alliance friends and his party members. The opposition boycotted almost for two months from the sessions and in these two months citizens were ignored and welfares of the people was badly affected among their rivalries.

In response to the meddling of the provincial government the district Nazim also took retaliatory measures concerning the obstruction development project initiated by the provincial government in district Mardan. Both were regularly meddling with each other affairs. This regular meddling was happened due to party based election because in Provincial Assembly PTI was the ruling party and ANP was the opposition party while vice versa in district Mardan.

Party Alliances in District Mardan

As mentioned above, 112 general seats in district Mardan and needed a simple majority which is 57.1% members but no such simple majority gained by any political party. PTI and ANP were emerged the largest political party, two groups were made for that purpose, the first group was consists of ANP, JUI, PPP, PML (N), Jamsheed

Mahmand Group and Independent made a coalition and they had 60 members including ladies, minorities, youth and peasants in the district government of Mardan out of 112 members and the second group PTI and Jumiat I Islami have 52 Members including ladies, minorities, youth and peasants. The government was formed in district Mardan by first group and the member of ANP became district Nazim and member of PPP became Naib Nazim.

Repercussion of the Alliances on service Delivery and Developmental works

In contrary to PTI, a coalition government was formed by six parties in district council Mardan for their own aims and goals, each member and party had joined the coalition for different purposes. Since the establishment of local government in district council Mardan, the important goals of the KP Local Government Act 2013 was to improve governance and public service delivery which was entirely ignored by the ruling and opposition party for their own sake. The district Nazim preferred their alliance friends and his own party members in the distributions of funds especially in discretionary funds, the oppositions of the district government were completely ignored. The alliance also created so many troubles in the council through which the district government could not function effectively. The alliance was formed on the basis their terms and conditions, but each member of the alliance violated the terms and conditions of the agreement which resulted in a major issue. The ANP and JUI-F coalition was discontinued due to not fulfilling of the terms and conditions by ANP that the positions holds by ANP and JUI-F should exchange after two years of tenure of the district government and JUI-F intended to exceed the positions hold by them, but ANP had not exchanged their positions. Thus, for four months daily meetings were holding by the district council members and parties under the highly profile politicians. And after four months when the ANP was not agree to that of the agreement, JUI-F left the alliance with ANP and sited in the opposition benches and also proposed other members to become their ally. Delay of the funds happened due to the struggle between the ruling and opposition party to make allies. The delivery of basic public services was entirely ignored by the council. It was obvious that the funds were delayed due to lack of technical people but one of the reasons of the lapses or delay of the funds was the party alliance and their problems.

Lapses of the Funds

Basically the fund never lapse in the district government according to the law but it will carry in the next year. Although, delay of the funds occurred that was also a serious problem which badly affected service provision. There were basically six reasons, in this case, the study through which the funds did not use in time.

Firstly, local government received its financial share from the provincial government on a quarterly basis. The first quarter commenced from 1st July to Sept and the second quarter commenced from 1st Oct to Dec and the third quarter started from Jan to March and the 4th quarter started from 1st April to June. The funds had never hand over in time the last quarter always received in the end of the budgetary year. Thus, it could not be possible to manage the funds in time that was the reason that it was carried to the next year and would manage it in the coming year.

Secondly, the Allocation of the funds decided in the provincial government also made delays. The district government had no such authority to spent fund without the guideline set by the provincial government. The members of the district council had to follow the guideline set by the provincial government. In some cases, the provincial government allocated the fund but the allocated area did not need funds, for instance, a member of the district government Mardan asked the district government for approval to manage his fund in alternative area but he was not approved because the district council did not have authority to allocate the allocated fund. That member rejected the fund because that was allocated for middle and higher schools and there were no such middle and higher schools in his jurisdiction.

Thirdly, the district government had lacked its own technical people to carry out the funds. The district funds were spent through the hands of TMA Mardan, TMA Takhta Bhai, TMA Katlang and Executive Agencies. These executive agencies and TMAs first acquired their commissions from the projects then they carried the remaining funds used on the projects. Mostly members of the district government Mardan had complained on executive agencies that the concerned agencies did not carry out their works in time. In the previous government of ANP, executive agencies got big amounts of contracts, while they were not interested in small projects of the district government.

Fourthly, delay of the fund due to political involvement, district Nazim Mardan belonged to ANP, he was trying to give preference and priority to his own allies and members of ANP, easily released their funds. He was deliberately delaying and did not easily release the funds of his oppositions. Those members of the oppositions, who were suffered due to not relinquish of the funds, could not utilize funds in time.

Fifthly, the Delay of fund due to the meddling of the provincial government frequently in the normal functioning of the district government Mardan as well as the inner problems was also facing to district government Mardan. The district Nazim was suspended for thirty days and this suspension was challenged by him in the

Peshawar high court. This process spent five months and in these five months district council was not functioning and delivering public services. The six party's alliance also created serious trouble in the council which was explained aforementioned in details that damaged the smooth and effective functioning of the district government.

Sixthly, another problem that was facing to district council Mardan through which the delays of funds was happening, was not calling the budget meeting of the council because of not securing a simple majority by the ruling party after leaving of the coalition by JUI-F. According to KP Local Government Act 2013, Nazim shall convened the district council meeting almost for once in every month but after leaving of the coalition by JUI-F, Nazim did not convene any single meeting of the council.

Issues between Bureaucracy and District Nazim Mardan

The District Education Officer (DEO) Mardan transferred a school teacher but the transfer order of the teacher was cancelled by the Executive Order of the Nazim district Mardan. The Nazim of the District also claimed that the authority over the transfer of officers of the devolved offices was vested with the district council under LGA 2013 and under the Rules of Business. Hereby he issued the executive order for cancellation of office order No. 5181-84 which was issued by the DEO Mardan (Office of the District Nazim Mardan. No: 558-59 DN (M) Dated 12/06/2017). The DEO Mardan sent letter to ask the local government commission that the authority to transfer teachers belongs to DEO or Nazim of the District or district council or if the authority vested in the hand of the Nazim district or district council then what is the role, authorities and functions of a DEO, ask guidance.

Conclusion

Since its independence in 1947, there have been several attempts at decentralizing powers to the peripheries. Such attempts have accrued in the establishment of local government systems during different historical instances of Pakistan history. The first local government system was introduced by General Ayub Khan during 1958, which also comes to be popularly dubbed as the Basic Democracy (BD) system. The constitution of 1973 also promised to bring decentralization reforms but no such democratic government brought it. The second attempt of decentralization reform was LGO which was initiated in 1979 by General Zia Ul Haq, who was also a military dictator introduced for his legitimacy. The third attempt of a decentralization program was initiated by a military General Pervez Musharraf which was popularly known as LGP 2000. He broke the two hundred years hold of the bureaucracy on governance and empowers citizens to have a greater role in decision-making.

The fourth attempt of the local government system in Pakistan was the Local Government Act 2013. This was the first attempt in the history of Pakistan the civilian government introduced a local government system and party base election were held. Each province has given authority to make its own laws for Local Government in their provinces. The aims of this act were to empower citizens, transfer powers and responsibilities to local tier government, give the basic right to citizens, citizens would be the major target of the government policies and each lay man would be easily accessible to the government and bring improvements in public service delivery. This fourth attempt of local government was partisan bases,

It was concluded that party base election also adversary affected public service delivery in different ways. The first case, the rolling party in the provincial government and the opposition party in the provincial assembly got a majority in some district, then the provincial government interfere in the regular functions of the district such like district Mardan the CM suspended Nazim and Naib Nazim because they were belonged to the opposition party. The second case, the rolling party in the district resists the members of the opposition's party in different ways. The first technique of resistance was not releasing of fund for members of the opposition's party on time, mean delay of the fund; the second technique of resistance was not to listening seriously the voice of opposition's members in district sessions. The third technique was that Nazim never perform the work by which the opposition party would get the reward of the citizens although those work would be very beneficial for the living standard of people. The fourth technique, the Nazim always spend discretionary fund only in those areas where his party members belonging, and never used discretionary fund equitably. These problems were facing due to party base election. Members did not work for the welfare of the people but for the benefits of their party.

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