

1: Challenges of Local Government Institutions in Bangladesh | NIBiz Soft

of formal institutions of local government and government hierarchies, as well as the roles of informal norms, networks, community organizations, and.

This article needs to be updated. Please update this article to reflect recent events or newly available information. June Lithuania has a three-tier division of local government: The counties are ruled by county governors Lithuanian: Municipalities are the most important administrative unit of local government. Each municipality has its own government and council, with elections taking place every four years. The council elects the mayor and appoints elders to govern the elderships. Elderships, numbering over , are the smallest units of local government. They provide public services such as registering births and deaths and identifying individuals or families in need of welfare. Malta[edit] Malta is a unitary city state divided into 68 municipalities local councils , according to the constitution of the Malta. Municipal politics in the Netherlands and Provincial politics in the Netherlands The Netherlands has three tiers of government. There are two levels of local government in the Netherlands, the provinces and the municipalities. The water boards are also part of the local government. The Netherlands is divided into twelve provinces provincie , pl. They form the tier of administration between the central government and the municipalities. Each province is governed by a provincial council, the States-Provinciale Staten , abbr. Its members are elected every four years. The day-to-day management of the province is in the hands of the provincial executive, the States Deputed Gedeputeerde Staten , abbr. Members of the executive are chosen by the provincial council from among its own members and like the members of the provincial council serve for a period of four years. Members elected to the executive have to give up their membership of the provincial council. The size of the executive varies from one province to another. In Flevoland , the smallest of the Dutch provinces, it has four members, while most other provinces have six or seven. The appointment is for six years and may be extended by a second term. Municipalities gemeente , pl. There are of them 1 January The municipal council gemeenteraad is the highest authority in the municipality. The role of the municipal council is comparable to that of the board of an organisation or institution. The day-to-day administration of the municipality is in the hands of the municipal executive college van burgemeester en wethouders , abbr. The executive implements national legislation on matters such as social assistance, unemployment benefits and environmental management. It also bears primary responsibility for the financial affairs of the municipality and for its personnel policies. Aldermen are appointed by the council. Councillors can be chosen to act as aldermen. In that case, they lose their seats on the council and their places are taken by other representatives of the same political parties. Non-councillors can also be appointed. Unlike councillors and aldermen, mayors are not elected not even indirectly , but are appointed by the Crown. Mayors chair both the municipal council and the executive. They have a number of statutory powers and responsibilities of their own. As Crown appointees, mayors also have some responsibility for overseeing the work of the municipality, its policies and relations with other government bodies. Although they are obliged to carry out the decisions of the municipal council and executive, they may recommend that the Minister of the Interior quash any decision that they believe to be contrary to the law or against the public interest. Mayors are invariably appointed for a period of six years and are normally re-appointed automatically for another term, provided the municipal council agrees. They can be dismissed only by the Crown and not by the municipal council. Water boards waterschap and hoogheemraadschap , pl. They literally form the foundation of the whole Dutch system of local government; from time immemorial they have shouldered the responsibility for water management for the residents of their area. In polders this mainly involves regulating the water level. It has always been in the common interest to keep water out and polder residents have always had to work together. That is what led to the creation of water boards. The structure of the water boards varies, but they all have a general administrative body and an executive board college van dijkgraaf en heemraden consisting of a chairperson dijkgraaf and other members hoog heemraad , pl. The chairperson also presides the general administrative body. This body consists of people representing the various categories of stakeholders: Importance and financial contribution decide how

many representatives each category may delegate. The general administrative body elects the executive board from among its members. The government appoints the chairperson for a period of six years. The general administrative body is elected for a period of four years. In the past the administrative body was elected as individuals but from they will be elected as party representatives. Unlike municipal council elections, voters do not usually have to go to a polling station but can vote by mail. Norway had municipalities of varying size in , each administered by an elected municipal council. They are grouped into 19 counties fylker , each governed by an elected county council. Each county is headed by a governor appointed by the king in council. Oslo is the only urban center that alone constitutes a county; the remaining 18 counties consist of both urban and rural areas. County and municipal councils are popularly elected every four years. The municipalities have wide powers over the local economy, with the state exercising strict supervision. They have the right to tax and to use their resources to support education, libraries, social security, and public works such as streetcar lines, gas and electricity works, roads, and town planning, but they are usually aided in these activities by state funds.

2: Core government functions | UNDP

The question of municipal autonomy is a key question of public administration and governance. The institutions of local government vary greatly between countries, and.

Gram Panchayats The Balwant Rai Mehta Committee [edit] In , Balwant Rai Mehta Committee studied the Community Development Projects and the National Extension Service and assessed the extent to which the movement had succeeded in utilising local initiatives and in creating institutions to ensure continuity in the process of improving economic and social conditions in rural areas. The Committee held that community development would only be deep and enduring when the community was involved in the planning, decision-making and implementation process. The block was large enough for efficiency and economy of administration, and small enough for sustaining a sense of involvement in the citizens, such body must not be constrained by too much control by the government or government agencies, the body must be constituted for five years by indirect elections from the village panchayats, its functions should cover the development of agriculture in all its aspects, the promotion of local industries and others services such as drinking water, road building, etc. The PRI structure did not develop the requisite democratic momentum and failed to cater to the needs of rural development. There are various reasons for such an outcome which include political and bureaucratic resistance at the state level to share power and resources with local level institutions, domination of local elites over the major share of the benefits of welfare schemes, lack of capability at the local level and lack of political will. It was decided to appoint a high-level committee under the chairmanship of Ashok Mehta to examine and suggest measures to strengthen PRIs. The Committee had to evolve an effective decentralised system of development for PRIs. They made the following recommendations: However, the flux in politics at the state level did not allow these institutions to develop their own political dynamics. Rao Committee [edit] The G. It recommended the following: The Gram Sabha was considered as the base of a decentralised, and PRIs viewed as institutions of self-governance which would actually facilitate the participation of the people in the process of planning and development. The suggestion of giving panchayats constitutional status was opposed by the Sarkaria Commission, but the idea, however, gained momentum in the late s especially because of the endorsement by the late Prime Minister Rajiv Gandhi, who introduced the 64th Constitutional Amendment Bill in The 64th Amendment Bill was prepared and introduced in the lower house of Parliament. But it got defeated in the Rajya Sabha as non-convincing. He lost the general elections too. All these various suggestions and recommendations and means of strengthening PRIs were considered while formulating the new Constitutional Amendment Act. The 73rd Constitutional Amendment Act[edit] The idea which produced the 73rd Amendment [11] was not a response to pressure from the grassroots, but to an increasing recognition that the institutional initiatives of the preceding decade had not delivered, that the extent of rural poverty was still much too large and thus the existing structure of government needed to be reformed. This idea evolved from the Centre and the state governments. It was a political drive to see PRIs as a solution to the governmental crises that India was experiencing. The Constitutional 73rd Amendment Act, passed in by the Narasimha Rao government, came into force on April 24, It was meant to provide constitutional sanction to establish "democracy at the grassroots level as it is at the state level or national level". Its main features are as follows: All the seats in a panchayat at every level are to be filled by elections from respective territorial constituencies. Not less than one-third of the total seats for membership as well as office of chairpersons of each tier have to be reserved for women. Reservation for weaker castes and tribes SCs and STs have to be provided at all levels in proportion to their population in the panchayats. To promote bottom-up-planning, the District Planning Committee DPC in every district has been accorded to constitutional status. An indicative list of 29 items has been given in Eleventh Schedule of the Constitution. Panchayats are expected to play an effective role in planning and implementation of works related to these 29 items. These members represent more than 2. This is the largest experiment in decentralisation of governance in the history of humanity. The Constitution of India visualises panchayats as institutions of self-governance. Consequently, the powers and functions vested in PRIs vary from state to state. These provisions combine

representative and direct democracy into a synergy and are expected to result in an extension and deepening of democracy in India. Hence, panchayats have journeyed from an institution within the culture of India to attain constitutional status.

3: Democracy & Governance | Afghanistan | U.S. Agency for International Development

A Users' Guide to Measuring Local Governance 1 Introduction This Guide is intended to respond to an increasing demand from UNDP Country Offices and a wide range of national stakeholders for.

Abattoirs and fresh food markets Parks and recreational areas Libraries and other facilities Local tourism National or provincial government can also delegate other responsibilities to municipalities. When municipalities are asked to perform the role of another sphere of government, clear agreements should be made about who will pay the cost. If municipalities are given responsibility for something without being given a budget to do the work, it is called an "un-funded mandate". Municipal councils have the power to: The council should approve an overall plan for how development should take place in the area. This is called an integrated development plan [IDP] and all projects and planning should happen within the framework of the IDP. It is an important source of income. Decisions about most of the above must be made in full council meetings. Many of the minor decisions that municipalities have to take can be delegated to exco, portfolio committees or to officials or other agencies that are contracted to deliver services. When other agencies deliver services, it is important that the municipal council keeps political power. Councils have to develop systems to ensure that delegated functions are performed properly and within a clear policy framework. Contracts must be drawn up to ensure that agencies stick to agreements. Elections Councils are elected every 5 years. The last election was held on 5 December There are basically two types of elections: In a metropolitan municipality each voter will vote once for a political party on a proportional representation ballot. The parties will then be given seats according to the percentage of votes that they received in the metropolitan area as a whole. Each party has a list of candidates and the councillors are drawn from this list. Each voter will also receive a ballot for their ward with the names of the ward candidates. The person receiving most votes in a ward will win that seat. Ward candidates may stand as representatives of parties or as independents. Metro councils may also set up sub-councils to serve different parts of their municipality. Sub-councils are not elected directly by voters. Existing councillors are allocated to serve on each sub-council. In a local municipality each voter will vote once for a political party on a proportional representation ballot. The parties will then be given seats according to the percentage of votes that they received in the area as a whole. Every voter in a local municipality will also vote for the district council that their local area is part of. The district municipality ballot will have party names on it and the seats will be allocated according to the percentage of votes parties gained in the whole district municipal area. Not all councillors serving on a district council are directly elected. Each local council will be given a number of seats and must send councillors from their ranks to fill those seats. The seats should be filled according to the support that parties have in a specific council. The other 2 seats should be allocated to other parties according to their strength. They do not vote for local councils or wards. The structures of council All councils have the following structures: The structures are set out in the Municipal Structures Act. In each province the MEC for Local Government decides what types of structures will be used by different councils. Mayors and executives Every council should have a mayor and an executive. There are 3 different types of executives: Mayoral executive Most local councils in the country have an executive mayor. The executive mayor is elected by the full council. He or she may appoint a mayoral committee that will assist in making decisions, proposals and plans that have to be approved by council. The council may delegate any executive powers to the executive mayor. An executive mayor is almost like the president at local level and a mayoral committee is almost like the cabinet. When a municipality has an executive mayor they should still elect a Speaker to act as the chairperson of council meetings. Collective executive A number of councils have a collective executive system. Here the mayor is still elected by the municipal council as a whole but the council also elects the executive committee. The members of the executive can be made up from members of different parties. The elections are on a PR ballot and parties will usually get the same percentage of seats on the exec as they have on the council. The mayor is the chairperson of the executive committee. The municipal council must delegate powers to the executive committee. In a collective executive system a speaker is also elected by the council. Plenary executive A plenary executive system should only be used in very small

municipalities. The municipal council elects a mayor but there is no executive or speaker. The mayor chairs the council meetings and the council as a whole makes the decisions and plans. So the plenary of the council acts as the executive. This is very important especially in large municipalities. Most councils do not have long meetings very often and somebody has to prepare properly to make sure that the most important decisions are made by the full council meeting. Council can also delegate some decision-making power to exco. Much of the preparation work on policies and programmes happen in the council committees and recommendations then go to the exco. At exco the chairs of different committees can look at proposals together to make sure that they are implementable. The exco is an important place where politicians can try to resolve issues or make compromises in private rather than having big fights in full public view. Most council decisions are made on the basis of exco recommendations. The exco can sometimes make final decisions independently of the full council but these are usually only on routine uncontroversial issues. Where the exco may make decisions on its own these decisions still have to be reported to the full council meeting. Exco may not make final decisions on important things like finance or policy. In most cases exco debates an issue and then makes a recommendation to council. If Exco is not allowed to make decisions their recommendations must be debated by council where the final decision will be taken. When an issue is debated in an exco meeting the exco may call for further explanations from people who can add to the debate. The exco meeting will usually include the committee chair, who should be an exco member, and senior officials in the department involved. Any other committee members may be requested to attend the exco meeting to motivate a proposal. Council committees

Most council have a number of council committees that specialise in specific areas. Councillors then get a chance to dedicate time to specific issues and to become experts in those. Committees make recommendations to council and saves the council from having to deal with all matters in detail. Committees do not make final decisions since most decisions need approval by council as a whole. There are three different types of committees: Portfolio committees - These are the most common and usually have the same names as the different departments in council e. Geographically-based committees - These are set up to deal with issues in a specific area. This system is usually used in large metropolitan municipalities that also have sub-councils. Issue-related committees - These may be set up to deal with a specific issue in a way that involves people from different committees. This helps to stop problems from being treated in isolation. Section 80 committees are usually permanent committees that specialise in one area of work and sometimes are given the right to make decisions over small issues. Section 80 committees will also advise executive committees on policy matters and make recommendations to council. Section 79 committees are usually temporary and appointed by the executive committee as needed. They are usually set up to investigate a particular issue and do not have any decision-making powers. Just like Section 80 committees they can also make recommendations to council. Once they completed their task Section 79 committees are usually disbanded. Outside experts as well as councillors can be included on Section 79 committees. Ward committees Ward committees may also be set up in municipalities where the ward committee model is being used. The purpose of a ward committee is: A ward committee may not have more than 10 members and women should be well represented. The ward councillor also serves on the ward committee and should act as the chairperson. Ward committees have no formal powers but can advise the ward councillor or make submissions directly to council. It should also participate in drawing up the integrated development plan of the area.

Decision-making in council Standing orders All council meetings are run according to rules that are called Standing Orders. These set out how the meeting should be run, how you can propose motions or pass resolutions and how decisions will be made. The speaker or chairperson of the council decides whether anyone is breaking the Standing Orders and is responsible for keeping order. Cycle of decision-making There is a cycle of decision-making that is followed in most councils: Agendas have to be prepared before meetings and any committee reports, petitions or motions have to appear on an agenda before they can be discussed. When an issue comes up for discussion at a council meeting it is often referred to a committee or to the exco for further discussion and a deadline is given for when a report should be made.

4: Local government - Wikipedia

Fiscal Decentralization and Local Governance in Burundi IDA supports countries in building open, effective, and accountable institutions for inclusive development. This involves both strengthening core government systems to channel resources to the bottom 40% of the population, and developing a public sector grounded in transparency and citizen.

The Urban and Rural District Council Acts have been amended many times to initiate efficiency and effectiveness in local governance. Despite many strategies or policies initiated over the years, the system the admirable local government system inherited from the colonial period has deteriorated significantly. The study was a typical desk research. Documents from central government, local governments and books and journals were reviewed and analysed. The results indicate that political commitment to achieving democracy, good governance and decentralization is needed. The description of the local government system of Zimbabwe in the new National Constitution is a positive development. Local government legislation has given too much power to the Minister of Local Government who has tended to abuse it as evidenced by unilateral appointments of Commissions and firings of legal institutions. There is also need to elect literate councillors who can form policies or interpret statistical information like financial data especially during budget debates. The deterioration of a local government system cherished by many during the 1980s to the 1990s is a clear testimony of the slow political, governance and democratic development processes. Chand and Company LTD. *Governance Reform in Developing Countries. A critical analysis of decentralization in Zimbabwe: South Africa, Western Cape. The University of the Western Cape. A Practical Guide to Governing at the Grassroots. Good Governance in Local Self-Government. Deep and Deep Publications Pvt. Public Administration and Management for Effective Governance. Juta and Company Ltd. The Oxford Handbook of Public Management. Oxford University Press Inc. The Administration Theory Primer. Corruption, Democracy and Good Governance in Africa: Essays on Accountability and Ethical Behaviour. The Last Days of Robert Mugabe. Right to Information and Good Governance. Democracy and the Social Question: Some contribution to a dialogue in Ethiopia. Project Work in the Community. Palgrave MacMillan Press Ltd. Leadership on the Line: Staying Alive through the Dangers of Leading. Harvard Business School Press. African Perspectives on Governance. Africa World Press Inc. Looking beyond political qualifications of councillors: A survey of the implications of councillor qualifications to good governance in urban councils of Zimbabwe Jonga, W. Administration, Ethics and Democracy. Ownership, Leadership and Transformation. Zimbabwe; Survival of a Nation. Governance in Southern Africa: Southern Regional Institute for Policy Studies. Local Government in the Third World: The Experience of Tropical Africa. John Wiley and Sons. Beyond The New Public Management: Changing ideas and practices in governance. Edward Elgar Publishing Limited. Governance and Public Services Delivery in Zambia. Survey Methods in Social Investigation. Lynne Rienner Publisher, Inc. Organizational Behavior in Education: Adaptive Leadership and School Reform. Urban Governance Around The World. Zimbabwe Human Development Report. United Nations Development Programme. Foreword in Friene, P. Pedagogy of the Oppressed. The Theory of Democracy Revisited. Chatham House Publishers, Inc. Final Project Completion Report: Van den Dool, L. The Development of Public Institutions: Reconsidering the Role of Leadership. Problems of Nationalism and Democracy in Zimbabwe and Tanzania. Local Government Institutions and Elections. PDF [13 October]. Analysing Historical Trends and Gazing into the Future. PDF [31 November]. What role for mayors in good city governance? Cholera Outbreak - Jul Institute for Democratic Alternative for Zimbabwe. Local Governance in Transition: Urban Local Governance in The Crucible: In Defense of National Sovereignty? Urban Governance and Democracy in Zimbabwe. UNDP on good governance. Enhancing democracy and good governance: Political Legitimacy, the Egalitarian Challenge, and Democracy. Popular Responses to the Urban Crisis in www. The impact of weaknesses in the Urban Councils Act on efficient and effective service delivery in urban local councils in Zimbabwe. The impact of democracy in Zimbabwe: Enhancing local governance through local initiatives: Fiscal autonomy of urban councils in Zimbabwe: Martin, R and Musandu-Nyamayaro. Long-term Local Government Support*

Program. Mid-Term Review Final Report. Emerging Problems in Infectious Diseases: Zimbabwe experiences the worst epidemic of cholera in Africa. Alternative Thinking on Governance: Zimbabwe in the year Leadership At The Apex: Politicians and Administrators in Western Local Governments. Devolution and its benefits for Zimbabwe in the Zimbabwe. The Independent Thursday, 01 July Decentralization and Local Government in the Zimbabwean Constitution. Electoral Process, Democracy and Governance in Africa: Search for an Alternative Democratic Model. Emerging Problems in Infectious Diseases.

Local Government in the Fifth and Sixth Schedule Areas Urban Governance Delineation of Functions Elections Accountability and Transparency Infrastructure and Service Provision Subsidiarity Capacity Building for Self Governance The Constitutional Scheme Framework Law for Local Bodies CONTENTS Chapter 1.

When local interests, priorities, needs and resource base are different, autonomous local governance institutions LGIs should be empowered to manage the local affairs democratically in popular participation of the local people. Nepal acknowledged the philosophy of local governance and undertook efforts to decentralize central power and authority, in different points of time. LGIs in Nepal have considerable constitutional, legislative and institutional framework. Prospects are there to institutionalize popular local democracy and bringing in socio-economic and political development in the lives of people at large, by the side a number of challenges are standing parallel. Issue of autonomy; fostering participation, inclusive and representative democracy; viability of financial resources; maintaining accountability and transparency; harmonizing the relationship with central government, NGOs, development partners and civil societies etc. Above all, a daunting challenge appears to the contemporary LGIs as they are going through the absence of popularly elected representatives but led by civil bureaucrats. Recognizing LSG in constitution and addressing to these issues through effective legislative instruments can strengthen democracy at grassroots. Local-self governance; Local governance institutions; decentralization; Nepal 1. Introduction Background Nepal does not have much a longer history of adopting formal local government system. Decentralization has been an important means of distributing benefits of development to local communities and fostering participatory democracy, particularly given the prevailing weaknesses of past centralized government mechanism. Promulgation of the constitution in during Rana Period for the first time conceived the horizontal diffusion of power and creating some sub-national bodies allowing citizenry participation in governance, although was never been operational. Constitutions of also incorporated the essence of democratic governance to the local level, partially materialized through block development programmes of The constitution pledged to create an egalitarian society through vertical devolution of power. As the decade of the fifties remained politically highly turbulent, constitutional commitments ideally could not be converted into practice Dahal nd. After the introduction of partyless Panchayat System 1 in , a number of initiatives were taken, with constitutional spirit. However, the real values of decentralization and local governance with autonomy could not be realized until the last decade of Panchayat polity in mids. In this background, the main objective of this article is to make an assessment of Local Governance Institutions LGIs in Nepal and identify the major challenges they are undergoing through. In this article, first I have developed a theoretical framework drawing from theories relevant to establish and strengthen local government system in general and LGIs in Nepal in particular. In the second section, detailed discussion on emergence and development of decentralized local governance system in Nepal is presented. Section three will deal on constitutional and legislative as well as institutional frameworks mainly based on the Local Self Governance Act LSGA and related mechanisms with major attributes of the latest LGIs in Nepal. Finally, I present an elaborated discussion on the challenges against the prospects of LGIs, with some learning as recommendation in the concluding part. Theoretical Framework to LSG Local Governance is the system of governing the public affairs through appropriate mechanism at the local level, close to the people, lower than the national level, i. In the democratic system to govern nations, local governance is viewed as the most viable and suitable practice of democracy to guarantee and ensure sovereignty of the people. A number of theoretical frameworks are helpful to discuss on the concept of local governments and local self-governance. In this article, concepts and theories of decentralization, principle of subsidiarity and the concept of local self-governance are taken into account for developing a theoretical framework for local governance. Theories of Decentralization and Local Self Governance Although decentralization as a policy instrument of development came into focus after the World War-II, developmental efforts in the s, s and s were basically guided by the notion of big government Sarker, A. Mainly, during the s decentralization became part of the policy agenda. A widely accepted definition of decentralization refers to a

broad-based institutional reform aimed at improving governance through the transfer of responsibilities from central government to other levels of governance Smith, L. Decentralization can increase the number of public goods and services and the efficiency with which they are delivered. Decentralization is associated with principles of local self reliance, participation and accountability Rondinelli Esman and Uphoff have identified seven net benefits of decentralization Cited in Sarker, A. To understand the intrinsic relationship between decentralization and local [self] governance, we need to understand various forms of decentralization, across which the degree of autonomy and authority varies greatly. Deconcentration means the transfer of responsibility and authority by the central government to regional and local units. This involves appointment and out-posting of regional, district and local officials representing central ministries and delegation to those area-officials specified functions in their respective fields, with necessary authority UNDP It is often considered to be the weakest form of decentralization and is used most frequently in unitary states, with local agencies under the supervision of central government ministries World Bank , Delegation is the transfer of specific authority and decision-making powers to organizations that are outside the regular bureaucratic structure and that are only indirectly controlled by the central government, such as parastatals, corporations and semi-autonomous agencies. Delegation has been seen as a way of offering public goods and services through a business like structures Sarker, A. Devolution refers to the transfer of the authority to legally constituted local bodies. It resembles the most genuine decentralization. Through devolution, the central government relinquishes certain functions or creates new units of government that are outside its direct control UNDP Devolution usually transfers responsibilities for services to local government units like municipalities and village committees that elect their own heads and councils, raise their own revenues, and have independent authority to make investment decisions. In a devolved system, local governments have clear and legally recognized geographical boundaries over which they exercise authority and within which they perform public functions World Bank , In this article, attention is given to devolution as it signifies the real democratic decentralization and recognizes the local self-governance in its purview. Mahwood identified main features of devolution as: Decentralization and Democratization Decentralization of the public governance, by changing the assignment of responsibilities and resources among different levels and agents of government may be closely associated with the process of political democratization. The simple deconcentration does not satisfy to this conclusion but devolution of powers to local government, institutionalizing effective local-self-governance practice does. In turn, it is expected that a closer relationship between politicians and citizens and increased accountability of the politicians to those who support them Smith, L. This in turn is expected to: Thus, it gives a framework for understanding democratic decentralization leading to effective and institutionalized responsible and accountable local-self-governance. Principle of Subsidiary Subsidiary is a general principle that says governance should take place as close as possible to the citizens. It translates into protection of lower levels of government against undue interference by other spheres and into a preference for placing functions and powers at lower levels of government where possible Community Law Center 2. The role of local government is secured in by the Constitution and legal provisions. These notions are in line with the subsidiary principle *ibid*. Specifically, it is the principle whereby the Union does not take action except in the areas which fall within its exclusive competence unless it is more effective than action taken at national, regional or local level 4. The Oxford English Dictionary defines subsidiary as the idea that a central authority should have a subsidiary function, performing only those tasks which cannot be performed effectively at a more immediate or local level. Applicable in the fields of 2 Available at: In its earliest days 19th century the principle was introduced out of respect for the individual and for small groups and associations that played important roles in society, such as families, churches, guilds but also villages, towns and provinces. More recently, the principle has been motivated on the basis of more practical concerns such as efficiency in government spending. Additional to this theoretical framework, a number of concepts and rules have been developed which complement the framework, greater role of local governments with autonomy and authority for local self-governance. The major advantage of local government is delivery of local public goods and services to suit the tastes and the preferences of local residents. As pointed out by Alex de Tocqueville, this variation in local provision contrasts with the uniformity likely to arise from centralized provision. Emergence

and Development of Local Governance in Nepal Historical Background and Development The decentralization of government from central to local levels is crucial for democratization. Formal efforts for decentralized governance in Nepal began in s with the introduction of partyless Panchayat System. The Panchayat governance arrangement had three tiers of governments, viz. Village and Town at the bottom, followed by District and Rastriya National Panchayat working as the panchayat version of unicameral parliament at the top. The major initiatives for decentralization and local governance during Panchayat era were: Earlier to DS, all the initiatives were aimed at delegating functions and powers to LGIs simply through the executive order of the government, thus the LGIs acted simply on the will of the central government. A traceable process of decentralization was initiated with the implementation of DS that practically continued to the last days of Panchayat System until April However, during the period of Panchayat System, a number of issues relating to policy and processes of decentralization and local governance emerged and remained unresolved. The most prominent issues were the roles and tasks of LGIs, the relationship between the government line agencies and LGIs, the roles and tasks of legislators versus local leaders, service delivery overlaps and duplication, the degree of autonomy of LGIs, accountability, transparency and the scope of LGIs fiscal authority Joint HMGN-Donor Review on Decentralization in Nepal However, specific structure and the roles of LGIs were not mentioned. These acts, along with the Working Procedure Rules and , appeared to be the vital legal instruments for building local democratic institutions and micro level for the dispersal of power, authority for resource generation and planning from below *ibid*. All these acts were enacted basically through the amendment of Decentralization Act Although LGIs were formed in accordance with new acts, they remained ad-hoc efforts for local governance and did not differ much from the earlier forms under DS Shrestha As there appeared the problem of cooperation among the LGIs, a comprehensive framework for local self- governance through unifying all these separate acts was realized. Simultaneously, LSG Regulation was also introduced in These legal frameworks devolved wider authority for planning, service delivery, revenue generation to LGIs and capacity to function as the autonomous local self governments, along with increased administrative, judicial and fiscal powers. The spirit of LSGA calls for comprehensive devolution of central decision making power and implementing authority on local level development activities to the local bodies. In view of some scholars, LSGA laid the foundation for the most effective local self-governance system in the country by statutorily recognizing the role of local self- governance and calling for accountability to their populace. Constitutional Framework In Nepal, constitutions enacted in different times have provided recognition and policy guidelines for decentralization and Local Self Governance. Constitutions of through the Interim Constitution of have envisioned local governance as one of the guiding principles of the state policy. Article 25 d in the Constitution of Nepal has the provision of decentralization and strengthening local governance through creation of LGIs. The very preamble of this constitution reflected the spirit of ensuring optimum involvement of the people in governance for distributing the fruit of democracy to all people through local self- governance and appropriate decentralization Dahal et. Interim constitution has also made provisions for the formation of interim local bodies. LGIs will be made responsible and accountable for identifying, formulating and implementing the local level projects and sharing of responsibilities and revenues between the central government and local bodies. While allocating and mobilizing revenues, special attention shall be given to the overall upliftment of backward groups and communities in terms of social and economic aspects NPC Thus, the central spirit of these constitutions is recognizing local governance as means and process to ensure optimum involvement of the people in governance for providing them maximum opportunity to enjoy the benefits of democracy. LSGA incorporates provisions of devolving wider authority for planning, service delivery, and revenue generation by LGIs. These legal instruments provide detailed framework for the local governance in most democratic form of decentralizationâ€”devolution. It shall be the objective of the State to maintain law and order and peace, protect and promote human rights, promote public welfare in the society, and create opportunities for maximum participation of the people through self-governance, while maintaining a system where people can reap the benefits of democracy. A bilingual document of constitution with 3rd amendment is available in the website: One step ahead, this act has empowered the LGIs to having direct and independent coordination with development partners for implementation of special programmes,

however, the mandatory provision to get pre-programme approval from the central government, restricts the autonomy of LGIs. Likewise, it has incorporated the provision of harmonizing and streamlining through inter-institutional and programmatic coordination committee. However, for various political-legal and historical reasons this initiation could not be much effective. Each of the ward of the VDC or municipality has ward committee WC made up of five popularly elected members, including one woman at least and a ward chairman. Districts are divided into a minimum of nine to 17 Ilakas areas Dahal et. The executive body of Municipality and VDCs are formed of directly elected representatives of the people while councils legislative organ consists maximum number of elected members and a few nominated members to ensure the body more representational and inclusive. Councils make laws, rules and regulations as well as formulate and approve policies and plans to be followed by their respective executive bodies. There is provision for sectoral committees and an audit committee in each LGIs.

6: UNDERSTANDING LOCAL GOVERNMENT

Implementation Of Good Government Principles In The Local Governance Practice Measuring the implementation of the principles of good governance in this context, refers to the variable made by UNDP as.

Ideas and practices of local government: Most people consider public representatives as local guardians who work with them, and with whom they can share all sorts of personal, social, religious and political thoughts and beliefs. With the increase in power and volume of activities of the government, the responsibility and duty of the local government has also been increased by several times. Around the world most challenges people face are local. So, the best way to solve them is through local initiatives and local leadership by awakening and mobilizing people. Authorities closest to the citizen or rather citizens themselves by getting directly involved can greatly contribute in solving public problems. This is how the local government takes its shape. Local government brings decision-making closer to the people. A strong local government system can ensure good governance through transparency, accountability, effective participation and equal opportunities for all. Most importantly, this system can ensure development at the grassroots level. Strong local government institutions strengthen democracy, ensure good governance, and at the same time quicken the pace of political and socioeconomic development of the country.

New view of local government: Local government is based on community governance, and focused on citizen-centered local governance. It is the primary agent for the citizens and leader and gatekeeper for shared rule, is responsive and accountable to local voters. It is purchaser of local services, and facilitator of network mechanisms of local governance, coordinator of government providers and entities beyond government, mediator of conflicts, and developer of social capital. It is externally focused and competitive; ardent practitioner of alternative service delivery framework; open, quick, and flexible, innovative. It is risk taker within limits, autonomous in taxing, spending, regulatory, and administrative decisions. It has managerial flexibility and accountability for results. It is focused on earning trust, creating space for civic dialogue, serving the citizens, and improving social outcomes. It is fiscally prudent; works better and costs less, inclusive and participatory. It overcomes market and government failures. Local government is connected in a globalized and localized world.

1. Reforming the institutions of local governance requires agreement on basic principles. Three basic principles are advanced to initiate such a discussion: This principle aims for governments to do the right things-that is, to deliver services consistent with citizen preferences. The government should also do it right-that is, manage its fiscal resources prudently. It should earn the trust of residents by working better and costing less and by managing fiscal and social risks for the community. It should strive to improve the quality and quantity of and access to public services. To do so, it needs to benchmark its performance with the best-performing local government. A local government should be accountable to its electorate. It should adhere to appropriate safeguards to ensure that it serves the public interest with integrity. The distinguishing features of citizen-centered governance are the following:

Local government as an institution to advance self-interest: The public choice approach: The approach has conceptualized four models of local government: Local government as an independent facilitator of creating public value: Two interrelated criteria have emerged from the NPM literature in recent years determining, first, what local governments should do and, second, how they should do it better. In discussing the first criterion, the literature assumes that citizens are the principals but have multiple roles as governors owner-authorizers, voters, taxpayers, community members ; activist-producers providers of services, co-producers, self-helpers obliging others to act ; and consumers clients and beneficiaries. In this context, significant emphasis is placed on the government as an agent of the people to serve public interest and create public value. This concept is directly relevant to local and municipal services, for which it is feasible to measure such improvements and have some sense of attribution. The concept is useful in evaluating conflicting and perplexing choices in the use of local resources. The concept is also helpful in defining the role of government, especially local governments. It frames the debate between those who argue that the public sector crowds out private sector investments and those who argue that the public sector creates an enabling environment for the private sector to succeed, in addition to providing basic municipal and social services.

History of Local Government Institutions in Bangladesh: Bangladesh shares its history with the undivided Indian subcontinent. The British in India in fact gave local government a legal shape with municipal administration system for the first time in . But, prior to that, an identical system of local village society did exist in India, where Gram Panchayet local government village tier had a significant role. In the gradual development of the system, the Bengal Act and Municipal Act were introduced. The local government system got a stronger foundation when Municipal Boards were formed in Bengal in after inclusion of provisions relating to a newer system of social arbitrations, conservancy activities and appointment of choukidars guards for maintaining security in villages and towns. In , the local government system got a newer magnitude in independent Bangladesh. After independence of Bangladesh in , the Constitution of Bangladesh emphasizes the need for establishing local government with a representative character Chapter 3, Article Article 59 mandates the creation of elected local bodies at each administrative unit- District, Upazila sub-district and Union currently lowest tier of local government. To put it simply, these bodies are for the management of local affairs by locally elected persons. Local government, by definition, is democratic self-governance and so accountable to the people. There are two types of local government settings in Bangladesh, rural and urban. At the rural level the existing system provides a three-tier structure, which is Zila district Parishad office , Upazila Parishad, and Union Parishad UP. At the urban level the six largest cities have City Corporation status, while the rest are known as Pourashavas or Municipalities. These bodies are entrusted with a large number of functions and responsibilities relating to civic and community welfare as well as local development. The UP is responsible for executing 48 duties. Among them 38 are optional and 10 mandatory. These responsibilities are divided into four categories. These are civic duties building roads, bridges etc , tax collection, maintaining law and order, and lastly development work. In spite of the importance and potential of local government institutions, they remain weak in Bangladesh. The past few years show they have become even weaker.

Challenges of Local Government Institutions in Bangladesh: Attitude of public administrators toward local governments: Bureaucracies resist changes out of the fear of alteration or disturbance of the status quo and their resistance primarily grows out of fear of disrupting organizational communication. According to Henry Frank Goodnow says, bureaucracy is a two-edged sword, which can be a force for good or for evil. It may prompt democracy or totalitarianism. It may be feared or respected or merely accepted. Joseph La Palomba comments, the presence of a strong bureaucracy in many of the new states tends to inhibit the growth of strong executives, political parties, legislatures, voluntary associations and other political institutions essential to viable democratic government. Warren Bennis summarizes some of the deficiencies in bureaucracies, which adequately suit the characteristics of bureaucracies in Bangladesh as well: Participation by the people: The Constitution of Bangladesh implies direct participation of the people in forming the local bodies and in managing the affairs of such bodies. There are different levels of participation, participation in decision-making, participation in implementation, participation in benefits, and participation in evaluation. The principle of hierarchy in interpersonal relationship, is, and for hundreds of years has been accepted as necessary and morally right in rural Bangladesh, even among the Muslims. In a hierarchic system, roles and duties in relation to others are defined in details. If these are not followed, chaos and conflict are expected to result. A patron-client relationship binds group members with specific norms and values. These norms determine role definition and role expectation, i. The concept of obedience and deference to patrons by a client is an important value in a hierarchic society like Bangladesh. Patterns of rights and duties maintain both order and balance in our society. Superiors in the society are supposed to give orders and advice to those with a lower status. People having low ranks are treated as children and they enjoy little opportunities. The patron-client or parent-child relationship developed over centuries has taught the superiors to be harsh and commanding towards the subordinates, and has taught the subordinates to be respectful to afraid of the superiors of the society. Due to power distance in the society, the subordinates seek direction and guidance from the superiors. In practice, the people being loyal to the superiors are bestowed with favors even undue , and those who do not are distanced and discriminated. This dynamics of social belief and behavior inhibits the common mass in participating in decision making process of the local government institutions, or holding them accountable for their activities. Decentralization of political and administrative authority at the local

government level that has the potential to de-concentrate decision-making and bring people closer to public governance have the merit of weakening abuse of power, strengthening accountability and combating corruption convincingly. This is revealed through a recent UN survey that demonstrates that introduction of elaborate audit systems, corruption commissions etc. Corruption results in loss of confidence in local government among the people. Funds for projects like Food for Work or disaster relief are all too often misused by local leaders; even VGF Vulnerable Group Feeding cards go to their relatives and friends rather than those who really need it. The most direct participation is the opportunity of casting votes during the election to local bodies. But elections are not held at regular intervals. Since Independence in , successive governments have tried to use the local government system for their own political interests. The party or regime in power wanted to make the local government representatives their power base and manipulated the system to this end. Regarding the structural or constitutional defects in local government, it can be said that the country is being governed through a constitutional, democratic system, while local government is being run through a presidential system. In local government all the powers centre around one person. This unchallenged power of an individual is giving rise to corruption and autocracy in local government bodies, where a chairman of a UP or municipality, or the mayor of a city corporation, enjoys all the power.

7: Local self-government in India - Wikipedia

governance and community resilience In a participatory and responsible democracy, local and national institutions must be accountable and accessible to citizens. Citizens and civil society organizations need the knowledge, skills and capacity to effectively engage with their government institutions.

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