

**The Autonomy and Efficiency in Local Governance: A
Legislative Appraisal of the Azad Jammu and Kashmir Local
Government Act, 1990**



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Abstract: Local governments are not similar to independent nation-states in terms of their sovereignty. However, the superior government, by framing relevant enactments, provides power and existence to such subordinate governments. The degree of autonomy may be determined by the interactions or structure and nature of transactions between the two or three tiers of government from case to case. Local Government Act, 1990 in Azad Jammu and Kashmir (AJK) seems not an ideal piece of legislation yet entrenched from historical antecedents of reforms. Recently, certain provincial legislation promulgated in Pakistan as the regional reflection may inspire some new avenues of development in the legislative perspective. This study analyses the absurdities in the prevailing legal instrument of local government in AJK and suggests that transparency and accountability in governance, political stability, and improved revenue-based adherence to constitutional provisions can anchor the autonomy and sustainability of the local government.

Key Words: Reforms, Historical, Autonomy, Local, Government, AJK

Introduction

The purpose of the paper is to evaluate the autonomy, strength, and intrinsic contradictions spoiling over the aims and objectives of the local government system in Azad Jammu and Kashmir (AJK). Hence, various viewpoints are being discussed to conceptualise and theorize the terms local government and autonomy in a plenary format which enables a greater power of analysis. It is observed that most of the approaches, theories, models, and tools handed down from the West are of little use in the varying circumstances of developing democracies. However, the connotation of autonomy and local government defined and presented by all scholars, and leading practitioners is not easy to exhaust in such a brief study. Yet, the choice of definitions may attract the feasibility and relevance towards the contemporary local government systems available in the surroundings of the AJK. This point of attention brings a serious debate on the autonomy of local government in connection with the political and socio-economic state of affairs.

Thus the prejudices, sentiments, and values of the local area do not escape intruding while making the premise and suggesting any measures of transformation in the local government system of AJK.

Methodology

The article uses using case study method based on a combination of 'historical' and 'theoretical' reviews of the literature to analyze the prevailing law for local government in AJK. (Labaree, 2009) The literature review is concept-centric and is conducted from the perspective of local governance and autonomy. Moreover, the concepts include accountability of state institutions, decentralization through grassroots democracy, local development, and better service delivery are also surveyed. The theoretical review of literature assists in establishing ideas about failure and success, while the historical review builds a focus on a case study of AJK. A slight comparison with adjacent areas helps to examine the gaps in current legislation

and propose the prospective measures. The case study model is appropriate for qualitative research ([Simons, 2009](#)) that extends the examination of the historical paradigm of local government in AJK. The article demonstrates a detailed understanding of specific actors, their behaviour through time, and policies being a case study. ([Woodside, 2010](#)) On the other side, the theoretical inclusive of historical models help in explaining dynamic phenomena emerge from variance or process theories which somehow depend on various states or events. ([Mohr, 1982](#))

Theoretical and Conceptual Projection of Local Government

Depending on the orientation and experience of users, the term 'local government' is defined in multiple ways. [Awa \(1981\)](#) considers it as a subordinate authority of a nation or state for the dispensation of decentralization of the political power. According to R. [Wraith \(1984\)](#), the local government is a form of devolution or deconcentration resulting from the act of decentralization. Deconcentration, to the view, is a delegated authority for the administration on the field, grassroots, or periphery level units. While, [Emezi \(1984\)](#) comprehends local government as a system organized to encourage cooperation and participation of inhabitants in improving their living standards, providing a limited range of social amenities, and maintaining law and order within local communities. It also brings an organizational framework for effective performance regarding the common good of a community. These definitions given by [Emezi](#), [Wraith](#), and [Awa](#) have some colonial glimpse. For instance, [Emezi](#) emphasises maintaining law and order rather than providing social services. The time factor seems quite important in defining local government as it is transformed from law enforcement to the provision of services in post-independence from colonialism. However, [Whallen \(1976\)](#) describes local government in terms of an autonomous system having individual identity within specified territorial limits commemorated with a certain range of fiscal, administrative, or executive and legislative powers to interact in a specific population.

On the other hand, [Gboyega \(1987\)](#) argues for the existence of two classes in fundamental theories for the local government. The first class of theories is supporting the local government as an entity to accomplish the democratic structure in society to meet administrative objectives like accountability,

responsiveness, and control. While the second class denies the democratic character of local government as to this class, the institutions are neither democratic nor admit any control, responsiveness, and accountability within their internal structure.

The perspective of the functional responsibilities of local government brings different schools of thought in defining local government. [Ola \(1984\)](#) introduces these schools as (i) the Development School; (ii) the Efficient-Service School; and; (iii) the Democratic Participatory School. Keith-Lucas, David Bulfer, and William Machenzi are the key supporters of the democratic school. It is pertinent for them to educate and socialize a citizen politically by bringing participatory democracy in forming and running a local government. The efficiency school focuses on the quality and standards of services rendered by a local government irrespective of democratic outcomes. Jim Sharpe, a supporter of the school, further emphasises that the efficient performance in services is much more important than the existence of local government itself, which may be replaced by any other functionary. The developmental school differs from both the above discussed two schools. It argues that the Western Europe and Northern American based theorists from James Bryce to JS Mill and Alex-de-Tocqueville, Rudolf Von-Gueist to Georges Langrod, and to the contemporary theorists such as Hugh Whallen, Sharpe, William Mackenzie, and James emphasise their owned democratic circumference and efficiency dynamics. Therefore, the developmental school interprets local government as a means to bring social and economic uplift in the lives of its subjects by acquiring a suitable share from national wealth in the developing world. The discussion may be summarized into two categories as the first one (general) including democratic and efficiency schools focus on infrastructural and protective services, political participation, and other democratic ideals, while the second (the developmental) category emphasises human resource development, other economic and social development, and national integration. [Awotokun and Adeyemo \(1999\)](#) are of the view that local government functions as a subordinate entity working under powers evolved by a law enacted by the superior government.

The whole context provides a concept of local government besides considering the prevailing circumstances that the local government includes the community of a specific territory capable of regulating

its own affairs with a certain organizational structure possessed by the legal right but not as an independent sovereign nation-state.

The Concept of Local Governance in Pakistan

The democratic process faced many ups and downs in the formative days of Pakistan due to the untimely deaths of Muhammad Ali Jinnah and Liaquat Ali Khan. This caused unnecessary delays in designing and developing a draft of the first constitution, ensuring parity and just representation of both parts of Pakistan. However, after the adoption of the first constitution of Pakistan in 1956, the democratic process derailed in Pakistan, and with the exception of a short democratic period of Bhutto's democratic term (1974 - 1977), this undemocratic phase remained in Pakistan till 1988. This democratic phase only lasted for eleven years and came to an end on the Musharraf Martial law in 1999. This phase of Martial law with its democratic outlook lasted in 2008, and from 2008 till date, a democratic smooth sailing is happening in a successful way. ([Rafique et al., 2020](#))

A critical analysis of the democratic and non-democratic phases reveals that the local governance was promoted and strengthened by non-democratic forces in Pakistan during the phases of three Martial laws in order to devolve the powers at the grassroots level and to counter the mainstream popular democratic leadership of Pakistan. The first regime of local governance laws came in the form of Basic Democracies Ordinance, 1969 and Municipal Administration Act, 1960, which paved the way for the election of General Ayyub as the President of Pakistan and its political legitimacy with the legal endorsements of the higher judiciary of Pakistan and constitutional validity through Constitution of Pakistan, 1962. When General Zia Ul Haque took powers through martial law in 1977, he also used the idea of local governance through Local Government Ordinance 1979 to ensure the devolution of powers at the grass-root level and to provide a democratic perception of its unlawful and immoral martial law to the common masses. (Open Society Institute, 2003)

General Zia tried to revive and restore the local government system of General Ayyub Khan and made planned and systematic efforts to discourage political activities and real democratic participation. General Zia held three local government elections in 1979, 1983, and 1985 respectively, but his intentions were

not to promote political and democratic processes rather manage the political dissent in Pakistan, particularly the popular and resistance politics of PPP during his tenure. After a democratic period of eleven years, Musharraf took the leadership role in Pakistan in 1999 and introduced a local government system in 2001 after a comprehensive devolution plan prepared by National Reconstruction Bureau (NRB). Musharraf launched his local government system in all the four provinces of Pakistan by introducing local government ordinances in 2001 in each province of Pakistan. The local government reforms of Musharraf were effective and democratic, more than the reforms of General Ayyub and General Zia, in nature of ensuring decentralization and participation of the people, but were also introduced with the intentions to give a democratic agenda of the non-democratic leadership of Pakistan. ([Malik et al., 2019](#)). All the three legislations introduced for the local government systems in Pakistan were the initiatives of Dictators till the end of the Musharraf era in 2008. During the political history of Pakistan from 1947 to 2008, there were three democratic phases along with the non-democratic periods: the first democratic period from 1947 to 1958, the second democratic period from 1974 to 1977, and the third democratic period from 1988 to 1999, but no legislative measures were introduced by this democratic leadership of Pakistan during these three periods with specific political and non-political challenges as well as inter se rivalries among the political factions with or without the indirect intrigues of the deep state. The democratic period from 2008 to date has been very significant and revolutionary in terms of constitutional and legislative protections and provisions for local democracy and devolution of powers in Pakistan. The most important milestone in the history of the devolution of powers in Pakistan was the 18th constitutional amendment which guaranteed provincial autonomy to all the provinces of Pakistan and also incorporated constitutional provisions for the devolution of the powers at the grass root levels in all the provinces. However, the provincial governments are reluctant and slow in sharing their respective powers with the local government institutions through effective and enabling legislation. ([Cheema et al., 2015](#)) The 18th constitutional amendment incorporated article 140 -A in the constitution of Pakistan, 1973, which states that each province shall devolve the political, administrative, and financial responsibilities and

authorities to the elected representatives of the local government by establishing a local government system by law. (Choudhry, 1996) The 18th constitutional amendment transformed the highly centralized government into a decentralized federation with a constitutional provision for the empowered and responsible provinces. However, all the four provinces have different laws for the local government system with a different range of devolution of powers and responsibilities to the elected representatives of the local governments of respective provinces.

The provinces did not show any proactive response after the 18th constitutional amendment was adopted and ratified in 2010 (18th Constitutional Amendment Act, 2010), and provinces delayed the elections for a long time despite the popular demands from the political groups for the local government elections. The province of Baluchistan completed its different phases of local government elections in 2015, and the elections of local government in Sindh, Punjab, and KP were held in 2015 after the directions of the Supreme Court of Pakistan. Moreover, the Local Government Acts of all the provinces are different in nature, scope, and provisions of the devolution of the authorities and responsibilities to the local body institutions. The local Government legislations of Punjab, Sindh, and Baluchistan are almost the extension of the Zia Local Government reforms, which were highly centralized with minimum devolution of the powers to local body institutions. (PILDAT, 2019) However, the Local Government laws of KP gave more empowerment, responsiveness, and accountability to the local body institutions with a series of reforms from 2013 to date. There is a need to ensure a uniform and model Local Government Act for all the provinces of Pakistan that ensure devolution of the political, administrative, and fiscal authorities and responsibilities at the grass-root level in accordance with the spirit of Article 140 –A of the constitution of Pakistan, 1973 (Constitution of Pakistan, 1973).

Local Government Laws in AJK: Historical Context

The territory of AJK was liberated on October 24, 1947, and a government was established to regulate the affairs of the people with a Presidential form of government. Then various Rules of Businesses and AJK Government Acts were passed from time to time from 1950 to 1970 to propose a mechanism and

procedure for the representation of the people of AJK and refugees settled in Pakistan in the executive and legislature of AJK. There was no legislative assembly in AJK till 1970, and the first legislative assembly was established in 1970 through AJK Government Act, 1970. (AJK Government Act, 1970) This Act was replaced with AJK Interim Constitution Act, 1974, which changed the system from presidential to parliamentary, and the same is applicable today in AJK with different amendments from time to time. (AJK Interim Constitution, 1974) As there was an ad-hoc arrangement of the government and legislature in AJK till 1970 without any constitution and adult franchise, the real process of legislation began in AJK from 1970. (CPDR, 2020) But even then, the legislature of AJK emphasizes the adaptation of legislation of Pakistan for the people of AJK with certain necessary changes in light of the local needs and dynamics.

There has been a direct impact of the legislative and constitutional development in Pakistan on the legislative and constitutional development in AJK. That is why the reforms of the local government introduced in Pakistan by General Ayyub, and General Zia was also extended to AJK in 1959 and 1970, respectively. In 1959, AJK Basic Democracies Act was adopted by the legislature, and in 1979, AJK Local Government Ordinance, 1979 was promulgated to provide a local government system in AJK. Both of these legislations were part of the intentions and plans of the successive dictators to establish a local democratic set up to discourage the political and democratic processes and to influence the smaller electoral colleges to get the desired outcomes of the elections. The AJK Local Government Ordinance, 1979 was also very centralized and did not provide the devolution of the political, administrative, and fiscal authorities and responsibilities at the grass root levels. The AJK local Government Ordinance, 1979 was replaced with the AJK Local Government Act, 1990, which was also the extension of the Zia regime reforms of 1979. (CPDR, 2020) This AJK Local Government Act was amended last time in 1995, and from then onward, neither any elections of the local government held in AJK nor any legislation or amendment has been made on the subject of local government in AJK. The last election of the local government in AJK was held in 1991, and the local body institutions elected by that election were expired in 1996. After 1996, Musharraf introduced local government reforms in Pakistan, and then in the post 18th amendment scenario, many other

changes also occurred, but these developments could not make way to AJK so far.

However, a clause was incorporated in the AJK Interim Constitution, 1974 through the 13th constitutional amendment (Amendment, 2018), which made it obligatory that the state shall encourage the local government institutions composed of elected representatives of the concerned areas. This clause has been made part of the principles of policy, and it is the only constitutional protection for providing an empowered and representative local government system in AJK. There have been few petitions in the higher judiciary regarding the delimitation of the constituencies for the local government institutions in AJK. On December 21, 2021, the AJK Supreme court concluded all the petitions and directed the Government of AJK to hold the elections of the Local Government not later than August 2022 on the basis of the census of 2017. This judgment of the AJK SC is also a historic step towards the conduct of the elections of Local Government in AJK after almost twenty-five years. (AJK Supreme Court, 2021)

The existing AJK Local Government Act 1990 came into force on February 14, 1990, and the main objective of this Act was to provide rules and a framework to establish local government institutions in the entire territory of AJK. (AJK Local Government Act, 1990) This is the legacy of the decentralization reforms of the Zia regime. This Act is applicable to the whole AJK, and it provides a framework for the local body institutions in AJK with three tiers: District council, Union council, and village council. This Act is the extension of the General Zia reforms of 1979 and does not provide any effective fiscal, administrative and political decentralization, which is the real spirit of the basic democracy. This Act also failed to give any framework of accountability and oversight to the Local Councils to promote good governance and transparency in AJK. The plethora of provisions of the Act giving whimsical discretionary powers on the fiscal, administrative and political domains, which makes this Act very undemocratic and centralized. (Ali et al., 2015)

Anatomization of the AJK Local Government Act, 1990

The AJK Local Government Act, 1990 (hereinafter shall be referred to as Act) is outdated and conservative in nature. (AJK Local Government Act, 1990) In Pakistan, the three most significant

decentralization reforms were introduced by authoritative military regimes in 1959, 1979, and 2001 respectively, and this Act as enforced in AJK is the extension of the Zia reforms introduced in 1979. The most modern and democratic local Government system was introduced in 2001, and then in recent years in different provinces of Pakistan in post 18th constitutional amendment period, particularly the local government legislation developed in KP. But the Government of AJK is going to conduct the local government elections in AJK with the same outdated legislation of AJK passed in 1990 without taking benefits from the legislative developments that took place in Pakistan. This Act is highly centralized and non-democratic in nature and does not devolve the administrative, fiscal and political powers at the grassroots levels. This Act gives overwhelming financial, administrative and political powers to the Government of AJK and the elected Local Councils are at the mercy and discretions of the Government of AJK. Article 140 –A of the Constitution of Pakistan, 1973, which is not applicable in AJK, defines four parameters – political, administrative, financial, and electoral for devolving powers to the elected local government. (UNDP, 2014)

This Act provides three tiers of Local Government system in AJK: *Dehi* Council (Village Council), Union Council, and District Council (This also includes Town committees and Municipal committees in towns and cities). This three tiers system provides a district-centric local government system where most of the powers are to be exercised by the district council being controlled by the district officers/directorates of the Government of AJK. On the other hand, the Government of KP has changed this model, and instead of the district council, they have introduced the tier of Tehsil Council (with the tiers of Union council and Village Council. (Factsheet KP Local Government, 2015) The Government of Punjab has also introduced the tier of Tehsil council. This system provides devolution of the powers at the village and Union council levels with a supervisory upper tier of Tehsil Council as the main democratic institution of the whole Tehsil. This Act provides for Municipal Corporation for the urban areas having population more than 60,000, but now the population of Muzaffarabad and Mirpur cities has exceeded the number of almost two lacs. So it is also necessary to introduce Metropolitan Corporations in Muzaffarabad and Mirpur cities and to change the criteria and rules

for the Municipal Committees and Town Committees to notify more municipal committees and town committees.

A disproportionate representation is given to the official members of the Government who are the ex-officio members of different bodies established under this Act. This affects the democratic nature of the local councils and gives unnecessary powers and influential roles to the bureaucracy. There is also a need to determine the quotas for the women and youth in the Act. At present, only a nominal quota of seats is allocated for women (10 % quota and minimum 02 seats), and no seats are allocated for youth and other categories like Peasants/Workers, etc. According to Article 3 – D of the AJK Interim Constitution, 1974, special representation shall be given to peasants, workers, and women. (Article 3-D of AJK Interim Constitution, 1974) Although this is one of the principles of the state policy, it is important for the Government of AJK to amend this Act in accordance with the relevant provision of the constitution. This Act has prescribed an indirect election for the position of Mayor. Whereas the Government of KP has introduced direct elections for the position of Mayor, which makes the system more democratic, participatory, and accountable. (Factsheet KP Local Government, 2015) The direct election system should also be introduced in AJK for the Mayors of all the Corporations, Metropolitans, and Municipal Committees. According to this Act, Government has the power to dissolve the Local Councils at any time before the expiry of the term of four years and announce the fresh elections. This provision is highly non-democratic, whimsical, and against the political rights of the elected representatives of the people. The discretionary powers of the Government of AJK over the local councils should be abolished to devolve maximum political autonomy to the local councils as devolution of the political powers and authority to the elected local government is the real spirit of the devolution in the democracy. (USIP, 2018)

Under this Act, Government of AJK may remove any Chairman, Vice Chairman, and member of any local council on the charges of misconduct, or any abuse of powers, etc., on the application of any state subject of AJK. This is the most un-democratic, whimsical, and dictatorial powers of the Government of AJK under this Act and can provide a weapon of political exploitation and revenge against the political offices of Chairmen, Vice-Chairmen, and members

against the opposition parties. Transparency and accountability lie at the core of democracy, but for that purpose, Government of AJK should strengthen the Accountability Bureau as an independent, impartial, and potent institution. (AJK Local Government Act, 1990) Under this Act, the Government of AJK also has the power to transfer any functions of the Union councils to the Government at its discretion. This provision is also very non-democratic and arbitrary in nature and is against the basic spirit of devolution of powers at the grassroot levels. The nature and scope of functions determined for the local councils under this Act are also very complex, overlapping, and confusing. Instead of devolution of specified and clear subjects to local councils like the model of KP, this Act has mentioned so many functions and roles of the local councils to overburden them with responsibilities and irrelevant activities like Village Policing etc. without giving any fiscal, administrative, electoral and political empowerment and role. In the province of KP, almost eighteen subjects have been devolved to the local councils with complete fiscal, political, and administrative powers and authorities. (Factsheet KP Local Government, 2015)

Under this Act, Government of AJK may appoint members in the District Coordination Committee (DCC) in addition to elected members and may also appoint its chairman. So an important and powerful institution of DCC is in the control of the Government of AJK, which has to control and determine the functions of the local councils and also resolve their conflicts. Under this Act, the Government of AJK may also appoint a Chief Executive Officer in each DCC and may also whimsically increase or decrease its members and may also abolish or reconstitute it at any time with its discretion. There should be an independent and impartial body to supervise local councils and for their conflict resolution without any whimsical and arbitrary powers of the Government of AJK. (AJK Local Government Act, 1990) The composition, powers, and role of the AJK Local Government Development Council are highly non-democratic and centralized, with the Prime Minister of AJK as its head and disproportionate representation from the bureaucracy. Moreover, the power of the council to remove an elected member from the council without assigning any reason is also against the freedom of expression and basic spirit of democracy. This council has to formulate the policy of rural development, approve schemes exceeding three lacs

rupees, and supervise other implementation matters related to it. So this body is highly centralized and non-democratic in nature and should either be abolished or transformed into a democratic and representative forum with reasonable inclusion of the elected members in the decision-making processes. The Local Councils have fiscal powers to approve any project up to three lacs Rupees. So for any project exceeding three lacs rupees, the local councils have to refer the case to the AJK Local Government Development Council for formal approval. This indicates the limited fiscal decentralization and the difficult and long process for approval of the schemes. (AJK Local Government Act, 1990)

The AJK Local Government Board is also highly centralized and non-representative, with the concerned Minister as its head and the concerned Secretary as secretary of the board. This board is like Planning Commission for the local councils, but the elected members can be removed at any time from this board without any assigning any reason complete discretion of the board. The Government of AJK also has the power to modify the submitted budget by the local councils and approve it with its discretion without any administrative and political remedial mechanism for the concerned local councils.

Under this Act, Government of AJK has the overall control and supervision of all the activities of the local councils, which is also non-democratic and counterproductive as different political parties can be elected in government and local councils. So the supervisory role of the local councils should be given to the Assembly through any special committee of the Assembly with membership from all the parties and mandate of the concerned supervision. Under this Act, Government of AJK may quash any proceeding, suspend or prohibit any action of the local council or may ask legal counsel to take any action against the local council if it thinks it appropriate. This provision is also non-democratic and dictatorial. The Government of AJK also has the powers to initiate inquiry against any local council either on the application or Suo motu and powers to suspend that department or institution in case the inquiry officer suggest the same. This would be appropriate to empower the Accountability Bureau to ensure transparency and accountability in the disposal of the work of the local councils. (Baqir et al., 2013) As Government of AJK has already suggested an amendment in this Act related to the Election

Commission, it would be better if the Government of AJK either introduced broader changes in it or adopted Act of KP with certain necessary changes keeping in view the ground realities and social dynamics of the territory of AJK. (Factsheet KP Local Government, 2015) The basic objective of the local government system is to ensure participatory decision-making processes through devolved institutions, decentralization of the fiscal, administrative and political powers and authorities, and also the active involvement of the people in resource allocations, public service delivery, and accountability. (Arif et al., 2010)

Conclusion

The concept of decentralization, autonomy, and democracy surrounds the definitions of local government in the modern era. Yet the autonomy emphasizes mostly in the fiscal domain and is associated with the citizens at the grassroots and has a difference with the concept of sovereignty in a country. The meaningful autonomy in a local government that emerged from participatory democracy reflects the openness in policy-making, constant dialogue, propagating and perpetuating fair representation, organizational structure, collective self-defense, and public accountability. It necessitates further the power devolution from the central government.

The current legislation in AJK does not comply with the concepts of decentralization and autonomy of local government, which is, therefore, the same is suggested to modify for the true depiction of the essence of governance.

Recommendations

Following are the recommendations regarding the empowerment through effective legislation for local government in AJK with complete autonomy, decentralization, and accountability:

- a) Like the constitutional protection of the local government system in India, the local government system should be given a constitutional guarantee to strengthen the local government system in AJK. (Constitution of India, 1950)
- b) The new Local Government Act should be passed to ensure fiscal, administrative, and political decentralization in AJK.

- c) AJK Finance Commission should be established to ensure equal and equitable development and distribution of financial resources in AJK.
- d) The tier of Tehsil council should be created along with Union Council and Village with Tehsil Council as the main democratic institution of the whole Tehsil. A Tehsil-centric local government system would be more decentralized and democratic as compared with a district-centric local government system.
- e) Metropolitan Corporations should be established in Muzaffarabad and Mirpur cities, and Tehsil Municipal Committees and Town Committees should be established in other places where population, terrain, and underdevelopment demand it so with new criteria and rules.
- f) The representation of the bureaucracy as ex-officio members should remain negligible in all the decision-making bodies of the local government system.
- g) The quotas for the women and youth and other categories like Peasants/Workers etc. should be allocated in the Local Councils for an inclusive and pluralistic democracy. ([Norton, A, 1985](#))
- h) The provisions should be made for the direct elections of the Mayors in different cities.
- i) The discretionary powers of the Government of AJK over the local councils should be abolished to devolve maximum political autonomy.
- j) To attain the objectives of transparency and accountability in the local government system, Government of AJK should strengthen the Accountability Bureau as an independent, impartial and potent institution and should not keep any powers of accountability through administrative actions to prevent the chances of political exploitation of the local councils.
- k) The powers of the Government of AJK to transfer any functions of the Union councils to the Government at its discretion should be abolished.
- l) The specific and relevant subjects should be devolved to local councils like the model of KP Local governmental system.
- m) There should be an independent and impartial body to supervise local councils and for their conflict resolution without any whimsical and arbitrary powers of the Government of AJK.
- n) The composition, powers, and role of the AJK Local Government Development Council are highly non-democratic and centralized, with the Prime Minister of AJK as its head and disproportionate representation from the bureaucracy. This should be made more democratic and decentralized. (AJK Local Government Act, 1990)
- o) Fiscal decentralization should be guaranteed in the legislation, and the difficult and long process for approval of the schemes should also be replaced with an expeditious and easy process of approval and implementation of schemes. ([Anjum, 2001](#))
- p) The supervisory role of the local councils should be given to the AJK Legislative Assembly through any special committee with membership from all the parties and the mandate of the concerned supervision.
- q) The AJK Local Government Board is also highly centralized and non-representative. This should also be transformed into a democratic and decentralized body.
- r) The powers of the Government of AJK to quash any proceeding, suspend or prohibit any action of the local council may be abolished to ensure the empowerment of the local councils.

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