

Devolution in Practice:

Ensuring Effective and Accountable Local Governments in Pakistan

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■ Introduction

Local governments are the bedrock of democratic governance in Pakistan, forming the most immediate and vital connection between the state and its citizens. Through direct representation, responsive service delivery, and grassroots accountability, they embody the ideals of participatory democracy and inclusive development. The constitutional framework is anchored in Article 7, which lists local governments as part of the state; 140-A that mandates the establishment of local governments; and Article 32, which emphasizes inclusive local governments as a matter of state policy. These provisions elevate local governments from mere administrative units to a constitutionally protected tier of government. These provisions not only mandate the creation of elected local institutions with genuine political, administrative, and financial authority but also ensure special representation for women, workers, and peasants, reflecting a vision of governance that is both inclusive and empowering.

Despite these robust constitutional guarantees, the practical reality often falls short. Persistent legal ambiguities and pervasive provincial control have led to repeated delays in local elections, premature dissolution of elected councils, and curtailment of local mandates. These disruptions have weakened the foundations of grassroots democracy, stunted political organization, and inhibited political socialization.

Against this backdrop, the Supreme Court's 2021 landmark judgment in [Asad Ali Khan & Others v. Province of Punjab](#) on the premature dissolution of Punjab's local bodies set a crucial precedent. The decision reaffirmed the constitutional status and democratic necessity of elected local governments, underscoring their protection and continuity as essential to Pakistan's democratic fabric. However, the journey toward effective, autonomous, and accountable local governance remains incomplete. The Supreme Court's interpretation of constitutional requirements calls for the enactment of robust safeguards and institutional mechanisms to ensure that the promise of empowered local governments is realized in practice and not just in principle.

Building on this legal and constitutional context, this policy brief seeks to meaningfully contribute to the ongoing discourse on local governments. It examines the constitutional and political realities that shape local governance in Pakistan, identifies the political, structural, and operational gaps that undermine grassroots democracy, and offers actionable reforms to revitalize and strengthen local governments nationwide. This approach seeks to guarantee that the constitutional vision, as endorsed by the Supreme Court, is effectively implemented as a consistent and enduring institutional practice.



Article 7 "In this Part, unless the context otherwise requires, 'the State' means the Federal Government, 1 [Majlis-e-Shoora (Parliament)], a Provincial Government, a Provincial Assembly, and such local or other authorities in Pakistan as are by law empowered to impose any tax or cess."



Article 32 The State shall encourage local Government institutions composed of elected representatives of the areas concerned, and in such institutions, special representation will be given to peasants, workers, and women.



Article 140-A (1) "Each Province shall, by law, establish a local government system and devolve political, administrative and financial responsibility and authority to the elected representatives of the local governments."



Article 140-A (2) "Elections to the local governments shall be conducted by the Election Commission of Pakistan."

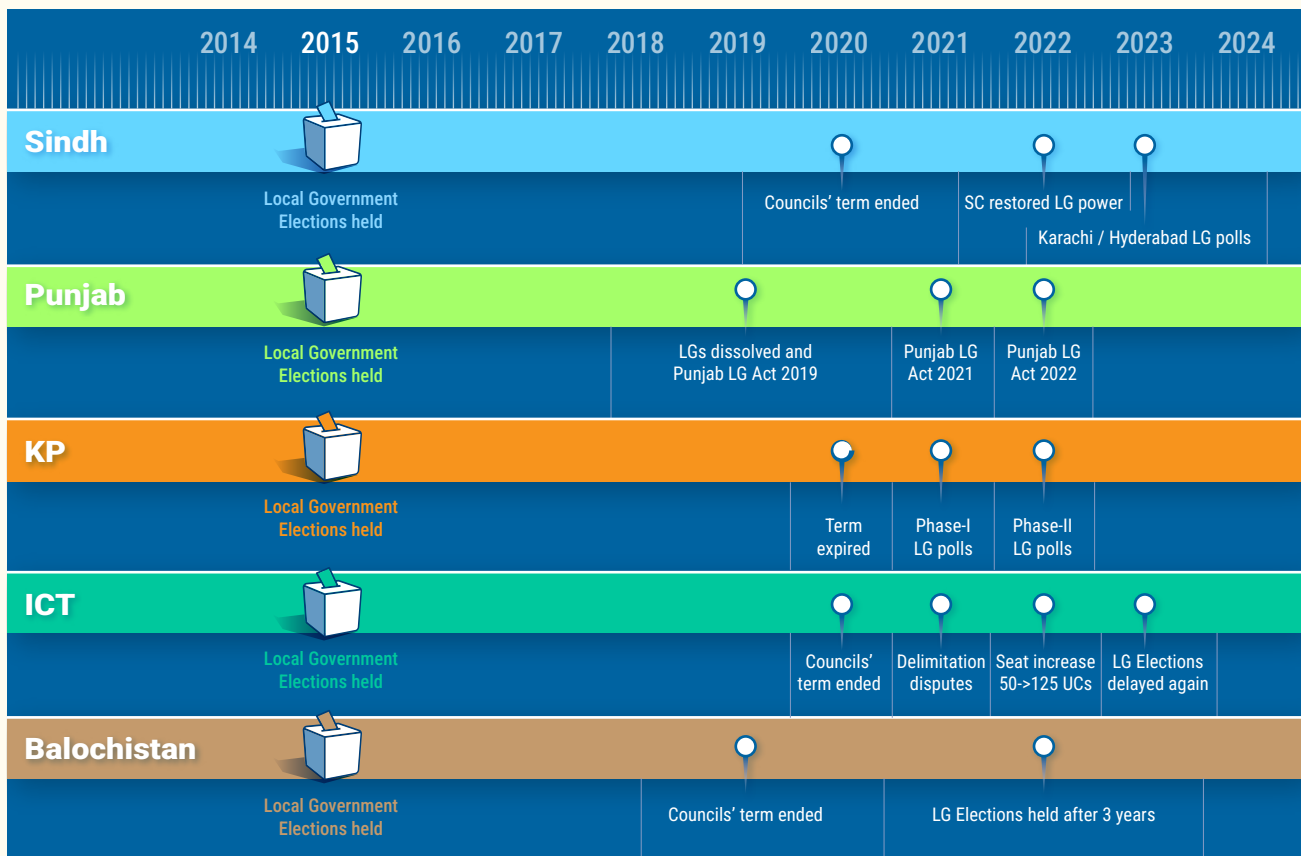
1. The Erosion of Local Governments: Interruptions, Weaknesses, and the Need for Reform

Since 2015, Pakistan’s local government system has been persistently disrupted. Across all provinces and the Islamabad Capital Territory (ICT), elections have been repeatedly delayed or derailed, undermining the continuity and effectiveness of grassroots democracy. Local governments have been dissolved, left in limbo by legal disputes, or only reinstated through judicial intervention, creating a pattern of “spatial denial” that erodes public trust and weakens local institutions. As discussed below, successive provincial governments in all provinces have used tenure disruptions, frequent changes in local government authority and structures, and financial controls to render local government systems fragile, inconsistent, and increasingly unable to fulfill their core mandate of serving the needs of citizens.

1.1. Tenure Interruptions to Undermine Local Governments

Over the past decade, local government elections across Pakistan’s provinces and the ICT have faced repeated delays, interruptions, and legal challenges. This pattern severely undermines the stability and continuity of grassroots democracy.

Figure 1: Timeline of Key Events (2015-2023)



As depicted above, the tenure of local governments was consistently disrupted, and elections were delayed in all provinces between 2015 and 2023. In Sindh, local government elections originally scheduled for December 2020 were postponed for more than two years due to political impasse and legal disputes concerning census results, delimitation issues, and modifications to local government authority. After the [Supreme Court restored local government powers](#), the province held staggered elections that began in June 2022 and culminated in January 2023. Khyber Pakhtunkhwa held elections in extended phases during 2021–2022 after the 2015

council's term concluded in 2020. In Balochistan, a three-year hiatus followed the end of the 2015 councils' term in 2019, before new elections were held in 2022. Punjab's local governments, elected in 2015, were dissolved in 2019, with no subsequent elections being held despite ongoing legislative changes. In the ICT, the local government's tenure ended in 2021. However, elections have been repeatedly postponed due to delimitation disputes and the expansion of the union councils.

These recurrent breaks have left local governments in a state of uncertainty. This persistent instability not only undermines public confidence but also impairs local institutions' capacity to fulfill their democratic and developmental responsibilities.

1.2. Frequent Changes and Parallel Authorities to Diminish Local Government

Disruptions and delayed elections are not the only hurdles to establishing formidable local government. While Article 140-A mandates the creation of empowered local governments, it lacks clear implementation mechanisms, allowing provinces to exercise broad discretion in interpreting and applying its provisions to the local context. Consequently, problems of parallel authorities and arbitrary executive control over resource distribution are common across all provinces. A review of successive changes in the legal framework of local governments in Pakistan reveals deepening structural and operational weaknesses. Provincial governments, regardless of the ruling party, perceive local governments as adversarial.

The most significant manifestation of the provinces' aversion towards local governments can be seen in the frequent changes in the authority, structures, and functions of local governments. For instance, the Punjab Local Government Act 2019 abolished the district councils. Sindh retains district-based councils, Khyber Pakhtunkhwa has reversed its earlier village and neighborhood council model, and Balochistan persists with local governments that have limited powers. Instead of empowering local governments, frequent changes have led to an environment of uncertainty in which they cannot secure sufficient administrative and political space.

These issues indicate a widespread approach by provincial governments, in which local governments are treated as subordinate extensions of provincial authority rather than as autonomous representatives of citizens. These limitations are further exacerbated by persistent resource constraints, which continue to undermine the effectiveness of local governance throughout Pakistan.

1.3. Fiscal and Financial Limitations to Thwart Local Government Autonomy

A notable instance of provincial governments' overreach is their efforts to curtail the fiscal autonomy of local governments. The non-functional Provincial Finance Commissions (PFCs) underline this issue. As the primary platform for resource allocation within provinces, PFCs often operate irregularly, are subject to political influence, or are bypassed entirely, resulting in development disparities to the detriment of areas that are not politically favored by provincial governments. The absence of reliable funding mechanisms denies local governments the fiscal autonomy required for essential services such as health, education, and sanitation. Without clearly defined powers and adequate resources, local governments struggle to address community needs and advance effective development.

Given the considerable scale and complexity of these challenges, it is imperative to implement a comprehensive reform strategy grounded in strong political and legal principles to ensure meaningful progress. The following section provides practical recommendations to strengthen local governments through focused systemic reforms.

2. The Path to Robust and Politically Embedded Local Governments

The systemic deficiencies in Pakistan’s local governance highlight the urgent need for comprehensive legal, political, and administrative reforms to establish local governments as a credible and stable tier of democratic governance. In this context, the Supreme Court’s landmark judgment on the premature dissolution of local governments in Punjab is critically important. The Supreme Court, in its decision, reaffirmed the constitutional status and democratic necessity of elected local bodies, thereby setting a historic precedent for provincial governance frameworks. More specifically, the Court established the following crucial benchmarks for local governments:

- a. The Court determined that the dissolution of elected councils prior to the completion of their term through legal action constitutes a violation of citizens’ fundamental rights under Article 17, in conjunction with Articles 140-A, 7, and 32. The ruling underscored that provincial authorities are prohibited from arbitrarily removing elected representatives or disrupting their tenures. This judgment upholds democratic continuity, fortifies constitutional protections for grassroots governance, and reinforces citizens’ fundamental right to political representation.
- b. The Court acknowledged local governments as “local bodies” within the definition of the “State” in Article 7 of the Constitution, thereby elevating them from mere administrative instruments to a constitutionally protected tier of government responsible for democratic participation, service delivery, and accountability in close proximity to the citizens.
- c. By declaring local governments as part of the state under Article 7, the Court reinforced the principle of financial autonomy, as local bodies are endowed with the authority “to impose any tax or cess.”

The judgment establishes a strong constitutional and judicial basis for genuine devolution, guaranteeing that local governments function consistently, effectively, and autonomously. Based on the primary findings of the judgment and FAFEN’s analysis of constitutional ambiguities, political influence, and institutional weaknesses, several key recommendations are presented to define a clear framework for local government. These proposed reforms are designed to safeguard local governments from undue political intervention, ensure their sustainability, and address ongoing provincial challenges to devolution, thereby promoting a more empowered, accountable, and resilient system of local democracy in Pakistan.

2.1. Enforce Timely Local Government Elections and Tenure

To avert arbitrary delays and ensure continuity in local governance, the Constitution should explicitly delineate the tenure of local governments, such as four or five years. Similarly, the Constitution should provide for local government elections to be conducted within a specified timeframe (within 60 days following the completion of tenure and within 90 days in the event of premature dissolution), thereby aligning with the 60–90-day requirement for general elections as prescribed under Article 224 of the Constitution. The Constitution should also guarantee that the incumbent local government laws remain in effect and are not subject to being repealed. Pending amendments to local government laws should not be a reason to delay, postpone, or cancel an election. Matters pertaining to elections, including the definitions of peasants, workers, and youth, as well as the qualifications and disqualifications of candidates, the nature of party- or non-party-based elections, and the use of secret ballots in both direct and indirect election modes, should be comprehensively addressed by the Elections Act 2017. These issues should not be subject to provincial legislation.

2.2. Empower Assemblies to Set District Boundaries

The authority to alter district boundaries should reside with provincial legislatures, which should exercise their power through an open and transparent legislative process. Transferring this authority away from unilateral executive control would mitigate the risk of political gerrymandering, enhance public accountability, and ensure

that boundary modifications are subject to substantive debates and oversight. Such reforms would provide local governments with the stability necessary for effective planning and reliable service delivery.

2.3. Standardize Local Government Powers Across Provinces

Provincial governments should be obligated to devolve administrative, political, and financial authority to the third tier of governance (district, union council, and/or tehsil level) through clear and effective legislation. The Constitution should be amended to define the bare minimum expectations from provinces for subjects to be devolved to local governments, such as primary education and municipal functions.

The Supreme Court affirmed that local governments constitute a constitutionally protected part of the State under Article 7, and provinces cannot dismantle elected LG systems at will. To reinforce the spirit of the relevant constitutional clauses and the said judgment, a constitutional framework should define the tiers and basic structure of local government that all provinces must follow, while allowing operational flexibility. Defining a minimum mandatory structure reinforces this constitutional protection, ensuring that devolution under Article 140-A is not undermined by shifting political priorities and safeguarding citizens' right to representation and services.

Furthermore, the framework should set minimum functional and representative standards for local governments, such as direct elections for key positions, fiscal autonomy, and independent oversight. This will prevent arbitrary interference by provincial authorities, create a stable foundation for further legislative reforms, and ensure equitable resource distribution, robust accountability, and a strong citizen-focused third tier of government.

2.4. Legislate Fair and Equitable Resource Allocation

Effective governance relies on genuine financial autonomy and equitable resource distribution. Without sufficient fiscal authority, local governments cannot fulfill their constitutional responsibilities for service delivery and development. Although Article 140-A of the Constitution mandates the devolution of political, administrative, and financial powers to elected local representatives, real authority remains concentrated in provincial governments, which retain control over critical tax and funding streams.

To correct this imbalance, a comprehensive framework for fiscal devolution should be introduced through a constitutional or legal elaboration of the guidelines in Article 7. Local governments should be granted the authority to collect, retain, and utilize revenues from property taxes, local excise duties, parking fees, business registration and trade licenses, signage fees, and user charges for municipal services. In addition, provinces should allocate a defined share of indirect tax revenues, including sales tax on services from the divisible pool, to local governments as part of their constitutionally guaranteed fiscal space.

This process should be anchored by a transparent and institutionalized PFC, mandated by binding legislation to ensure regular, formula-based transfers. The allocation criteria must consider population, poverty, infrastructure, and devolved service responsibilities, with special attention to the historically underserved districts. Although some provinces have developed formulas, nationwide consistency and legislative oversight are essential to ensure fairness, accountability, and effective devolution. A robust PFC process is fundamental for empowering local governments and advancing equitable development.

2.5. Establish Structured Provincial–Local Coordination Mechanisms

To effectively align provincial policymaking with local needs and implementation, while ensuring accountability, it is imperative that provincial-local coordination transitions from informal, ad hoc methods to established and transparent intergovernmental frameworks. These collaborative structures may include the following:

- a. Provincial–Local Coordination Committees should be instituted to serve as primary coordination platforms involving relevant provincial ministries, members of Provincial Assemblies (MPAs), district

bureaucracy, and district/tehsil Nazims. Supported by clearly defined legal mandates and oversight protocols, these committees should be responsible for the planning and oversight of development programs, fiscal transfers, and service delivery. This approach ensures participatory planning while preserving the institutional integrity of each office. Such mechanisms have the potential to transform fragmented governance into coherent, participatory, and accountable decision-making, ensuring that provincial priorities align with grassroots needs without compromising local autonomy.

- b. District or Tehsil Development Councils should be established to serve as joint policy and planning forums. MPAs may act as full or ex officio members, alongside Tehsil Nazims, councilors, and senior administrative officers. This structure aims to ensure alignment between provincial priorities and local needs while preventing the consolidation of executive power in a single individual.

2.6. Establish Structured Citizens' Engagement and Accountability Mechanisms

To strengthen participatory democracy and enhance public oversight, Public Engagement and Accountability Forums should be introduced at the tehsil and district levels through rotational citizen sessions, enabling residents to directly question elected representatives, monitor project performance, and contribute feedback on service delivery and local development.

By adopting these measures, vertical coordination between provincial and local governance can be strengthened, enhancing citizen participation and ensuring policy continuity and accountability without diluting the democratic independence of the local institutions.

2.7. Require Two-Third Majority for Amendments to Local Government Laws

To maintain the stability and continuity of local government structures, mandates, and functions while respecting provincial autonomy, the Constitution should be amended to mandate that any changes to local government legislation receive approval from a two-thirds majority in the provincial assembly. This requirement would ensure that modifications to local governance frameworks are made only with significant legislative backing, thereby reducing partisan influence and enhancing accountability and effectiveness in local governance.



Conclusion

Local Governments are a Necessity, not a Choice

Pakistan's local government system is at a decisive crossroads. Despite clear constitutional mandates and repeated judicial affirmations, local governance continues to be undermined by tenure interruptions, provincial overreach, and persistent resource constraints. These challenges have weakened democratic representation, eroded public trust, and hampered effective service delivery at the grassroots level.

Reversing this decline requires more than incremental adjustments; it demands coordinated and decisive action. Legislators must prioritize the empowerment of local governments through robust constitutional protections, enforcing timely elections, and guaranteeing stable tenures. Provincial governments must commit to devolving genuine authority and resources guided by transparent and equitable frameworks. Integrating provincial legislators with local leadership and institutionalizing fair resource allocation will further strengthen accountability and responsiveness.

The path forward calls for political will, legislative clarity, and resilient institutional mechanisms. By implementing these comprehensive reforms, Pakistan can build local governments that are not only resilient and inclusive but also truly effective in serving their communities and upholding the promise of democratic governance. The time to act is now.



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