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1- INTRODUCTION

- 1.1 Main purpose of including a comprehensive system of monitoring in the Local Government Ordinance is to improve the performance of government offices along with service delivery through participatory inputs from the community and all stakeholders. A number of Monitoring Committees have been identified in the Ordinance, which are to be constituted by the concerned councils.
- 1.2 Local level development is increasingly viewed as a process based above all on people - their capabilities, perceptions - and as one that requires investment in people, coupled with changes in their socio-economic status.
- 1.3 The processes of development and monitoring go hand in hand. Gathering of basic information for the purpose of monitoring, underpin analysis and participation. Furthermore dissemination of information based on effective communication and monitoring helps develop a transparent, flexible and permissive system for local re-adaptation.
- 1.4 The Monitoring System, as envisaged in the Ordinance, is based on the principles of developing mutual understanding, participation and cooperation. The primary role of the Monitoring Committees is to identify problems at the Offices/facilities and bring these to the notice of the respective Council Nazims and the concerned administration. Monitoring Committee members of the Councils will act as a bridge between the people, elected representatives and the administration. An important role of the Monitoring Committees is also to follow up on the issues and monitor their progress.
- 1.5 Community involvement in the affairs of monitoring through the elected monitoring committees of Union, Tehsil and Zila councils, serves as the starting point in building community members' confidence and capacity to become more actively involved in the management of delivery of services. More specifically, the goals of Monitoring are to:
 - (a) Develop strong commitment towards making systematic overview of essential problems and their inter-relationship and causes: basic, underlying and immediate.
 - (b) Inculcate strong sense of collective efforts and team building with a view that money and financial resources may be important but what is more important is the ownership, care and conscious efforts to solve essential problems at community level through collective efforts and shared responsibilities.
 - (c) Change the mindset, in a manner that every body feels responsible and plays important role in the design of suitable and innovative

solutions to problems. All role players undertake tasks aiming at improving the living conditions at community level.

- 1.6 The monitoring by the MCs is independent of the management oversight which is conducted through the management structure of the offices. The latter is limited to the offices and has a top down approach. The monitoring by the monitoring committees is based on peoples participation, and responsiveness to people through a horizontal approach.
- 1.7 To add on to the productivity and efficiency of the system and monitoring committees, there are other committees, i.e. Ethics Committee, Insaf Committee, Accounts Committee, Union Public Safety Committee, Zila Sports and Culture Committee, which will compliment the functioning of the monitoring process. Every Committee is independent in functioning which will be explained in detail in these guidelines.
- 1.8 Members of each council are public functionaries vested with substantial powers and responsibilities of decision-making in various aspects that are specified in the Ordinance. Given that their conduct and decisions have significant social, political and economic implications, the objective of having these monitoring committees is to ensure accountability and transparency.
- 1.9 These guidelines have been prepared for various Monitoring Committees (MCs) of the Councils in order to assist them in performing the functions assigned to them, under the SBNP Local Government Ordinance, 2001.

2- BASIC FRAMEWORK OF MONITORING COMMITTEES

2.1 Definition Of Monitoring

- (a) Monitoring is the systematic collection and analysis of information to enable the stakeholders to determine whether key activities are being carried out as planned and are achieving the desired results or not. Monitoring provides feedback to the management, which shall be used to improve operational plans and to take corrective action.
- (b) Human and financial resources have always been considered as the basic input for carrying out plans. However, mere presence of these resources is not sufficient to ensure that the progress will be carried out as planned. The plans have to be constantly monitored if results are required as per schedule. The management must know whether activities are being carried out as planned or not. It is through the Monitoring system that the feedback is provided. The modern world has used the monitoring process to improve the functioning of the government offices and service delivery facilities.

2.2 Need for monitoring by the Elected Representatives of the Local Governments

- (a) The local government institutions and offices have internal checks in the shape of inspections, audits, inquiries, complaint cells, etc. to improve efficiency and effectiveness of the offices and facilities. Unfortunately, it has not worked very well. The inherent problem with this kind of monitoring was the lack of involvement of the people and transparency.
- (b) Therefore, the new Local Government System provides monitoring through the elected representatives. In fact, it is the first time that the elected representatives have been assigned the responsibility of monitoring under the law. The monitoring role assigned to them is that of identification of problems and bringing them to the notice of the Councils, Nazims, and the Administration and to assist in resolving the problems, through an interactive process involving the officials and the people. They are to ensure that the feedback of people reaches the policy makers and the planners.

2.3 Objectives of Monitoring Committees

- (a) The objectives of monitoring is to analyse the information collected through the various channels and to assess whether the following is taking place or not:

- i. Judicious use of available resources;
- ii. implementation is as per plans;
- iii. targets are being met;
- iv. service delivery is improving;
- v. administration is responsive to people's need; and
- vi. there is transparency in functioning of Offices.

2.4 Fundamental Principles of Monitoring

- (a) Monitoring shall primarily begin with the identification of problems. The Committees shall assess whether the people are getting satisfactory services or not, if not what are the reasons and how the problems could be resolved. It shall bring issues and problems to the notice of the respective Council members, Nazims and the Administration.
- (b) The most important prerequisites for the effective monitoring are an openness of mind and commitment to solving problems. Monitoring is not an inspection. It is neither an audit nor an inquiry. It is the identification of the problems, which must be solved in the interest of the people. Monitoring requires good interpersonal skills and the following guidelines shall be observed while undertaking monitoring:
 - i. MCs shall consider monitoring as a friendly exercise in the interest of the people and shall not become aggressive and create tensions and frictions with the service providers.
 - ii. MCs shall interact proactively with the community and people to identify critical issues/problems that need to be resolved.
 - iii. MCs shall interact with all stakeholders to stimulate the process of problem solving, instead of collection of individual complaints.
 - iv. MCs shall collect information in a simple, practical and effective manner.
 - v. MCs shall deal with facts and not include value judgement in their quarterly reports.
- (c) The MCs will monitor various functions and activities performed by the Local Governments. The focus of monitoring shall mainly be on service delivery. The main functional areas to be monitored are offices, services delivery, development projects and facilities.

2.5 Dos and Don'ts of the Monitoring Process

- (a) The Do's and Don'ts are being suggested for the Monitoring Committees so that the Committees or Members do not transgress legal boundaries; yet at the same time achieve the objectives assigned to them. The emphasis of monitoring by the elected representatives is on the improvement of performance, because improvements in the service delivery would ultimately lead to public satisfaction. This can only happen if every one involved feels equally responsible towards the public and improvement in the service delivery system

Dos	Don'ts
<ul style="list-style-type: none">• Seek information as part of the monitoring process.• Identify basic problems.• Aim at improving the delivery of services.• Be courteous, friendly, polite and patient.• Act as a facilitator.• Prepare for monitoring visits.	<ul style="list-style-type: none">• Don't interfere in the work of offices or service providers.• Don't intrude or sneak in.• Don't harass the functionaries.• Don't create friction or problems.• Don't force yourself on others.• Avoid unplanned monitoring visits.

3- COMPOSITION AND ELECTION OF THE MONITORING COMMITTEES

3.1 Composition of the Union Council Monitoring Committees

- (a) There shall be minimum three members to each Union Monitoring Committee.
- (b) One third of the Members of each Union Monitoring Committee shall consist of members from reserved seats for women, peasants, workers and minority.
- (c) The Naib Union Nazim will head monitoring Committee of Municipal Services.
- (d) The Union Council will elect members of the Monitoring Committees from its Council members.
- (e) The term of the MCs is three years.
- (f) The MCs may seek consultation from the Citizen Community Board (CCB), Village Councils/Neighbourhood Councils as provided in the Law.

3.2 Election of Union Monitoring Committees

- (a) The Union Nazim will conduct the election of the Monitoring Committees.
- (b) The election of members shall be on the basis as specified in the Ordinance. Each member of the council will cast a vote, in favour of any one of the contesting candidates of the monitoring committees through a secret ballot.
- (c) Election of different MCs will be held separately (one committee at a time), at the Union Council level.
- (d) The member who obtains the highest vote for the MC would be the Chairman of that MC.
- (e) Members obtaining maximum votes would be the members of the MC.
- (f) The Monitoring Committees shall obtain vote of confidence from the Council members, after the completion of the first year.
- (g) One Council member can contest for more than one committee, including MCs.

- (h) One Council member can head different committees, including MCs, if voted for by the Union Council members.
- (i) In case of a need to elect fresh members for the existing MCs, the concerned Council can approve elections to elect members for the MCs, after the completion of one-year period.

3.3 Composition of the Tehsil/Town Council Monitoring Committees

- (a) There shall be minimum three members to each Tehsil/Town Monitoring Committee.
- (b) One third of the Members of each Tehsil/Town Monitoring Committee shall consist of reserved seats of women, peasants, workers and minority.
- (c) The Tehsil/Town Council will elect members of the Monitoring Committees from its Council members.
- (d) The term of the MCs is three years.
- (e) The MCs may seek consultation from the Citizen Community Board (CCB), Village Councils/Neighbourhood Councils as provided in the Law.

3.4 Election of Tehsil/Town Monitoring Committees

- (a) The Naib Tehsil/Town Nazim will conduct the election of the Monitoring Committees.
- (b) The election of members shall be on the basis as specified in the Ordinance. Each member of the council will cast a vote, in favour of any one of the contesting candidates of the monitoring committees through a secret ballot.
- (c) Election of different committees, including MCs will be held separately (one committee at a time), at the Tehsil/Town Council level.
- (d) Member who obtains highest vote for the MC would be the Chairman of the MC.
- (e) Members obtaining maximum votes for the MC would be the members of the MC.
- (f) The members of the Monitoring Committees shall obtain vote of confidence from the Council members, after the completion of the first year.

- (g) One Council member can contest for different committees.
- (h) One Council member can head different committees, including MCs, if voted for by the Tehsil/Town Council members.
- (i) Council will decide, if need may be for holding fresh elections for the MCs at the Tehsil/Town level.
- (j) In case of a need, to elect fresh members for the existing MCs, the concerned Council can approve elections, to elect members for the MCs, after the completion of one-year period.

3.5 Composition of the Zila Council Monitoring Committees

- (a) There shall be minimum three members to each Zila Monitoring Committee.
- (b) One third of the Members of each Zila Monitoring Committee shall consist of reserved seats of women, peasants, workers and minority.
- (c) The Zila Council will elect members of the Monitoring Committees from its Council members.
- (d) The term of the MCs is three years.
- (e) The MCs may seek consultation from the Citizen Community Board (CCB), Village Councils/Neighbourhood Councils as provided in the Law.

3.6 Election of Zila Monitoring Committees

- (a) The Naib Zila Nazim will conduct the election of the Monitoring Committees.
- (b) The election of members shall be on the basis of each member of the council casting only one vote, in favour of anyone of the contesting candidates, for all the monitoring committees through a secret ballot.
- (c) Election of different committees will be held together at the Zila Council level.
- (d) Member who obtains highest vote for the MC would be the Chairman of the MC.
- (e) Members obtaining highest votes for the MC would be the members of the MC.

- (f) The members of the Monitoring Committees shall obtain vote of confidence from the Council members, after the completion of the first year.
- (g) One Council member can only contest for one MC.
- (h) No Zila Council member can head more than one MC.
- (i) Council will decide, if need may be, holding of fresh elections for the MCs at the Zila level after completion of on year.
- (j) In case of a need to elect fresh members for the existing MCs, the concerned Council can approve fresh elections to elect members for the MCs, after the completion of one-year period.

4- ROLES AND RESPONSIBILITIES OF THE MONITORING COMMITTEES

4.1 Union Monitoring Committees (UMCs)

- (a) The Monitoring Committees elected by a Union Council shall be responsible to monitor the functioning of all offices of the District Government, Tehsil Municipal Administration, Town Municipal Administration and Union Administration for the delivery of services within the Union. The Union MCs shall prepare and submit their quarterly reports to their Councils.
- (b) At least there shall be a Monitoring Committee for each of the following at the Union level:
 - i. Municipal Services
 - ii. Finance
 - iii. Public Safety
 - iv. Health
 - v. Education
 - vi. Literacy
 - vii. Works and Services
- (c) The Union MCs shall monitor the service delivery in their respective areas. The MCs shall focus on identifying the critical problems affecting service delivery. As far as possible, the Union Nazim, the Naib Union Nazim, the MC members, and the Union Secretaries shall try to resolve the issues/problems at the Union level.
- (d) The unresolved problems shall be referred to the Zila Monitoring Committees (ZMCs) and to the Tehsil/Town Monitoring Committees (TMCs) as follows:
 - i. The Union Nazim shall take up matters related to the district government offices and their service delivery facilities to the Zila MCs.
 - ii. The Naib Union Nazim shall take up problems related to the Municipal Services to the Tehsil/Town MCs.
 - iii. The resolutions of the Union Council on the quarterly reports of the Union Monitoring Committee shall be passed to the Tehsil/Town Council or Zila Council, as the case may be.

- (e) The MCs of the Zila and the Tehsil/Town shall make efforts to resolve issues of Union MCs with their concerned Nazim, Council and the Administration.
- (f) The Zila Council and Tehsil/Town Council shall bring forth resolutions of Union Council in their Council Meeting for solving or addressing the issues/problems of the Union Council.

4.2 Tehsil/Town Monitoring Committees (TMCs)

- (a) The Monitoring Committees elected by the Tehsil/Town Council shall be responsible for monitoring the functioning of the offices of the Tehsil/Town Municipal Administration and the provision of municipal services. The Tehsil/Town MCs shall prepare and submit their quarterly reports to their concerned Councils.
- (b) At least, there shall be a Monitoring Committee for each of the following at the Tehsil/Town level:
 - i. Municipal Regulation
 - ii. Infrastructure and Services
 - iii. Planning
 - iv. Finance
- (c) Tehsil/Town MCs shall communicate their own issues/problems alongwith the issues/problems of the Union Monitoring Committees to their concerned Nazim, Administration and the Council.
- (d) In case of a city district, Town Monitoring Committees shall refer the problems of district government offices to the Zila Monitoring Committees.

4.3 Zila Monitoring Committees (ZMCs)

- (a) The Monitoring Committees of the Zila shall be responsible for monitoring the performance of the District Government Offices in the District. The Zila MCs shall prepare and submit their quarterly reports to their Zila Councils.
- (b) At the Zila level there shall be a Monitoring Committee for each Group of Offices or for each individual Office within the Group of Offices.
- (c) Zila MCs shall communicate their own issues/problems alongwith the issues/problems of the Tehsil /Town MCs and Union MCs to their concerned Nazims and Administration.

The basic framework under which the Monitoring Committees shall be established is derived from the SBNP Local Government (Model) Ordinance 2001 (see Annex I).

5- MONITORING MECHANISMS

There are basically four methods through which the MCs shall monitor. These are:

5.1 Monitoring by obtaining feedback from the public

- (a) This requires the members of the MCs to proactively seek opinion of the public regarding service delivery and performance of various offices.

5.2 Monitoring Service delivery through visits to facilities

- (a) Field visits shall be an essential activity of the monitoring undertaken by the MCs. This provides primary information which is essential for an effective monitoring. Therefore, the Union Council MCs have been assigned the task of monitoring the service delivery as their prime responsibility.

5.3 Monitoring the functioning of Offices

- (a) Monitoring the functioning of the offices at the Tehsil/Town and District level shall be the main activity of the MCs at these levels. To assess the performance would require the analysis of the following information which is to be provided by the concerned Offices:
 - i. Available Resources:
 - ii. Human & Financial
 - iii. Plans:
Targets, Schedules, Cost estimates, Activities, Inputs, Cost of services and Overheads
 - iv. Cost effectiveness measures
 - v. Progress updates
 - vi. Responsiveness to people

5.4 Monitoring of Plans, Targets, Progress through official reports /information

- (a) This requires review of plans, activities and routine progress reports of the various Offices. The MCs may request a copy of the routine progress reports from the Offices.

5.5 Information Gathering: Prelude To Transparency

- (a) Transparency of governance promotes effective functioning and efficiency. The local government system is designed to ensure transparency of governance, non-intrusiveness and making information a public domain. With transparency in governance and availability of information to the people, the effectiveness of the development process will enhance in a much better way than what has happened in the past.
- (b) On the other hand, secrecy is contemplated to breed doubts and create manipulative management. Country has been lacking transparency in operations and management of state affairs at all levels and conspicuous absenteeism of government functionaries has ubiquitously affected service delivery. Consequently good governance has not been achieved for the betterment of the people. With the transparency in information seeking, information giving and information sharing, a serious effort can be made to minimize negative impacts of the old system.
- (c) To facilitate the process of transparency, the SBNP Local Government (Model) Ordinance 2001, provides the following:

Subsection 1 of [Section 137]: Every citizen shall have the right to information about any office of the District Government, Tehsil/Town Administration and Union Administration.

Subsection 3 of [Section 137]: Information about the staffing and the performance of the office of a local government during the proceeding month shall, as far as possible, be displayed at a prominent place within the premises of the office for access by the citizens.

- i. The information regarding the staff of service delivery facilities and about the point facilities available, should be displayed on boards at a prominent place at the service delivery which should be easily accessible for the information of the citizens and MCs. The information should also mention the employees on leave and the ones on official duties.
 - ii. Information of the ongoing projects shall be displayed on boards, at a prominent place, where the project activities are taking place for the information of the citizens and MCs.
 - iii. Information on the functioning of the Offices shall be made available as prescribed in the section on “monitoring mechanisms” on a regular basis for the information of the citizens and the MCs.
- (d) These rules will promote concerted and harmonious efforts at all levels, to provide efficient and effective service delivery and feedback for better planning.

6- MONITORING PROCESS OF THE UNION MONITORING COMMITTEES (UMCs)

6.1 Union Monitoring Committees (UMCs)

- (a) The Union Monitoring Committees shall in principle monitor the service delivery facilities at the Union level. They shall follow the following process for the improvement of the public service delivery at the Union level.

6.2 Information Collection and Analysis

- (a) Union Council Monitoring Committees (UMCs) shall collect information from various sources i.e. community, service delivery facilities, and offices during their visits regarding the functioning of service delivery at the Union level.
- (b) The information thus collected will be analysed by the Monitoring Committees. The critical problems and issues will be identified based on the review and participatory analysis of the collected information.

6.3 Processing of Information and Actions

- (a) Union Council Monitoring Committees (UMCs) will inform the respective Nazim or Union Secretaries verbally or in writing, about the problems identified at the facility / office / project visited by them. As a result of the sharing of the information, some of the issues may be resolved at this stage. As far as possible, an attempt should be made to resolve the issues/problems at the Union level by the respective Union Nazim and the Union Secretaries.
- (b) The unresolved issues related to the Union Council will be communicated verbally or in writing to Zila Monitoring Committees by the Union Nazim.
- (c) Zila Monitoring Committees will follow-up on the issues raised by the Union Council with the District Government.
- (d) The unresolved issues of the Union Council of municipal services will be communicated verbally, or in writing to Tehsil/Town Monitoring Committees by the Naib Union Nazim.
- (e) Tehsil/Town Monitoring Committees will follow-up on the municipal services issues, raised by the Union Council with the Tehsil/Town Municipal Administration.

6.4 Quarterly Reports and ensuing Actions

- (a) The Union MCs will prepare their quarterly monitoring reports, based on their activities during the period and the issues/problems identified by them. It will also include the achievements made during the last quarter and the efforts made by them to resolve issues/problems. The unresolved issues requiring the Council attention would also be part of the report.
- (b) The Union Council will deliberate on the quarterly reports of the Union MCs and pass resolutions to solve the unresolved issues/problems. The Union Nazim will put forth these resolutions to the Zila Council or the Tehsil/Town Council., as the case may be.
- (c) The Union Nazim will report back within thirty days to the Union Council on the actions taken by him to resolve the issues/problems raised by the Council in the resolutions.

7- MONITORING PROCESS OF THE TEHSIL MONITORING COMMITTEES (TMCs)

7.1 Tehsil/Town Monitoring Committees (TMCs)

- (a) The Tehsil/Town Monitoring Committees shall in principle monitor the municipal service delivery at the Tehsil level. They shall follow the following process for the improvement of the municipal services at the Tehsil/Town level.

7.2 Information Collection and Analysis

- (a) Tehsil/Town Monitoring Committees (TMCs) shall collect information from various sources i.e. union monitoring committees reports, community and facilities during their visits regarding the performance of municipal services provided by the Tehsil/ Town Municipal Administration.
- (b) The information thus collected shall be analysed by the Monitoring Committees. The critical problems/issues will be identified based on the review of the collected information.

7.3 Processing of Information Gathering and Actions

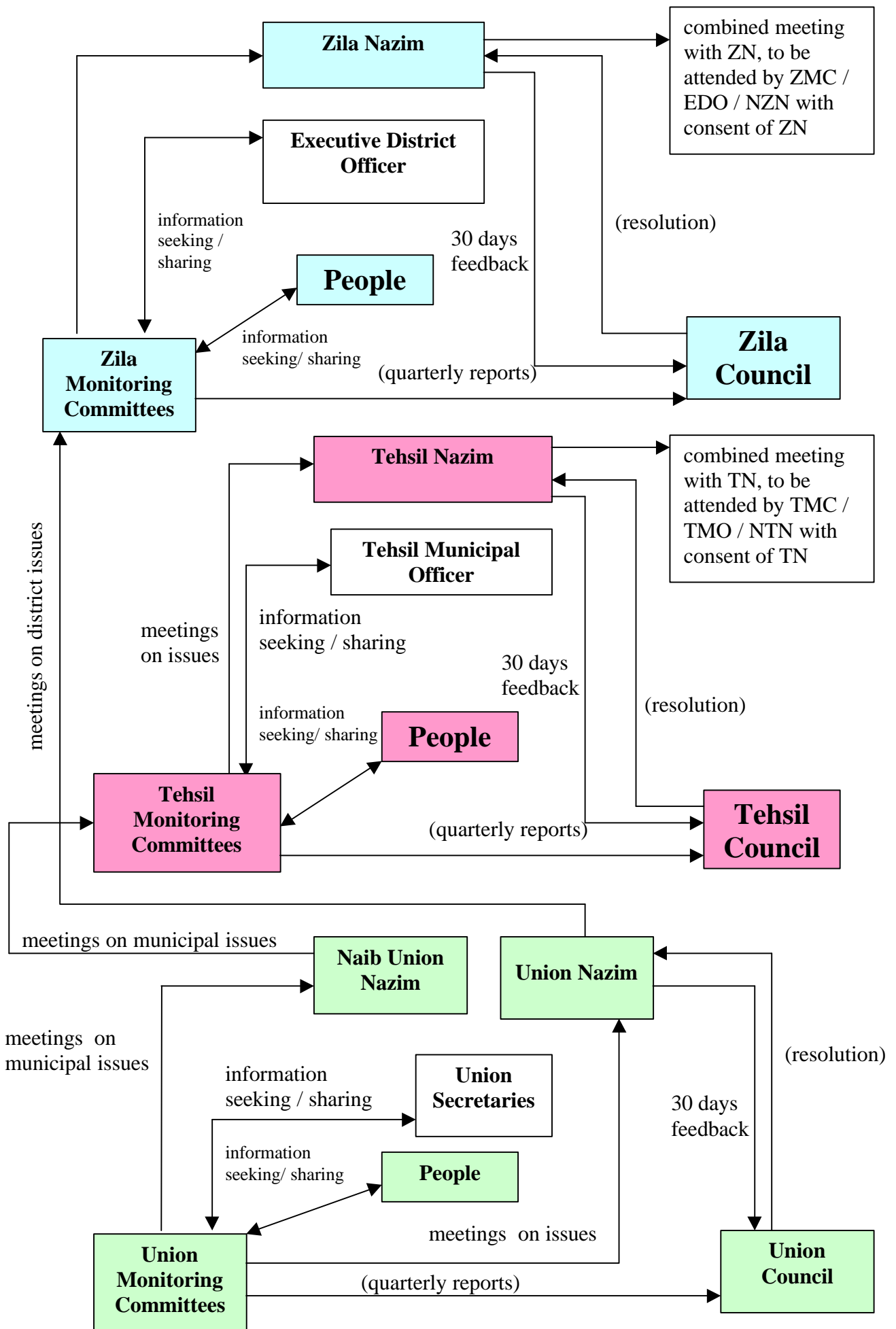
- (a) Tehsil/Town Monitoring Committees (TMCs) will inform the Tehsil/Town Municipal Officer (TMO) verbally or in writing about the problems identified at the facility / office / project level visited by them or brought to their notice.
- (b) TMC would also raise the issues/problems identified by the Union MCs, which were brought to their notice. TMCs will seek information from the TMO on these concerns. As a result of sharing information, some issues may be resolved at the TMO level. As far as possible, an attempt should be made to resolve the issues/problems at the TMO level.
- (c) Tehsil/Town Monitoring Committees (TMCs) will inform the respective Tehsil/Town Nazim verbally or in writing about the issues, which could not be resolved at the TMO level. Tehsil/Town Nazim will convey decisions to the TMO for action. As far as possible, attempt should be made to resolve the issues/problems at the Tehsil/Town level by the Tehsil/Town Nazim.
- (d) The unresolved issues related to the City District Government at the Town level will be communicated informally/formally to Zila Monitoring Committees by the Town Nazim.

- (e) Zila Monitoring Committees will follow up on issues/problems of the Town Monitoring Committees at the Zila level.

7.4 Quarterly Reports and Actions

- (a) The Tehsil/Town MCs will prepare their quarterly monitoring reports based on their activities during the period including the issues/problems identified by them or brought to their notice, through the Union Monitoring Committees. It will also include the achievements made during the last quarter and the efforts made by them to resolve issues/problems. The unresolved issues requiring the Council's attention will be identified in the report.
- (b) The Tehsil/Town Council will deliberate upon the reports of the Tehsil/Town MCs and pass resolutions to solve the unresolved issues/problems.
- (c) The Tehsil/Town Nazim will report back within thirty days, to the Tehsil/Town Council on the actions taken by him to resolve the issues/problems.
- (d) The Tehsil/Town Naib Nazim will also inform the respective Union Council on the decisions taken by the Tehsil/Town Council on the issues raised by them.

Note: The flow chart on page #22 provides the framework of Monitoring Process.



8- MONITORING PROCESS OF THE ZILA MONITORING COMMITTEES

8.1 Zila Monitoring Committees (ZMCs)

- (a) The Zila Monitoring Committees shall, in principle monitor the performance of the district government offices at the Zila level. They shall follow the following process for the improvement of the performance of district government at the Zila level.

8.2 Information Collection and Analysis

- (a) Zila Monitoring Committees (ZMCs) shall collect information from various sources i.e. union monitoring committees, reports, community, facilities, and offices during their visits regarding the performance of the district government.
- (b) The information thus collected will be analysed by the Monitoring Committees. The critical problems and issues will be identified based on the review and analysis of the collected information.

8.3 Processing of Information and Actions

- (a) Zila Monitoring Committees (ZMCs) will inform the respective EDO's verbally or in writing about the problems identified at the facility / office / project visited by them and or brought to their notice.
- (b) Zila MCs would also raise the issues identified by the Tehsil/Town/Union MCs, which were brought to their notice.
- (c) ZMCs will seek information from respective EDOs on these concerns. Due to the sharing of information, some issues may get resolved at the EDOs level. As far as possible, attempt should be made to resolve the issues/problems at that level.
- (d) Zila Monitoring Committees (ZMCs) will inform the respective Nazim verbally or in writing about the issues, which could not be resolved at the EDOs level. As far as possible, an attempt should be made to resolve the issues/problems at the Zila level by the Zila Nazim. Decisions of Zila Nazim will be conveyed to the DCO/EDO for action.
- (e) The unresolved issues related to the Provincial Government shall be communicated informally/formally to the Provincial Government by the Zila Nazims.

8.4 Quarterly Reports and Actions

- (a) The ZMCs will prepare their quarterly monitoring reports on issues/problems identified by them and brought to their notice, through the Union Monitoring Committees. It will also include efforts made by them to resolve issues/problems alongwith the unresolved issues.
- (b) The Zila Council will deliberate upon the reports of the ZMCs and pass resolutions to solve the unresolved issues/problems.
- (c) The Zila Nazim will report back within thirty days to the Zila Council on the actions taken by him, to resolve the issues/problems raised by the Council in the resolutions.
- (d) The Zila Naib Nazim will also inform the respective Tehsil/Town Council, Union Council on the decisions taken by the Zila Council on the issues raised by them.

9- ETHICS (CODE OF CONDUCT) COMMITTEES

Each Zila Council, Tehsil Council and Union Council shall elect its Ethics Committee (code of conduct committee).

9.1 The Need for Ethics Committee for each Council

- (a) Members of each Council are public functionaries vested with substantial powers and responsibilities of decision making in relation to planning, development, allocation of resources, taxation, community mobilization, public safety, access to justice, election of monitoring and other specific function house committees, assessment and evaluation of service delivery, financial discipline and responsiveness of the concerned local govt. to public needs, accountability and promotion of public welfare and prosperity. Nazims and members of monitoring and other house committees have additional leverage in political and administrative affairs. As elected representatives, they are the trustees of people's interest and have the greater responsibility of ensuring good governance. Law and rules are there to define the scope and limits of their powers but legal order alone does not constitute a free good in unlimited supply. Given that their conduct and decisions have significant political, social and economic implications for the society, they must be subject to a higher standard of integrity, morality, discipline and sensitivity to the rights of other. Such standards are clearly enunciated in their oath of office. The ethics committees are, therefore, meant to further regulate their behavior and to ensure their mandatory provisions of their oath. The sustainability of the local govt. system rests on the edifice of clean and honest stewardship of the elected representatives and any departure from a less than responsible and honest behavior has to be prevented by means of peer pressure and the fear of peer based accountability through ethics committee system.

9.2 Composition and Election of Ethics Committees

- (a) The ethics committee shall be elected and constituted in the manner provided in Section 3.2.

9.3 Functions of Ethics Committees

The functions of an ethics committee shall be to:

- (a) Monitor that the members and Naib Nazims of the respective council, and in the case of Union, Union Nazims abide by their oath of office in letter and spirit.
- (b) Formulate, with the assistance of the District Law office, a code of ethics, consistent with the provisions of their oath and secure approval of the respective council within three months from the date on which it took oath of office.

- (c) Monitor the violations of the code of ethics by the members of the council and induce a culture of tolerance impartiality, transparency, frugality and conformity with the Local Govt. Ordinance 2001, and the Council's rules of procedure, and by-laws.
- (d) Monitor that the members of the respective council, do not indulge in divisive and partisan politics, self-serving conduct, or injury of public interest by misuse of public resources.
- (e) Take notice of any complaint of undue influence, dishonest, unethical, or negligent conduct of any member of the respective council and after ascertaining facts by hearing and the complainant and the concerned elected representative, recommend to the respective council necessary action against such member including removal of such member from monitoring committee, if the substance of the complaint is established.
- (f) Report events of disqualification of a member to hold their office in terms of Section 152 of the Local Govt. Ordinance, 2001 or Local Govt. Elections Ordinance 2000 to the Chief Election Commissioner of Pakistan.

9.4 Monitoring of the Functions of Monitoring Committees

- (a) The additional function of the Ethics Committee shall be to monitor the functioning of the monitoring committees for the purpose of ensuring:
 - (I) that they refrain from interference in to day to day working of the offices of the local government.
 - (II) that they don't cause harassment to functionaries of the local govt.
- (b) Take notice of complaints of an aggrieved official of local govt. against misbehaviors, undue interference, under influence, harassment or misconduct of a member of monitoring committee and follow the procedure contained in clause (e) of Section 13.4.

10- INSAF COMMITTEES

Each Union Council, Tehsil/Town Council and Zila Council shall constitute its Insaf Committee.

10.1 Composition and Election of Insaf Committee

- (a) Insaf Committee of the Union, Tehsil/Town and Zila Council shall be elected and constituted in the manner laid down in Section 3.2.

10.2 Role of Insaf Committees:

- (a) Insaf Committees of the Union, Tehsil/Town and Zila Council are not monitoring committees per se because courts of law are independent institutions and outside the ambit of the local government system. They have been assigned an important role of enhancing peoples access to justice. Their role is two fold: (1) facilitation of out of court settlement of disputes through alternative dispute resolution system comprising Musalehat Anjumans, conciliation, mediation or arbitration and (2), chennelizing citizens grievances of delay in delivery of justice or inaction by the subordinate courts to the concerned members of the High Court Inspection Team. Although, monitoring the administration of justice by the courts of law is clearly outside the scope of their functions, yet they have a significant role of intermediation between litigants and the forums of alternative dispute resolution on one hand and supervisory courts on the other aimed at bringing to the attention of Superior Courts cases of serious injustice or inordinate delay and thus facilitate the citizens in getting justice from the courts of law.

10.3 Functions of Union Insaf Committees:

The Union Insaf Committees shall perform the following functions:

- (a) Assist the constitution of Musalehat Anjumans by selecting a panel of three Musaleheen (Conciliators) from amongst the residents of the Union enjoying reputation of integrity, good judgment and respect to provide a civil society forum for amicable settlement of disputes in the manner provided in Section 102 to 106 of the Local Govt. Ordinance 2001. (Annex- 4)
- (b) Provide consultation to the Union Nazim in selection and appointment of Musaleheen (Conciliators) in cases where parties chose to refer their dispute to a person or persons other than the members of the Musalehat Anjuman.
- (c) Disseminate public awareness of the social and economic benefits of out of court amicable settlement of disputes.

- (d) Assist the access of the parties to a dispute to Musalehat Anjuman or conciliator, mediators or arbitrators in achieving amicable settlement of disputes, whether or not litigation proceedings have been instituted in a court of law in respect of such dispute.
- (e) Help the parties to a dispute in acquisition or production of testimonies, witnesses and documentary evidence.
- (f) Monitoring the time frame of the settlement of disputes referred to Musalehat Anjumans, or, as the case may be, conciliators, mediators or arbitrators.
- (g) Present a quarterly report to the Union Council on functioning of Musalehat Anjuman.
- (h) Take notice of complaints against any member of Musalehat Anjuman and where the substance of complaint are established, remove such a person from Musalehat Anjuman if select his substitute.

10.4 Tehsil/Town Insaf Committee

Tehsil/Town Insaf Committees shall perform the following functions:

- (a) Report general perception of the people on the delivery of justice by the courts of law located in the tehsil or town, on quarterly basis.
- (b) Report, on quarterly basis, to the Zila Insaf Committees court cases, deserving intervention of the concerned member of the High Court Inspection team for their expeditious disposal.
- (c) Arrange with the Judge Incharge of the Tehsil/Town Court administration the display of the following information outside each court room:
 - I. Guidelines issued by the Court to facilitate litigants in obtaining copies of non-classified documents such as plaint written statements, Courts certified judgments, stay orders etc; the cause lists, schedule of court fee and such other information as the court may deem appropriate to display for awareness of the litigants, excluding the information about noting or minutes on court files, financial records of the parties to litigation or any record affecting the privacy of individuals.
 - II. Number of cases pending at the end of each month;
 - III. Number of cases disposed of during a month;
 - IV. Number of cases referred by the Courts of law to the forums of alternative dispute resolution, i.e., Musalehat Anjmans or conciliators, mediators and arbitrators, for amicable settlement and the outcome, thereof.

10.5 Zila Insaf Committee

The Zila Insaf Committee shall perform the following functions:-

- (a) Bring to the notice of the members of the High Court Inspection Team the general public perception about the delivery of justice by the District Courts system.
- (b) Facilitate access of the citizens aggrieved by abnormal delay or non-delivery of justice to the member of the High Court Inspection team for redressal of their grievances.
- (c) Review the performance of Musalehat Anjumans and take steps to make them more efficacious and prompt in out of court settlement of disputes.
- (d) Present quarterly report to the Zila Council on the public perception of the state of delivery of justice in the district especially with reference to the alternative dispute resolution systems and the outcome of intercession with the member Inspection Team of the High Court.

11- ACCOUNTS COMMITTEES

Each Union, Tehsil / Town or Zila Council shall constitute its accounts committee.

11.1 Composition and election of Accounts Committee

- (a) Accounts Committees of the Union, Tehsil/Town and Zila Council shall be elected and constituted in the manner laid down in Section 3.2.

11.2 Functions of Accounts Committee:

- (a) The function of Zila, Tehsil/Town and Union Accounts Committees shall be to monitor activities of the corresponding local govt. or any organization using public funds to identify any corruption or leakage or waste of public money at any time of the year and conduct an annual review of external and internal audit reports. If necessary, they can augment their capacity to detect financial irregularities, by engaging voluntary services of a professional individual or organizations. The functions of the Zila and Tehsil/Town and Union Accounts Committees, differ from one another for the reason that the Distt. Govt. and Tehsil/Town Municipal Administration shall have two types of accounts while the Union Council shall have only one account.

11.3 Functions of Union Accounts Committee.

- (a) Interact with the Union Nazim to ensure that the abstract of quarterly financial statement showing the receipt of funds in the Union Local Fund Account and expenditures in the development in non-development categories are displayed in the office of Union Administration at conspicuous places for public information.
- (b) Interact with the Union Nazim and Chairperson of Citizen Community Boards if any to ensure that the abstract of the annual budgetary statements showing receipt of funds and expenditures (development and non-development) by each project of the local govt., or a village/neighbourhood council or a Citizen Community Board funded out of Union Local Fund is displayed for public information.
- (c) Objectively review the annual internal or special audit reports in respect of the local fund of the Union Administration and follow up any objection, proposed draft paras or draft paras with the Union Nazim.
- (d) Review the quarterly monitoring reports of the Finance Committee of the respective Council on the use of public funds, ascertain general public perception of cost and benefit of any project of Union Administration, Village or Neighbourhood Council or a Citizen Community Board involving expenditure from Local fund account of the Union and report

observations about the loss of public money, extravagance or corruption in such projects to the Director Local Fund Audit through a resolution passed by the Union Council at any time during a year.

- (e) Present an annual report to the Union Council, reporting its achievements in prevention of loss of public money alongwith general recommendations for improvement of financial discipline and frugality.

11.4 Functions of Tehsil/Town Accounts Committee.

- (a) Inter act with Tehsil/Town Nazim to ensure that the abstract of quarterly financial statement showing the receipt of funds in the Tehsil Provincial Account and the Tehsil Local Fund Account and expenditures in the development and non-development categories in each account are displayed in the office of the Tehsil/Town Administration at conspicuous places for public information.
- (b) Interact with the Finance Committee of the Tehsil/Town Council to ensure that the abstract of the quarterly budgetary statements showing receipt of funds and expenditures (development and non-development) by all the four component offices of the Tehsil/Town Municipal Administration; offices of PHED, Housing & Physical Planning LGRD, water & Sanitation, Agency or Development authority, if any and Town Committees or any project of the TMA or a C.C.B funded out of the Tehsil/Town Local Fund Account or Tehsil/Town Provincial Account is displayed for public information.
- (c) Objectively review the annual external, internal or special audit reports in respect of each office of the Tehsil/Town Municipal Administration and the offices under its control including projects funded by the TMA and to follow up any objection, proposed draft paras or draft paras with the Union Nazim.
- (d) Review the quarterly monitoring reports of the Finance Committee of the respective Council on the use of public funds, ascertain general public perception of cost and benefit of any project of Tehsil/Town Municipal administration or a Citizen Community Board involving expenditure from Local Fund or Tehsil/Town Provincial account of the Tehsil/Town Municipal Administration and report observations about the loss of public money, extravagance or corruption in such project to the Director Local Fund Audit or the Provincial Director General Audit, as the case may be, through resolution passed by the Tehsil/Town Council, at any time during a year.
- (e) Present an annual report to the respective Council, reporting its achievements in prevention of loss of public money alongwith general recommendations for improvement of financial discipline and frugality.

11.5 Functions of Zila Accounts Committee

- (a) Interact with the Zila Nazim to ensure that the abstract of quarterly financial statement showing the receipt of funds in the District Provincial Account and the District Govt. Local Fund Account and expenditures in the development are non-development categories in each account are displayed in the office of Zila Council at conspicuous place for public information.
- (b) Interact with the Finance & Planning Committee of the Zila Council to ensure that the abstract of the quarterly budgetary statements showing receipt of funds and expenditures (development and non-development) by each District and Tehsil office of the District Govt. and District Police including a project of the District Govt. or a C.C.B funded out of the District Local Fund or District Province Account displayed for public information.
- (c) Objectively review the external, internal and special audit reports in respect of each group of offices of the District Govt., the District Police Office or any project of the District Govt. or a C.C.B financed out of District Local Fund or District Provincial Account and to follow up any objection, proposed draft paras or draft paras with the Zila Nazim.
- (d) Review the quarterly monitoring reports of the Finance and Planning Committee of the respective Council on the use of public funds, ascertain general public perception of cost and benefit of any project of the District Govt. or a Citizen Community Board involving expenditure from District Govt. Local fund account or the District Provincial Account and report observations about the loss of public money, extravagance or corruption in such projects to the Director Local Fund Audit, or as the case may be, the Provincial Director General Audit through a resolution passed by the Zila Council at any time during a year.
- (e) Present an annual report to the Zila Council, reporting its achievements in prevention of loss of public money alongwith general recommendations for improvement of financial discipline and frugality.

11.6 Access to Record

Each accounts committees shall have access to the following records:

- (a) Financial statements and audit reports in respect of local fund and incase of district and Tehsil/Town Accounts Committees all financial statements and audit reports in respect of district Provincial Account and Tehsil Provincial Accounts, vouchers or bills showing expenditure on purchases or payments made by any office of local govt.
- (b) Record relating to sale, purchase, lease, mortgage acquisition or transfer in any other manner of both movable and immoveable properties of the offices of local govt.

- (c) Record pertaining to approvals, consents, permission, concessions, benefits and privileges of holder of elective offices or other officials, licences, permits, agreements, contracts.

11.7 Exclusion of Certain Record

The accounts Committees shall not have access to the following records:

- (a) Record declared as classified under the policy made by the Govt.
- (b) Record relating to personal privacy of an individual.
- (c) Record of private documents furnished to a public office either on an express or implied condition that information contained in any such document shall not be disclosed to a third person.
- (d) Minutes of meeting and interim orders of the officers of local govt.
- (e) Record of bank accounts of individuals, contractors or officials of local govt. furnished to the offices of local govt.

12- UNION PUBLIC SAFETY COMMITTEE

A Union Public Safety Committee shall be constituted in each Union.

12.1 Composition and Election

- (a) The Union Public safety committee shall be elected from amongst the members of the Union Council in the manner provided in section 3.2.

12.2 Functions

The Union Public Safety Committee shall perform the following functions:

- (a) Monitoring and evaluation of the performance of police in relation to their duties in general and the prevention of crimes and maintenance of general security of people residing in the Union in particular, and reporting to the District Public Safety Commission on monthly basis.
- (b) Reporting to the Zila Nazim and the District Public Safety Commission complaints of the citizens residing in the Union against police excesses, including torture, persecution in police custody, or events and illegal confinement, corruption or high handedness.
- (c) Reporting to the Zila Nazim and the District Public Safety Commissions complaints of citizens residing in the Union against failure of the local police to provide protection against crimes or neglect or inaction by the police officials in redressal of their grievances against perpetrators of crimes or anti-social actions.
- (d) Reporting to the Zila Nazim, and the Public Safety Commission, complaints against failure of the investigation branch of the Police stations to track down the offenders, recover and restore the stolen property to the lawful owner or neglect or delay in furnishing challans/reports to prosecution agency.
- (e) Follow-up with the Zila Nazim and District Public Safety Commission, the matters reported to them.

13- ZILA SPORTS AND CULTURE COMMITTEE

Each Union, Tehsil / Town or Zila Council shall constitute its sports and culture committee.

13.1 Composition and election of Sports and Culture Committee

- (a) Sports and Culture Committee of the Union, Tehsil/Town and Zila Council shall be elected and constituted in the manner laid down in Section 3.2.

13.2 Functions of the Sports and Culture Committee

The Zila Sports and Culture Committee shall perform the following functions:-

- (a) Monitor the Sports and Culture office of the local Govt. to ensure implementation of the Local Govt.'s decision to promote sports and cultural activities including good functioning and maintenance of stadiums, sports complexes, gardens and open spaces, and dissemination of information on sports and cultural events in the district.
- (b) Arrange public – private partnership in establishment and maintenance of libraries, reading rooms, stadiums, play grounds, sports halls, community centers and other public places for holding music concerts, cultural shows and other recreational activities.
- (c) Plan a policy for the promotion of sports and culture for approval by the Zila Council.
- (d) Foster participation of people of all ages, specially the youth in sports and healthy pursuits.
- (e) Interact with the District Sports and Culture Office to organize inter Tehsil, inter Union sports, competitions and recreational events.
- (f) Interact with the Union Nazim and the District Sports Culture Office to organize intra district cultural melas, public games, tournaments, rallies and walks at district level with the participation of all Unions, Tehsil and Town teams.
- (g) Interact with the District Sports Culture Office to organize inter district sports and cultural events.
- (h) Interact with the concerned department for up-gradation, maintenance and preservation of national monuments, museums, historic buildings, archives and antiquities.
- (i) Encourage national and regional languages, poetry, fine arts and artisan works and promotes the marketability of the works of artisans.
- (j) Monitor the efficient use of resources for development of sports, cultural and recreational activities at the district, Tehsil/Town and Unions and neighborhoods level.

14- FOLLOW-UP MECHANISM OF THE MONITORING COMMITTEES

- 14.1 After the identification of issues and problems, a follow up is the most critical activity in monitoring process. It is more challenging than the first step i.e. information gathering. The follow-up requires careful analysis of the collected information; formulation of recommendations on the problems and feedback on the out comes.
- 14.2 The follow-up activities involve a participatory approach. Initially, it includes exchange of information between the officials and the members of the MCs. The MCs shall provide public feedback on service delivery and suggestions, while the officials shall provide the progress on actions taken by them. This channel should be most frequently used, because it is participatory in nature and creates a sense of teamwork and understanding.
- 14.3 The follow-up process should involve respective Nazims in the process. Issues, which could not be resolved in an initial attempt, should be discussed with the Nazims. The Nazims may involve the officials and Naib Nazims in these meetings.
- 14.4 Unresolved problems need to be well documented and put up to the Council for necessary resolutions and actions. Issues requiring input from other levels should be presented to the Monitoring Committees of other levels for creating another avenue for the systematic follow up and resolution of the problems.
- 14.5 Proper record keeping and documentation of activities are essential to prepare the quarterly reports for the Council and follow up.

14.6 Quarterly Monitoring Reports

- (a) The Quarterly Monitoring Reports must be submitted to the respective Councils. The quarterly reports would be based on the activities of the Monitoring Committees during the quarter. The focus of the quarterly reports should be on highlighting those issues, which require intervention of the Council and the achievements made by the Monitoring Committees during the previous quarter. The reports to be presented to the Council must contain evaluation of the performance of each office/service delivery and facility in relation to:-
 - i. Achievement of its targets;
 - ii. responsiveness to citizens' difficulties;
 - iii. efficiency in the delivery of services; and
 - iv. transparent functioning.

14.7 Main steps relating to the Quarterly Monitoring Reports

- i. The report must include the achievements made during the last quarter.
- ii. The report must highlight the issues/problems identified by the MCs.
- iii. It shall also provide feedback on steps taken to resolve the issues/problems.
- iv. The unresolved issues/problems should be listed alongwith recommendations.
- v. These reports shall be submitted to the respective councils through their conveners.
- vi. The respective Councils shall deliberate on the quarterly reports submitted by the MCs and send the recommendations in the form of resolutions to the respective Nazims for action.
- vii. The Nazims shall within 30 days report back to the respective councils on the progress made by him on the issues raised in the resolutions by the Council.
- viii. All councils will prepare annual reports based on quarterly resolutions of the councils and actions taken by the Union, Tehsil or Zila Nazim, as the case may be, highlighting achievements and further actions required.
- ix. All councils, annual reports will be submitted to the Zila Council for compilation and development of database.

All councils shall display information on actions taken regarding the problems highlighted in the Monitoring Reports, at the prominent places of the Council Offices, for public information.

15- CONCLUSION

- 15.1 Monitoring has been built as an integral part of the devolution process. The fundamental objective of monitoring is to provide timely feedback on the progress related to the delivery of services at the grass root level.
- 15.2 The key purpose of these guidelines is to support the monitoring mechanism as embedded in the Local Government Ordinance. A district, tehsil, town and union level monitoring system is provided in the law, to monitor the development projects and to monitor efficiency of service delivery. Monitoring as a tool can also contribute to the evaluation of the efficiency of the various offices of the local governments.
- 15.3 Indicators used for monitoring can be divided into three types:
- (a) Indicators of access to resources and services (sometimes seen as pre-condition of participation);
 - (b) Indicators of participation and;
 - (c) Indicators of ownership.
- 15.4 Participation may take a number of forms, ranging from participation in project conception, design, planning, resource mobilization, implementation, management, and monitoring. It is important to note that the outcome of the participatory monitoring is improvement in service delivery.
- 15.5 Participatory Monitoring is based on decentralization, coupled with social development. Participatory Monitoring has four key dimensions that have been captured in these guidelines. These are:
- (a) It is participatory.
 - (b) It is relevant.
 - (c) It is simple.
 - (d) It is feasible and effective.
- 15.6 Specific function committees, as the name suggests, are also part of the Local Government System. A strong linkage and operational relationship is built in, between the monitoring committees and the specific function committees and among themselves.
- 15.7 Mutually reinforcing role of the specific function committees rests on the edifice of clean and honest steward-ship of the elected representatives to ensure sustainability of code of ethics through the Ethic Committees enhancing peoples' access to justice through Insaf Committees.

- 15.8 Public Safety Committees are to ensure the maintenance of general security of people and protection against police excesses/neglect. Redressal of their grievances against perpetrators of crime and anti social actions will also be handled through the public safety committees.
- 15.9 Sports and Culture Committees are to promote sports and cultural activities for healthy pursuits.

ANNEX 1

SECTIONS OF THE SBNP LOCAL GOVERNMENT (MODEL) ORDINANCE RELATING TO MONITORING

Section 138 of the SBNP Model Ordinance:

Monitoring by committees.-

- (1) The Monitoring Committees elected by the Zila Council shall be responsible for monitoring the functioning of the offices of the District Government and preparing quarterly evaluation reports on the prescribed format.
- (2) The Monitoring Committees of Tehsil Council and Town Council shall be responsible for monitoring the functioning of the offices of the Tehsil Municipal Administration or Town Municipal Administration and preparing quarterly evaluation reports on the prescribed format.
- (3) The Monitoring Committees of Union Council shall be responsible for monitoring the functioning of all offices of the District Government, Tehsil Municipal Administration, Town Municipal Administration and Union Administration for delivery of services, within its area and preparing quarterly evaluation reports on the prescribed format.
- (4) The reports referred to in sub-sections (1) to (3) shall, in particular, contain evaluation of the performance of each office in relation to -
 - (a) achievement of its targets;
 - (b) responsiveness to citizens' difficulties;
 - (c) efficiency in the delivery of services; and
 - (d) transparent functioning.
- (5) The Monitoring Committees shall submit their quarterly reports to the respective Councils, which may through a resolution require the respective Nazim to take necessary action.
- (6) The Monitoring Committees shall function without intruding and interfering in the day to day working of the offices of the local governments and shall not cause any harassment to the functionaries thereof, nor shall assume command and control of such offices.
- (7) Notwithstanding any punishment provided in any law for the time being in force, any member of the Monitoring Committee violating the provisions of sub-sections

- (5) and sub-section (6) shall be removed from the Monitoring Committee by the respective Council.
- (8) Any functionary being aggrieved of any misbehaviour, undue interference, harassment or misconduct by a member or members of a Monitoring Committee may report to the Ethics Committee of the concerned Council and may invoke disqualification proceedings against such member or members.
- (9) The concerned Monitoring Committee may recommend to the competent authority the payment of bonuses or performance pay to the functionaries of the local governments in recognition of their efficient performance, subject to availability of funds for this purpose.
- (10) The Monitoring Committee may identify inefficiency or corruption of functionaries of local governments and report to the concerned Nazim for appropriate action and remedial measures and the Nazim shall inform the concerned Council within thirty days of the action taken by him.

Section 29 of the SBNP Model Ordinance:

Functions and Powers of Executive District Officer.-

The functions and powers of the Executive District Officer shall be to-

Subsection (c) of Section 29: supply information to the Monitoring Committees of the Zila Council and Union Councils;

Subsection (d) of Section 29: take appropriate corrective actions based on the information received from Monitoring Committees;

Section 39 of the SBNP Model Ordinance:

Functions and Powers of the Zila Council.-

The functions and powers of a Zila Council shall be to-

Subsection (e) of Section 39: elect committees of the Zila Council for monitoring the performance of the District Government;

Subsection (f) of Section 39: ensure the Monitoring Committees of the Zila Council perform their functions in a non-intrusive manner without interfering in the day to day working of the relevant offices of the District Government and do not assume a command and control role;

Subsection (g) of Section 39: review the Monitoring Committees' quarterly reports on the performance of the District Government;

Section 67 of the SBNP Model Ordinance:

Functions and Powers of the Tehsil Council.-

The functions and powers of the Tehsil Council shall be –

Subsection (vii) of Section 67: to elect Monitoring Committees of the Tehsil Council to monitor the working of the Tehsil Municipal Administration and the provision of municipal services;

Subsection (viii) of Section 67: to ensure that the Monitoring Committees perform their functions in a non-intrusive manner without interfering in the day to day working of the relevant offices of the Tehsil Municipal Administration and do not assume a command and control role;

Subsection (ix) of Section 67: to review the reports of the Monitoring Committees and make appropriate recommendations to the Tehsil Nazim;

Section 75 of the SBNP Model Ordinance:

Structure of the Union Administration:

Subsection (3) of Section 75: the Union Secretaries shall co-ordinate and facilitate in community development, functioning of the Union Committees and delivery of municipal services under the supervision of the Union Nazim.

Section 88 of the SBNP Model Ordinance:

Functions of Union Council.-

The functions of the Union Council shall be to-

Subsection (k) of Section 88: elect Monitoring Committees of the Union, each for municipal services, finance, public safety, health, education, literacy, works and services;

Subsection (o) of Section 88: review the performance of Union Administration and Union Monitoring Committees;

Section 98 of the SBNP Model Ordinance;

Composition of Citizen Community Board.-

- (1) In every local area, a group of non-elected citizens may, for energizing the community for development and improvement in service delivery, set up a Citizen Community Board and through voluntary, proactive and self help initiatives take up,

Subsection (g) of Section 98: reinforcing the capacity of a specific Monitoring Committee at the behest of the concerned Council.

ANNEX 2

A SAMPLE FORM FOR MONITORING REPORT

DATE _____ TIME _____ REPORT NO _____

NAME OF FACILITY/OFFICE/PROJECT _____

ADDRESS _____

MONITORING COMMITTEE OF (AREA) _____

COMMITTEE MEMBERS _____

ISSUES/PROBLEMS

SR. NO	PROBLEM - DETAILS	REMARKS/RECOMMENDATIONS

NAME OF MC MEMBER	NAME OF I/C
	DESIGNATION
SIGNATURE OF MC	SIGNATURE

ANNEX 3

A SAMPLE FORM FOR FOLLOW-UP OF MONITORING REPORTS

MONITORING REPORT NO _____

PROGRESS

SR. NO	PROGRESS DATE	OFFICE FROM WHICH PROGRESS OBTAINED	REMARKS/PROGRESS	SIGN

ANNEX- 4

MUSALIHAT ANJUMAN

102. Constitution of Musalihat Anjuman.- (1) In each Union, a Musalihat Anjuman shall be constituted consisting of a panel of three Musaleheen (Conciliators) one of whom shall be its Convener, to be selected by the Insaf Committee of the Union Council, within thirty days after its election, from amongst the residents of the Union who are publicly known to be persons of integrity, good judgment and command respect:

Provided that the Union Nazim, Naib Union Nazim or the members of the Union Council may not be appointed as Musaleheen (Conciliators).

(2) Any casual vacancy in the panel of Musaleheen (Conciliators) shall be filled by the Insaf Committee, as soon as practicable after occurrence thereof.

(3) The Musaleheen (Conciliators) shall be selected for the term of the Union Council or until replaced earlier:

Provided that Musaleheen (Conciliators) shall be eligible for re-selection.

(4) Where in the opinion of the Insaf Committee, a Musleh (Conciliator) is accused of consistent partiality and malpractices in performance of his functions, the Insaf Committee may, subject to notice to show cause, remove such Musleh (Conciliator) and select another Musleh (Conciliator) in his place.

103. Encouragement for amicable settlement of disputes.-(1) The Union Nazim, members of the Insaf Committee and Musaleheen (Conciliators) shall use their good offices to achieve the amicable settlement of disputes amongst the people in the Union through mediation, conciliation and arbitration, whether or not any proceedings have been instituted in a court of law in respect of such disputes:

Provided that such settlement shall be carried out in such cases where all parties to the dispute agree thereto and no fee shall be charged for such settlement.

Explanation. – For the purpose of this section, the expression ‘dispute’ relates to disputes amongst the individuals, whether of civil or criminal nature.

104. Courts may refer cases to Musalihat Anjuman.- (1) Any court of competent jurisdiction may, in a case where it deems appropriate, refer a matter to the Musalihat Anjuman through the Union Nazim for settlement.

(2) The court making a reference to Musalihat Anjuman for settlement of a dispute under subsection (1) may lay down the procedure for summoning the parties to the dispute, the terms of reference, the period during which settlement is to be made, the

manner in which report of the settlement is to be submitted and such other matters as it may deem appropriate for resolution of the dispute.

(3) Where on a reference made by the court under subsection (1), the dispute is settled between the parties, the court may make such settlement as rule of the court.

(4) The Musalihat Anjuman shall inform the court if the dispute is not settled within the time fixed by the court or, may ask for extension in time for settlement of the dispute.

105. Appointment of Musleh (Conciliator) for individual cases.- Where in a dispute the parties request for appointment of a person other than the Musaleheen (Conciliators) in the panel referred to in section 102 in a particular case as a Musleh (Conciliator), the Union Nazim may, in consultation with the Insaf Committee, appoint such person as Musleh (Conciliator) for that case.

106. Procedure of settlement of disputes.- (1) The Convener of the Musalihat Anjuman selected under section 102 shall-

- (a) convene meetings of the Musalihat Anjuman as necessary and at such place or places in the Union as he considers appropriate; and
- (b) conduct the proceedings in an informal manner as he considers with the object to bring an amicable settlement between the parties.

(2) No legal practitioners shall be permitted to take part in the proceedings on behalf of any party.

(3) The report of the Musaleheen (Conciliators) shall be recorded in writing and copies thereof shall be provided to the parties attested by the Secretary of the Union.

OATH OF TEHSIL/TOWN NAZIM

I _____ S/o _____ elected
as Nazim of Tehsil/Town _____ District _____ hereby
solemnly swear or affirm:

That I shall bear true faith and allegiance to Pakistan and strengthen its ideology, integrity, solidarity, prosperity through good governance, effective delivery of services, participatory and transparent decision making in my district.

That I shall discharge my duties and functions under the Local Government Ordinance, 2001, rules, bylaws and regulations honestly, efficaciously and efficiently, to the best of my ability.

That I shall act in accordance with law, rules and as head of the Tehsil/Town Municipal Administration shall ensure that the municipal functions within my area of responsibility are carried out lawfully, diligently and consistent with the policy goals of the Provincial Government, the District Government and the Tehsil or Town approved by the Zila Council and the Tehsil/Town Council.

That I shall observe and obey all lawful directions given to me by the government.

That I shall not allow my personal interest to influence my official conduct or my official decisions.

That I shall promote fiscal discipline and to the best of my ability prevent misuse, misappropriation and pilferage of the public money.

That I shall protect the interest of people of my district and avail every opportunity to advance their collective welfare, well being and satisfaction.

That in all circumstances I shall do right to all people according to law, without fear or favor, ill will, or discrimination.

That I shall not directly or indirectly communicate or reveal to any person any matter which shall become known to me in my official capacity, except as may be required for the due discharge of my duties.

Countersigned

Signature of Declarant

Presiding Officer

**OATH OF NAIB ZILA NAZIM, NAIB TEHSIL NAZIM
AND NAIB UNION NAZIM**

I _____ S/o _____ elected
as _____ of _____ hereby solemnly swear or
affirm:

That I shall bear true faith and allegiance to Pakistan and strengthen its ideology, integrity, solidarity and prosperity by advancing democracy and transparency in the functioning of the Council.

That I shall discharge my duties and functions under the Local Government Ordinance, 2001, rules, bylaws and regulations honestly, efficaciously and efficiently, to the best of my ability.

That I shall act lawfully and as convener of the Council shall ensure that the business of the Council is carried out according to the Council's rules of conduct, the code of ethics and bylaws.

That I shall not allow my personal interest to influence my official conduct or absolute impartiality.

That I shall promote fiscal discipline and to the best of my ability prevent misuse, misappropriation and pilferage of public money.

That I shall protect the interest of people and avail every opportunity to advance their collective welfare, well being and satisfaction.

That in all circumstances I shall do right to all members of the Council according to law, without fear or favor, ill will, or discrimination.

That I shall not directly or indirectly communicate or reveal to any person any matter which shall become known to me in my official capacity, except as may be required for the due discharge of my duties.

Countersigned

Signature of Declarant

Presiding Officer

Seal of Presiding Officer

OATH OF UNION NAZIM

I _____ S/o _____ elected
as Nazim of the _____ Union in _____ District _____ and
Tehsil _____ hereby solemnly swear or affirm:

That I shall bear true faith and allegiance to Pakistan and strengthen its ideology, integrity, solidarity, prosperity through enhancing people's participation in the decision making processes, and institutionalization of balanced development, access to services and improved governance at grass root level.

That I shall discharge my duties and functions under the Local Government Ordinance, 2001, rules, bylaws and regulations honestly, efficaciously and efficiently, to the best of my ability.

That I shall act in accordance with law and rules and as head of the Union Administration shall ensure that all functions within my area of responsibility are carried out lawfully, diligently and consistent with the development objectives of the annual development plan approved by Zila Council, Tehsil/Town Council and the Union Council.

That I shall not allow my personal interest to influence my official conduct or my official decisions.

That I shall promote fiscal discipline and to the best of my ability prevent misuse, misappropriation and pilferage of public money.

That I shall avail every opportunity to respond to the legitimate needs of the people and improvement of the service delivery.

That in all circumstances I shall do right to all people according to law, without fear or favor, ill will, or discrimination.

That I shall not directly or indirectly communicate or reveal to any person any matter which shall become known to me in my official capacity, except as may be required for the due discharge of my duties.

Countersigned

Signature of Declarant

Presiding Officer

Seal of Presiding Officer

OATH OF OFFICE OF MEMBERS OF COUNCILS

I, _____ S/o. _____ elected
as * _____ of _____ do
hereby (Category of Seat) (Name of Council)
solemnly swear or affirm:

That I shall bear true faith and allegiance to Pakistan and strengthen its ideology, integrity, solidarity and prosperity, through discharge of my duties and perform functions as an elected Member (_____) in accordance with the Local Government Ordinance, 2001 and the rules or by laws of the Council honestly, efficaciously and efficiently, to the best of my ability.

That I shall always work in the interest of the people who have elected me.

That I shall promote fiscal discipline and to the best of my ability prevent misuse, misappropriation and pilferage of public money.

That I shall assist the monitoring, ethics, insaf and accounts committees of Council in the discharge of their functions.

That in all circumstances I shall do right to all people according to law, without fear or favor, affection or ill will.

That I shall not directly or indirectly communicate or reveal to any per son any matter which shall become known to me in my official capacity, except as may be required for the due discharge of my duties.

Countersigned

Signature of Declarant

Presiding Officer

Seal of Presiding Officer

*

- (1) Muslims (Male/Women).
- (2) Peasants/Worker (Male/Women).
- (3) Minority Communities.
- (4) Nazim and Naib Nazim.