National Roundtable on Water and Sanitation in Transition
Peshawar, Pakistan, on February 3 and 4, 2003

Devolution in Pakistan

On August 14, 2001, all four provincial governments in Pakistan embarked upon the creation of a new system of Local Government. As part of the new system, municipal functions, including Water and Sanitation (W&S) services, have been devolved and decentralized to the newly created Tehsil Municipal Administrations (TMAs) at the sub-district level with the status of a body corporate. The changes are taking place in a challenging environment as the central and provincial governments have newly elected representatives. As Mr. Daniyal Aziz, Chairman, National Reconstruction Bureau (NRB), pointed out in his address to the Roundtable, “Devolution is not a new phenomenon and many countries in America, Africa, and Asia, including our neighbors, Bangladesh and India, have had similar reform efforts. But none of these countries, including the Philippines, which is often cited as a model in this regard, has made so many changes in such a short time. And many countries have not been able to achieve what Pakistan has achieved thus far.”

As transition from the old to the new system proceeds, new challenges are constantly emerging in ensuring that the spread and quality of services do not drop and the services are improved and consolidated after the transition period. The newly elected political set-up at the provincial level is fully aware of the need and importance of the
changes that are already taking place. The Chief Minister of North West Frontier Province (NWFP), Mr. Muhammad Akram Khan Durrani, in his inaugural address to the Roundtable, stated that his government is “fully aware that the state of development of a society is not measured in terms of economic indicators alone. Access to and quality and equity of primary education, primary health care, water supply and sanitation services are more important indicators of the quality of the life in a country. The water and sanitation sector has been given a special emphasis in the recently introduced devolution to bring the decision-making and accountability as close to the people as possible.” He further added, “As would be expected with any new system, there are initial implementation problems that need to be addressed immediately.”

Sardar Muhammad Idrrees, Minister, Local Government, Elections and Rural Development Department (LGE&RDD), NWFP, stated, “NWFP’s collaboration in organization of the Roundtable and the presence of the Chief Minister at the event is a measure of the province’s commitment to improving water and sanitation services and resolving related issues.” He emphasized that, in the new system, TMAs are primarily responsible for W&S services and, therefore, it is critical to ensure availability of adequate capacity at that level. He said the government is fully committed to play its due role in that regard. He said the provincial government would make sure that necessary funds and other requisite support are provided to TMAs in a timely manner. There has already been progress in addressing issues of linkages between the provincial government on the one hand and TMAs and Union Councils (UCs) on the other. All constraints in connection with the authorities and responsibilities of TMAs, including those related to unnecessary restrictions, distribution of resources, share in taxes, and previous liabilities would be addressed.

Some of the emerging issues during the course of devolution related specifically to the W&S sector are, inter alia, devolution of erstwhile Public Health Engineering Departments (PHEDs), timely transfer of financial resources from provinces to tehsils, operating procedures, rules and regulations, support of judicial magistrate for the new structures, and implementation of externally funded projects.

Devolution of Water and Sanitation Sector

A WSP-SA presentation, made by its Country Team Leader, gave a brief account of salient features of the ‘Model Local Government Ordinance’ (LGO) that include, among others: elimination of previous rural and urban distinction; non-hierarchical relationships between district, tehsil, and unions; and decentralization of existing W&S related provincial departments. The new Local Government tier of the TMA is a body corporate and it can further transfer its responsibilities, through mutual agreement, to the lower tiers, along with resources. It can also contract in and contract out services. Likewise, the upper tiers can also transfer some of their responsibilities to the tehsil along with associated resources.

In the Common District, TMAs’ specific responsibilities include, among others: municipal service delivery; planning, capital investments and operation and maintenance (O&M) for municipal services; and spatial planning, development facilitation and control. The experience of decentralization in many countries in Africa and Latin America has shown that the new structures take some time to strike root and make a difference. Furthermore, capacity-building is a key factor for its success. Once adequately understood and entrenched, decentralization leads to improved services. Thus, devolution passes through three distinct phases: stabilization, transformation, and consolidation and improvement. Issues during implementation of devolution can broadly be categorized as those related to: institutional structure, its mandate and organization; service delivery management; finance; systems and processes; capacity; and other short- and long-term issues.

On the one hand, governments are finding it increasingly difficult to subsidize O&M cost and, on the other, people’s participation in conserving precious freshwater resources is poor. In the devolved system, it is within the TMAs’ authority to determine the subsidy level considering availability of resources, each community’s capacity to pay, and water conservation concerns. Recent experiences in Africa and Latin America have indicated that devolution of responsibility can generate bottom-up pressures leading to demand driven ‘organic’ capacity-building. However, the LGO makes it incumbent upon higher levels to provide a level playing field through equalization measures before devolving responsibilities to the lower levels.

Giving a perspective of implementation of the devolution process from the field, a representative of LGE&RDD, NWFP, listed some of the constraints due to: lack of sufficient resources and capacity of TMAs; resistance to new/additional taxes,
**The Workshop**

A National Roundtable was organized by WSP-SA in collaboration with LGE&RDD, NWFP, and Sarhad Rural Support Programme (SRSP), at Peshawar, on February 3 and 4, 2003. The Roundtable brought together a small group of principal actors in the W&S sector for developing a consensus on capacity-building needs to address key critical issues confronting the sector in a decentralizing environment, and to prepare an action plan to meet these needs in a phased manner in order to ensure sustainable and efficient service delivery. Roundtable participants represented a cross-section of stakeholders in the W&S sector in the country. The participants included selected elected public representatives and officials, provincial government departments (LG&RDD and Planning & Development), federal government agencies (Ministry of Local Government, National Reconstruction Bureau (NRB)), academia, non-governmental organizations (NGOs)/partners, and donor agencies. The participants were briefed on the background, key W&S issues during the devolution transition period and the objectives of the Roundtable. This was followed by presentations from the provinces on the process and state of decentralization in their respective provinces. Two models for capacity-building in the context of devolution were presented by WSP-SA and National Rural Support Programme (NRSP). Then, working in plenary sessions and groups, the participants identified, prioritized, and analyzed the key issues, using Force Field Analysis method. Finally, they formulated recommendations and an action plan for the government's consideration.
systems and practices; untrained and unskilled staff; liabilities of the devolved departments; lack of understanding, confidence, ownership and coordination among stakeholders in the new system; and lack of adequate procedures, business rules, and so on.

The Director (Technical), PHED/LGE&RDD, Karachi, made a presentation on the state of devolution of W&S services in Sindh. He focused on the devolution of PHED, the line department responsible for rural W&S services prior to devolution. PHED now stands devolved to TMA. However, a nucleus office of PHED, renamed as Directorate General (Technical), has been retained at the provincial level. Major issues in the devolution of PHED relate to: career/service conditions of ex-PHED staff; disruption of hierarchical supervision, that is, lack of link between the PHED, as it exists now, and the Tehsil Officer (Infrastructure & Services) (TO I&S)/TMA; execution of W&S schemes at the district level under the Executive District Officer (EDO), Works & Services; lack of appropriate technical capacity of TO I&S at the TMA; and lack of proper technical guidelines. He suggested that: the hierarchy of PHED be retained, PHED should be reorganized within available resources, and PHED staff should continue to be provincial-level cadre; and all W&S schemes should be prepared and executed under one agency (TMA) and strictly in accordance with procedures laid down in the Central Public Works Accounts (CPWA) Code, Public Works Department (PWD) Manual and PWD and PHED specifications.

The Deputy Managing Director, Karachi Water and Sewage Board (KWSB), made a presentation on KWSB. The KWSB has been made a department and placed within the City District Government under the EDO, Works & Services, with the City Nazim (mayor) as Chairman of the Board. With KWSB field staff already decentralized to the UC level, its working remains largely unchanged. As such, devolution has not caused any disruption in the operations of KWSB. There are a few problems related to the reduced subsidy level allowed to KWSB, delayed release of funds, and prioritization of development activities, that have led to severe financial constraints. It was

The three most important steps I would take if I were a Tehsil Nazim...

In the Roundtable, all participants were asked what are the three most important steps they would take to meet demands for improved W&S services if they held the post of a Tehsil Nazim, having limited funds and low-cost recovery along with due responsibilities and authorities. The following is a summary of participants’ responses:

- **Initiate proper planning, determine critical areas, identify communities’ priorities.**
- **Allocate 50 percent funds for rehabilitation of existing W&S systems and 40 percent funds for new W&S schemes where communities demonstrate willingness to assume responsibility for O&M and recovery of associated cost.**
- **Prioritize all development activities in accordance with the available budget and need-based criteria, and without compromising the quality of the service.**
- **Give complete responsibility for external development (water, sewer and pumping, etc.) to TMA; and the responsibility for internal development (house latrine, house-to-lane sewer, lane-to-secondary sewers) to the communities.**
- **Review, rationalize, and enhance taxes and their collection.**
- **Encourage Local Government tiers to pool their resources to maximize benefits for all.**
- **Encourage users to share in capital investment and O&M cost.**
- **Improve efficiency of revenue collection.**
- **Explore alternate financial resources.**
- **Privatize O&M.**
- **Develop a management information system, including a consumer database, existing facilities, master plan, etc.**
- **Reduce line losses and wastage both inside and outside the house.**
- **Introduce water metering.**
- **Improve efficiency of motors/pumps and thus save energy.**
- **Mobilize communities through education to participate in planning, O&M, water conservation and hygiene promotion.**
- **Initiate community-funded water quality monitoring program.**
- **Learn from others through a network of TMA.**
- **Prepare low-cost schemes with the consensus of the community.**
suggested, however, that the problems are not insurmountable.

**Priority Issues**

Given the complexity, size, and short transition period since August 2001, there are a number of issues that require immediate attention. The Roundtable participants, working in four groups, identified the priority issues as follows:

**Systems & Procedures**

- Appropriate business, service and work rules need to be clearly devised, formulated and disseminated.
- Procedures need to be developed for the remaining Local Government institutions such as Village Organizations, and Citizen Community Boards (CCBs) need to be established.
- Organizational structures need to be rationalized and uniformly applied.
- Appropriate service standards, technology and specifications are needed.

**Local Government Coordination**

Vertical and horizontal linkages and coordination are needed on a regular basis but specially for management of crises during transition.

**Devolution Process and Transition**

- The ban on recruitment and on purchase of vehicles is impeding TMAs' development activities.
- The viability of PHEDs' transferred schemes is questionable. These schemes should have been made functional and free of all liability before they were transferred to TMAs.
- Districts are implementing W&S schemes funded by foreign donors and federal and provincial governments contrary to stipulations of the LGO.
- The implementation of the LGO is not uniform in all the provinces.

For example, ex-PHED set-up should be placed under LGE&RDD in Punjab. Further, PHEDs have not been devolved in NWFP and Balochistan.
- The Chief Office (CO) Unit should be abolished and the staff should be adjusted in the respective TMAs.
- LGO stipulations regarding magistrate support have not been implemented.
- TMAs lack institutional and engineering support.
- Devolved departments are resisting implementation of devolution.
- Assets and liabilities of the devolved departments have not been transferred to TMAs.
- Greater emphasis continues to be focused on urban and not rural areas.
- Confusion continues over status of service delivery management, especially W&S systems that were previously managed by the defunct PHEDs and Urban Local Councils (ULCs).

**Capacity-Building**

- Staff with appropriate skills is not available, making training and retraining an urgent need.
- Redundant octroi staff need retraining.
- TO (I&S) does not have adequate technical engineering capacity.
- No database of water connections or solid waste is available.
- There is a lack of clarity about newly assigned roles, responsibilities and authorities of all government tiers.
- There are problems in service delivery management in the situation arising from removal of the rural-urban divide.
- Adequate premises, equipment, vehicles, etc., are not available.
- Capacity-building is required for TMA-level planning and coordination.
- Community Development/Social Mobilization Units should be created at tehsil levels.
- There is a lack of capacity to conceive and design large projects.

**Financial Issues**

- Financial Powers of TO (I&S) should be enhanced.
- TMAs are financially weak and dependent on fiscal transfers from the province.
- Provincial government should provide funds directly to the tehsil; it should also provide funds for currently incomplete schemes to make them functional. Rural schemes are most frequently rendered non-functional due to lack of funding.
- There are delays in transfer of funds.
Water tax collection system is inefficient.
- There is no mechanism for financing large infrastructure-related investment when Local Governments cannot borrow.
- Funds with TMAs are inadequate to make a significant impact.
- Authority to levy certain taxes among tiers is unclear.
- Transparency is needed in financial matters.

**User-Defined Incentives-Based Capacity-Building to Support Decentralization Phases**

Capacity needs vary and can best be defined by the user rather than prescribed from the top. Capacity-building strategies should focus on phased assistance complementing the devolution process, namely, stabilization, transformation, consolidation and improvement. Also, empowered Local Governments, now accountable for new responsibilities, have a greater incentive to define and seek out the type of capacity support needed to fulfill the responsibilities and obligations. Hence, there is need for incentive-based programs. Federal and provincial governments have a critical role in supporting the growth of capacity at the Local Government level during the process of decentralizing. A possible implementation framework should have a four-part system:
- Fiscal support that generally includes equalization and capital grants.
- Capacity-support linked to incentives with two windows: supply and demand.
- Monitoring and evaluation on a continuous basis by the upper tiers of government.
- Information dissemination to involve clients and civil society.

The diagram further elaborates the above framework.

**Recommended Capacity-Building Actions**

Participants of the Roundtable recommended the following actions for building capacity to address key
issues in the devolution of powers in the W&S sector. These have been categorized as Immediate, Medium-Term, and Long-Term.

Immediate
- Institutional training should be done on a priority basis.
- Only TMAs should identify development projects in consultation with CCBs.
- All W&S projects, including their technical aspects, regardless of the source of funding, should be prepared by TMAs.
- Administrative and Technical Sanctions for W&S projects should only be processed by TMAs.
- Sanction authority should be given to TO (I&S) depending on the nature and size of the schemes, preferably to the existing level of the Chief Engineer. TO (I&S) should have administrative sanction authority for small expenses (Rs. 2,000 – 2,500).¹
- The proposed monitoring mechanism system in TMAs should be operationalized to ensure overall discipline in expenditure and quality.
- O&M of PHED schemes should be the responsibility of TMAs and the provincial government should settle all liabilities against these schemes.
- Vertical linkages between the various tiers should be clearly specified and documented.
- A coordination committee should be constituted for averting any management crisis. Legal framework provisions for Joint Committee of TMAs should also be implemented.
- Federal/Provincial government and other agencies’ W&S project funds should be given directly to TMAs for implementation. Provincial governments should provide funds to TMAs to complete pending schemes.
- Legal procedures for handing over and taking over should be followed for transfer of assets and schemes to TMAs.
- Assets and liabilities transferred to TMAs should be rationalized. For example, WAPDA bills should be reconciled before the associated assets are transferred.
- Standards and systems should be developed for continuous monitoring and evaluation. TMA staff should be trained for this.

¹ US $1 = Pakistani Rs. 58 (PKR 1 = US $ 0.17) as of May 2003
(PFC) should be kept intact without any revisions in the short-term and funds should be directly transferred from province to tehsil without any political bias in the first quarter of every financial year.

• TMAs’ capacity for funding of infrastructure should be strengthened considering the existing resources. For this purpose:
  • TMAs should get funds and/or skills from the market, from the private sector and/or NGOs.
  • Component sharing between TMAs and beneficiaries should be made a policy, wherein community should assume responsibility for providing community infrastructure, while trunk infrastructure should be the responsibility of TMAs.
  • As people are usually willing to participate, they should be encouraged to contribute to the capital cost of schemes in order to complement limited financial resources.

Medium-Term

• Ex-PHED staff should provide support to those tehsils that do not have appropriate technical staff.
• For planning and design of complex schemes, TMAs should be able to draw on the central design office at the provincial level.
• TMAs should have community development and social mobilization capacity and, for this purpose:
  • Various teams within the PHEDs and the provincial governments need to be utilized for helping in social mobilization.
  • TMAs should hire talent from the market.
• For adequate planning, designing and maintenance, databases and maps should be developed. Organizations already having local databases can help. There is a need to learn from a few tehsils and towns that already have taken an initiative in this regard.
• Non-development expenditures need to be reduced.
• Taxation should be rationalized.
• Revenue from indirect taxes should be divided transparently between rural and urban areas.
• Rural areas need to be developed before being taxed.

Long-Term

• LGE&RDD and law departments should develop new rules as required and enact, circulate, and disseminate already developed, requisite rules, laws, by-laws, etc.
• Provincial cadre officials at TMAs should be assigned powers similar to those in the previous district administration for carrying out their responsibilities.
• High courts should be approached to accelerate designation of magistrates for implementation of TMAs’ regulatory responsibilities.

August 2003

The Water and Sanitation Program is an international partnership to help the poor gain sustained access to improved water supply and sanitation services. The program’s main funding partners are the Governments of Australia, Belgium, Canada, Denmark, Germany, Italy, Japan, Luxembourg, the Netherlands, Norway, Sweden, Switzerland, and the United Kingdom; the United Nations Development Program, and The World Bank.
## Agenda

### Day 1 (Monday, February 3, 2003)

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<td>10:10-10:20 a.m.</td>
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<td>Inaugural Address by the Honorable Chief Minister, NWFP, Mr. Muhammad Akram Khan Durrani</td>
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<td>General Presentation: Water and Sanitation in Transition by Raja Rehan Arshad, Country Team Leader, WSP-SA</td>
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<td>Presentation: Capacity-Building of Local Governments by Raja Rehan Arshad, Country Team Leader, WSP-SA</td>
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<td>Presentation: ‘A Model for Private/Public Partnership for Capacity-Building’ by Rashid Bajwa, Chief Executive Officer, National Rural Support Programme</td>
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<td>• The Honorable Minister, Local Government, NWFP, Sardar Muhammad Idrees</td>
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<td>• The Chairman, NRB, Mr. Daniyal Aziz</td>
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List of Participants

Local Government Representatives

Chaudrey Muhammad Amir Khan, Tehsil Nazim, Tehsil Municipal Administration, Chakwal

Mr. Jan Alam Khan, Tehsil Nazim, Tehsil Municipal Administration, Dir

Major (R) Abdur Rehman, Tehsil Nazim, Tehsil Municipal Administration, Jaranwala

Khawaja Ahmad Hasan, Nazim, Town Data Ganj Bakhsh, Lahore

Mr. Fateh Ullah Khan, Tehsil Nazim, Tehsil Municipal Administration, Dera Ismail Khan

Mr. Malik Shaukat, Tehsil Nazim, Tehsil Municipal Administration, Mardan

Syed Sharifuddin, Tehsil Nazim, Tehsil Municipal Administration, Pishin

Mr. Mohammad Ibrahim Abro, Tehsil Municipal Officer, Tehsil Municipal Administration, Badin

Mr. Muhammad Ajmal, Tehsil Municipal Officer, Tehsil Municipal Administration, Gujranwala

Mr. Ikramullah Khan Marwat, Tehsil Municipal Officer, Tehsil Municipal Administration, Dera Ismail Khan

Mr. Shabir Ahmad Chaudhary, Tehsil Municipal Officer, City Tehsil Municipal Administration, Gujranwala

Mr. Muhammad Sajid, Tehsil Municipal Officer, Tehsil Municipal Administration, Malakand

Mr. Niaz Ahmed Khan Dawar, Tehsil Officer (Infrastructure & Services), Tehsil Municipal Administration, Dera Ismail Khan

Mr. Abdul Haleem Memon, Deputy Technical Officer (Infrastructure & Services), Karachi

Mr. Pervaiz Khalid, Tehsil Municipal Administration, Kasur

Mr. Allau-Din, Tehsil Officer (Infrastructure & Services), Tehsil Municipal Administration, Manshera

Qazi Muhammad Anwar, Town Officer (Services), Tehsil Municipal Administration, Quetta

Mr. Shahid Latif, Tehsil Officer (Infrastructure & Services), Tehsil Municipal Administration, Rawalpindi

Mr. Muhammad Iftikhar, TO (Infrastructure & Services), TMA, Sawabi

Mr. Shuaib Khan, ATO, TMA, Rawalpindi

Provincial Government Departments

Mr. Baz Muhammad Khattak, Secretary, Local Government & Rural Development, Peshawar

Syed Niamat Shah, Additional Secretary, Local Government & Rural Development, Peshawar

Lt. Col. Ghias-ud-Din, Managing Director, WASA, Faisalabad

Mr. Ashiq Hussain Yousfani, Director General, Public Health Engineering Department, Hyderabad

Mr. Nazir Ahmad Somoro, Director Technical, PHED, Karachi

Ms. Rehana Memon, Chief PP&H, Housing Physical Planning, Karachi

Ms. Sarwat Sultana, Planning Officer, Planning & Development Department, Karachi

Mr. Hasan Rizvi, Director, Directorate of Katchi Abadis, Lahore

Mr. K. B. Nasir, Chief P&D, Planning & Development Board, Lahore

Mr. M. Akram Khan Populzai, Chief Engineer South, Public Health Engineering Department, Lahore

Mr. Rana A. Rashid, Chief Engineer North, Public Health Engineering Department, Lahore

Mr. Attiqur Rehman, Deputy Secretary, Local Government & Rural Development, Peshawar

Mr. Dul Ahmad, Secretary, Election Authority, Peshawar

Mr. Shafique Durrani, Director, Pakistan Community Development Project, Peshawar

Mr. Tahir Azeem, Project Director, NWFP Urban Development Project, Peshawar

Mr. Aurangzeb, Field Coordinator, NWFP Urban Development Project, Peshawar

Mr. Zafarul Hasan, Director, WASA, Rawalpindi

Rehmat Ghazi, Local Government & Rural Development, Peshawar

Mr. Zafar Javed, ISP-Coordinator, NWFP-CHIP, NWFP-CHIP, Peshawar

Ms. Irma Malik, Research Coordinator, UNDP-EIROP, Peshawar

Mr. Dildar Khan Khattak, Section Officer, Local Government & Rural Development, Peshawar

Mr. Irfan Ullah Khan, Section Officer, Local Government & Rural Development, Peshawar

Mr. Muhammad Suleman Chando, Deputy Managing Director Technical, Karachi Water Supply Board, Karachi

Federal Government agencies

Mr. Daniyal Aziz, Chairman, National Reconstruction Bureau, Islamabad

Mr. Naem ul Haq, Member-I, Director General, National Reconstruction Bureau, Islamabad

Mr. Nazar Memon, Consultant, National Reconstruction Bureau, Islamabad

Mr. Moazzam Ali Janjua, Deputy Consultant, National Reconstruction Bureau, Islamabad

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Mr. Noman Ahmad, Associate Professor, NED University, Karachi

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Mr. Nazir Ahmed Watto, Anjuman Sama'i Behood, Faisalabad

Mr. Gul Hafeez, Programmes Director, GHK, Islamabad

Mr. Mansoor Ali Lalani, Manager Programmes, AKF, Karachi

Mr. Khalid Warriach, Incharge Ladharan Pilot Project, Ladharan

Ms. Munawwar Hamayoun, Chairperson, SRSP, Peshawar

Mr. Masood ul Malik, Chief Executive, SRSP, Peshawar

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Ms. Sajila Sohail, PMSSG, SRSP, Peshawar

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Mr. Hameed Hasan, Coordinator, IUCN, Peshawar

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Mr. Farrukh Ansar, Administrative Coordinator, WSP-SA, Islamabad

Mr. Shabir Ahmad, Team Assistant, WSP-SA, Islamabad

Mr. Nadir Abbas, Consultant, WSP-SA, Islamabad
**Feedback Form**

**National Roundtable on Water and Sanitation in Transition**
Peshawar, Pakistan, on February 3 and 4, 2003

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National Roundtable on Water and Sanitation in Transition
Peshawar, Pakistan, on February 3 and 4, 2003

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