Local Government Operation after structural change of the country: Implications in RERP

For Knowledge and Information
Prepared by: RERP, PMO, Itahari
Source of Information

- Local Government Operation Act B.S. 2074 (2017 A.D)
Outline

Part ONE
Glimpse of The Federal Democratic Republic of Nepal

Part TWO
RERP Intervention area in general

Part THREE
RERP themes incorporated in Constitution and LGO Act
THREE levels

1. Federation Central Level Ministries (Proposed 14, 15)

2. State There are Provincial Governments (7) consisting of District Coordination Committees (*DCCs) 77

District Division (Mountainous, Hilly, Inner Madesh, Terai & Kathmandu Valley Districts)

* Hilly, Inner Madesh, Terai is RERP intervention area
* DCCs have no Executing/Implementation Authority. It only acts as Coordinating Body.
3. Village Institutions, Municipalities and District Assemblies under the **Local level**

- Metropolitan City
- Sub-Metropolitan City
- Municipality
- Rural Municipality/Gaun Palika or Village Institutions
- Wards

*The number of Wards in a Village Institution and Municipality function according to Federal law*
Classification of Palikas/Municipalities: Criteria

Permanent Resident

• **Mountainous** District: Minimum 10,000 Population
• **Hilly** District (including **Hilly of Himalayan**) : Min 40,000 Population
• **Inner Madesh** District : Min 50,000 Population
• **Terai** District: Min 75,000 population
• **Kathmandu** Valley: 100,000 population

Other Criteria: **Generated Internal Revenue, Urban Facilities and Infrastructures**
<table>
<thead>
<tr>
<th>Province</th>
<th>RERP Intervention</th>
<th>Districts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Province 1</td>
<td>YES (8 out of 14)</td>
<td>Taplejung, Panchthar, Ilam, Jahpa, Morang, Sunsari, Dhankuta, Terhathum, Sankhuwasabha, Bhojpur, Solukhumbu, Okhaldhunga, Khotang, Udyapur</td>
</tr>
<tr>
<td>Province 2</td>
<td>YES (7 out of 8)</td>
<td>Saptari, Siraha, Dhanusha, Mahottari, Sarlali, Rautahat, Bara, Parsa</td>
</tr>
<tr>
<td>Province 3</td>
<td>YES (1 out of 13)</td>
<td>Sindhuli, Ramechhap, Dolakha, Sindhupalchowk, Kavre, Lalitpur, Bhaktapur, Kathamndu, Nuwakot, Rasuwa, Dhading, Makawanpur, Chitwan</td>
</tr>
<tr>
<td>Province 4</td>
<td>NO</td>
<td>Gorkha, Lamjung, Tanahun, Syangja, Kaksi, Manang, Mustang, Myagdi, Parbat, Baglung, Nawalparasi (East of Susta) = [10+⅕]</td>
</tr>
<tr>
<td>Province 5</td>
<td>NO</td>
<td>Gulmi, Palpa, Nawalparasi (West of Susta), Rupandehi, Kapilbastu, Pyuthan, Arghakhanchi, Rolpa, Rukum (East of Rukum), Dang, Banke, Bardiya (10+⅔+⅝)</td>
</tr>
<tr>
<td>Province 6</td>
<td>NO</td>
<td>Rukum (West of Rukum), Salyan, Surkhet, Dailekh, Jajrkot, Dolpa, Jumla, Kalikot, Mugu, Humla (9+⅚)</td>
</tr>
<tr>
<td>Province 7</td>
<td>NO</td>
<td>Bajura, Bajhang, Achham, Doti, Kailali, Kanchanpur, Dadeldhua, Baitadi, Darchula (9)</td>
</tr>
</tbody>
</table>
RERP Local Institutions

### Koshi- Sagarmatha Corridor

<table>
<thead>
<tr>
<th>District</th>
<th>Number of Local Level</th>
<th>Number of Rural Municipality</th>
<th>Number of Municipality</th>
<th>Number of Sub Metropolitan City</th>
<th>Number of Metropolitan City</th>
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<tbody>
<tr>
<td>Morang</td>
<td>17</td>
<td>8</td>
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<tr>
<td>Sunsari</td>
<td>12</td>
<td>6</td>
<td>4</td>
<td>2</td>
<td></td>
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<tr>
<td>Saptari</td>
<td>18</td>
<td>9</td>
<td>9</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Siraha</td>
<td>17</td>
<td>9</td>
<td>8</td>
<td></td>
<td></td>
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<tr>
<td>Dhankuta</td>
<td>7</td>
<td>4</td>
<td>3</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Terhathum</td>
<td>6</td>
<td>4</td>
<td>2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bhojpur</td>
<td>9</td>
<td>7</td>
<td>2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Khotang</td>
<td>10</td>
<td>8</td>
<td>2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Udayapur</td>
<td>8</td>
<td>4</td>
<td>4</td>
<td></td>
<td></td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>104</strong></td>
<td><strong>59</strong></td>
<td><strong>42</strong></td>
<td><strong>2</strong></td>
<td><strong>1</strong></td>
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</tbody>
</table>

### Janakpur Corridor

<table>
<thead>
<tr>
<th>District</th>
<th>Number of Local Level</th>
<th>Number of Rural Municipality</th>
<th>Number of Municipality</th>
<th>Number of Sub Metropolitan City</th>
<th>Number of Metropolitan City</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dhanusha</td>
<td>18</td>
<td>6</td>
<td>11</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Mahottari</td>
<td>15</td>
<td>5</td>
<td>10</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sarlahi</td>
<td>20</td>
<td>9</td>
<td>11</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rautahat</td>
<td>18</td>
<td>2</td>
<td>16</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bara</td>
<td>16</td>
<td>9</td>
<td>5</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Okhaldhunga</td>
<td>8</td>
<td>7</td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sindhuli</td>
<td>9</td>
<td>7</td>
<td>2</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>104</strong></td>
<td><strong>45</strong></td>
<td><strong>56</strong></td>
<td><strong>3</strong></td>
<td></td>
</tr>
</tbody>
</table>

**Grand Total**

|                | **208**               | **104**                      | **98**                 | **5**                           | **1**                       |
RERP related concerns in the Constitution and Acts
17. Fundamental Rights and Duties  
(f) Right to freedom  
Freedom to practice any profession, carry on any occupation, and establish and operate any industry, trade and business in any part of Nepal  

51. Policies of the State  
(d) Relating to economy, industry and commerce:  
(1) to enhance national economy through partnership and independent development of the public, private and cooperative sectors,  
(2) to achieve economic prosperity by way of optimum mobilization of the available means and resources, while focusing on the role of private sector in economy,  
(3) to promote the cooperative sector and mobilise it in national development to the maximum extent,
Matter Listed on THREE level of Power in relation to RERP

**State Power**
- Agriculture and livestock development, factories, industrialization, trade, business, transportation

**Concurrent Powers of Federation and State**
- Poverty alleviation and industrialization
- Employment and unemployment aid

**Local Level Power**
- Cooperative institutions
- Local market management, environment protection and biodiversity
- Agriculture and animal husbandry, agro-products management, animal health, cooperatives
- Collection of statistics of the unemployed
- Management, operation and control of agricultural extension
Labor and employment policy in the Constitution

- regulate and manage the sector in order to make foreign employment free from exploitation, safe and systematic and to guarantee employment and rights of the labour

- encourage to mobilize the capital, skills, technology and experience gained from foreign employment in productive sectors in the country.
Policies relating to social justice and inclusion

• Adopt a single door system for the establishment, approval, operation, regulation and management of community-based and national or international non-governmental organizations

• And to involve such organizations only in the sectors of national need and priority, while making investment and role of such organizations transparent and accountable.
Notable Features in relation to RERP: The LGO Act, 2074

Municipalities

• Facility of Bank and Financial Institutions
• Market Centre
• Slaughter House
• Master Plan and Urban Infrastructure facility
Sub-Metropolitan

At least min 200,000 population permanent resident

• Internal Revenue 250 Million (25 Crore)
• Higher Level Technical and Vocational Education Facility
• Modern Slaughter House
• Motel, hotel and resort for tourist
Metropolitan

- At least min 500,000 permanent resident
- Yearly Internal Revenue 1 Billion (1 Arab)
- Facility of well managed Agriculture Market Centre
- International Standard Trade Fare Centre
- Technical & Vocational Education Institution
- International Standard Hotel
Rural & Urban Municipalities Functions, Rights and Duties

**Patrolling local market centers**

Co-operatives Local policy, plan, standard, guideline, implementation plan, monitoring including capacity building and development (LGO Act, PP 12)

क्ष. सहकारी संस्था

1. सहकारी संस्था सम्बन्धी स्थानीय नीति, कानून, मापदंडको निर्माण, कार्यन्वयन र नियमन,

2. सम्बन्धित गाउँपालिका तथा नगरपालिकाको भौगोलिक क्षेत्रमा सज्जालाई हुने सहकारी संस्थाको दर्ता, अनुमति, खारेजी र विघटन,

3. सहकारी चावल तथा ओडण परिचालन सम्बन्धी स्थानीय मापदंड निर्धारण र नियमन,

4. सहकारी सम्बन्धी राष्ट्रिय, केन्द्रीय, विषयमत, प्रदेशिक र स्थानीय सहूल संस्थाएँ समन्वय र सहकार्य,

5. सहकारी सम्बन्धी स्थानीय तथ्याङ्क व्यवस्थापन र अध्ययन अनुसन्धान,

6. स्थानीय सहकारी संस्थाको क्षमता अभिवृद्धि,

7. स्थानीय सहकारी श्रेणीको प्रवर्धन, परिचालन र विकास।
Local Level Development Projects and Programs

- Project and Program planning, standardizing, monitoring, implementing -
  - Coordination, Facilitation and Support in Federal and Province level
  - Research and Impact evaluation

Basic and Secondary Education

- Planning, permission, monitoring & evaluation of Vocational Education & training
Local Market Centre Management

• Local business, demand-supply identification, evaluation, pricing and export
• Market & Hat bazar management
• Business and Commercial Infrastructure Development
• Research and Data Information on business updated
• Coordination, collaboration with Private and NGOs
• Local Business Promotion and market management
Agriculture, livestock, agriculture production and management

- Local level policy, planning, monitoring & evaluation on agriculture and livestock
- High Value Agriculture Product to be promoted and marketed
- Slaughter house management and monitoring
Information Collection of Unemployed
- Employed and Unemployed population; Information collection and processing for establishing Information System
- Information management on foreign and in country labor force
- Data and information collection on Safe migration
- Establishment of Employment Centre
- Financial Literacy and Training on Foreign Employment
- Re-integration and social counseling for returnee migrants
- Utilization of knowledge and entrepreneurship skill

(PP 22, LGA 2074)
सन् २०७४ सम्बत लोक गरी अधिनियम

(१) बेरोजगारी तथा बेरोजगार श्रमशक्तिको तथ्याङ्क सज्जन र प्रशोधन र सूचना प्रणालीको स्थापना,

(२) स्थानीय सरकार रहेका स्वदेशी तथा विदेशी श्रमिकको लगात सज्जन तथा सूचना व्यवस्थापन,

(३) विभिन्न क्षेत्र तथा विषयका दक्ष जनशक्तिको तथ्याङ्क सज्जन तथा व्यवस्थापन,

(४) सुरक्षित वैदेशिक बेरोजगारी र वैदेशिक रोजगारीमा रहेको श्रमशक्तिको सूचना तथा तथ्याङ्कको सज्जन तथा व्यवस्थापन,

(५) रोजगार सूचना केन्द्रको व्यवस्थापन तथा सज्जन,

(६) वैदेशिक रोजगारीमा जाने श्रमशक्तिको लागि वित्तीय साधनता र सीमामूलक तालिमको सज्जन,

(७) वैदेशिक रोजगारीबाट फर्केका व्यक्तिहरूको सामाजिक पुन: एकीकरण,

(८) वैदेशिक रोजगारीबाट प्राप्त ज्ञान, सीप र उद्योगीको सामाजिक उपयोग,
Ward Committees notable functions for RERP implementation

• Potential Mapping of Small Industries
• Promoting Small Micro Enterprises, industries and managing records
• Management of local market centre (hat bazar)

(pp 32, LGO Act 2074)
Village and Urban Councils

• **Subsidies** on specific programs should be implemented as per the direction given by GoN and Province Government

• Rural and Urban Municipalities can **implement Project and Program** that is of Public Private Partnership (PPP) or of Co-financed nature

• R/Urban Municipalities should **coordinate, facilitate and support** in implementation of Federal or Province level Projects
Duties of Rural/Urban Municipalities on Coordination Role

• Coordinating on studies, survey and program implementation

• Incorporating program and projects in yearly plan and budget of Local Level

• M&E system to be implemented as directed by Local governance
Province Council

Implements, collaborates, partners between Province and Local Level mechanism
List of the Ministries Proposed

1. Office of the Chief Minister and State Ministerial Council
2. Ministry of Internal Affairs and Law;
3. Ministry of Financial Affairs and Planning;
4. Ministry of Social Development;
5. Ministry of Land management, Agriculture and Cooperative;
6. Ministry of Industry, Tourism, Forest and Environment;
7. Ministry of Physical infrastructure and Development
Thank You!