

Power of Initiative and Immunity of Local Government in Federal Nepal

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Abstract

Traditionally, it was considered that federal and state governments are the primary two components of the federal system. Provisions relating to local governments were left in the hand of state governments. The recent concept of federalism accepts the local governments as third and integral tier of the federal system. However, federalism and decentralization are used in different meaning. Federalism means the division of power within the center and federal units whereas decentralization considers devolution of power to the local units. The history of the local government begins with the ancient regime in Nepal, and it continues till at present. This article analyzes whether Nepal's local governments are exercising autonomous powers in the new federal system. It examines the local governments' status and positions in light of Clark's theory of autonomy. It concludes that the local governments have vested a significant level of powers of initiative and immunity to being needed for an autonomous institution.

Keywords: initiative, immunity, autonomy, local government, the theory of autonomy

Introduction

Background

The local level of authority has been practicing in Nepal from the ancient period. The historical evidence shows the existence of local level bodies in the Lichchhavi period. 'Panchali,' as the local authority, used to exercise many political and administrative powers as well as financial powers (Bajracharya, 2053 BS). It continued to medieval Nepal. 'Praja Panch' was appointed as the head of the particular local area. There were others up to five members. To solve the local problems and issues, they urged for the meeting of local people called 'Panchasammuchay Sabha' (Shrestha, 1989). This evidence proves the existence of the local body and their significant position in the history of Nepal.

The political and administrative system after the Prithvi Narayan Sah was mostly centralized. He directed to his successor, 'King has to keep state power in his hand.' Later, Prime Minister Bhimsen Thapa ended the traditional decision-making tradition in local issues at the local level (Upadhyay, 2056 BS, p. 246). Rana's rule was the more centralized regime. That was a 'dark period' of decentralization of power in Nepal's history (see Bhatta, 1990, pp. 35-38, for more detail). However, in the last phase of the Rana rule, the then Prime Minister Padma Shamsher announced the first constitution of Nepal, entitled 'Government of Nepal Act,' in 1948. Part IV of the constitution had provisioned regarding the local level. There would be Gram Panchayat for every village or group of villages, Nagar Panchayat for every town or city or group, and Jilla Panchayat at the district level. Rana Prime Minister Padma Shamsher launched Kathmandu municipality's election in June 1947 (Gupta, 1964, p. 31). It was the first election of Nepal's ever history and a golden milestone of the history of Nepal's local level government.

The Interim Constitution (1951) was silent about local bodies though it was implemented after establishing democracy in the country. Nevertheless, the election of Kathmandu municipalities was held in 1953. Then the nation's full attention was concerned with the held election of Constituent Assembly (CA) and to manage the country's transitional political environment. The issue of local bodies was cast in shadow. From 1951 to 1960 saw nine short-lived governments (Thapa, 2013, p. 111); however, these governments were failing to hold CA's election. Instead it, King Mahendra promulgated the Constitution of the Kingdom of Nepal in 1969. The constitution also did not incorporate the local bodies within the articles of it.

When King Mahendra took over the political power in 1960, he gave the name 'Panchayat' to the political system he used in the country afterward. He wanted to show that the political system had executed by him was unique and based on Nepalese tradition and culture. Constitution of Nepal, 1963 had provisioned the four tiers of local to national level panchayat institutions. Because of the king's control and direct rule, the decentralization was limited in the provisions of the constitution and laws; it could not work correctly because it needs a democratic environment.

The favorable environment was created for decentralization and devolution after the restoration of multi-party democracy in 1990. The Constitution of the Kingdom of Nepal, 1990 did not mention local bodies though the legal provisions were enough for these bodies. Two elections were held to fulfill the local bodies, first in 1992 and second in 1997. Nepal got stuck into a tong of war for political power among the king, parliamentary parties, and the radical force Maoist from 1996 to 2006. After the people's movement of 2006, national priorities were

to launch the election of CA and other transitional managements. The election of local bodies could not hold for a long time. The CA promulgated the Constitution of Nepal in 2015. The constitution recognizes the local level as a junior government within the three tiers' federal system of Nepal.

What would be the position of local government in the federal system? It is a frequently asked question. There are already two tiers of governments in the federal system - central and provincial governments. Then, is the third layer of the political component necessary in the federal system? People use to ask. Risse et al. (2008) found that the older federations like the USA, Switzerland, Canada, and Australia do not recognize local government as part of the federal system. They leave it to the hand of the state or provincial government. However, Bagale (2018) found that other federal countries, such as Germany, India, Spain, Brazil, Nigeria, and South Africa have recognized constitutionally or statutorily the local level bodies as part of the federal system. Some federal countries do not prefer three layers of government. However, many federal countries accredit the local level government as a part of the federal system.

As per initiative power and immunities, local governments of the USA seem different. They are various in terms of their nature, structure, and powers. As Libonati (2005) explained;

Local government in the United States (US) has a rich history of variety, both in type and form. Cities, counties, towns, townships, boroughs, villages, school districts, and a host of special-purpose districts, authorities, and commissions make up the 87,849 distinct units of local government counted in the 2002 Census of Governments. These local units of government have many different forms and organizational structures. Variations in the number and forms of local government reflect the unique political cultures and forces that created and shaped local self-government in each state. (p. 11)

Local levels of the USA are depended on the constitution and statutes of the states. So, there are realities on the types and shapes of local units in each state.

Another federal country, Canada, also does not accept the municipalities constitutionally as a part of the federal system. "Municipal government was initially created in Canada primarily as an instrument for service delivery, rather than as a level of democratic government" (Lazar & Seal, 2005, 27). However, federal and regional governments have been working to make the municipalities a junior government of the Canadian federal system. As Saunders described in 2005, after the struggle of 40 years, local governments had recognized by the national constitution of Australia. Now, there are similar types of local governments all over the country.

Compared to many other old federal countries, Austria has surprisingly regulated the local governments by its constitution (Pernthaler & Gamper, 2005). According to the constitution, Austria is a federal country having nine constituent *Länder*. The constitution does not mention municipalities as a part of the Austrian federal system; instead, it creates a different chapter entitled 'municipalities' (*Gemeinden*). Similarly, as Kramer (2005) described, Germany's constitution also recognizes the local government as a part of the federal system. Municipalities are guaranteed the right to manage all local people's affairs following the terms and conditions of legal provisions. They entertain financial freedom, too. Municipalities have the power of determined the rates of local taxes and executed them.

The constitution of Spain has fully recognized the local level as a constituent of the federal system. Spain has four types of governments; the Central State, the Autonomous Communities, Provinces, and Municipalities (Fossas & Velasco, 2005). The latter two are the local level governments. They have been exercised powers of autonomy and devolution.

Practices of local government were a historical tradition in the territory where Switzerland is now situated. So, the municipalities are older than the cantons and confederation of Switzerland. A Swiss citizen holds three categories of citizenships; municipal, cantonal, and national (Bulliard, 2005). It creates a strong link with the municipality of a citizen, and at the same time, it shows the power of local government in Switzerland. The Swiss constitution recognizes the municipalities as part of the federal system; they can exercise much immunity. They can entertain all those powers, which are not reserved for the confederation and the cantons.

South Africa had been a highly centralized apartheid state for a long time. When it entered into the democratic system on 27 April 1994, then the concept of decentralization was started. The constitution of South Africa recognizes the local government, along with provincial and national government (Steytler, 2005). However, the autonomy of these local governments is to a limited degree.

A federal country Ethiopia has been facing many political, social, and financial problems. So, the issues of decentralization of local government never get into its priority list. Ayele and Fessha (2012) found that; "local government in Ethiopia enjoys some level of constitutional recognition; however, the lack of clearly specified powers, together with overwhelming financial dependence on regional governments, has rendered the promise of autonomous local government a pious wish" (p. 89). Because of these reasons, the local government could not become autonomous, however, the constitution recognizes them.

The *Panchayati Raj* (Local self-government) was a vision of Mahatma Gandhi in India. He used to say, "Every village has to become a self-sufficient republic" (Prabhu & Rao, 1967, p. 246). There was no provision about local governments in the early draft of the constitution of India. In the initiation of Gandhi, it was included in the constitution's Article 40 as the directive principles of the state policy. The 73rd and 74th amendments held in 1992 have provided constitutional recognition to the rural and urban local bodies, respectively (Lakshmi, 2016). Now, local bodies are the third-tier governments of the Indian federal system; however, they are under the state government's control.

Research Problem

Federal and provincial governments are the focal points in the federal system. These two levels of governments, their representatives, their functions, and power will be the subject of public discussion. Media cover only the news of federal and provincial governments. The junior government or local government has always been placed on to shadow in the federal system. However, these local-level governments are very significant institutions in a democratic political system. There are adequate numbers of literature that would be found regarding of local government of Nepal. Nevertheless, systematic studies on local governments and Nepal's federal system have not been conducted yet. It happens because the federal system is a newly established political system in Nepal. This article tries to bridge this research gap by answering the following research questions:

- Are the local governments of federal Nepal provided the powers of the initiative?
- How the local governments are autonomous to exercise their powers, and how much they are granted immunity?

Research Objective

The article's general objective is to analyze the position and status of local governments in federal Nepal. Its specific objectives are as follow:

- To analyze the constitutional and legal provisions regarding initiative powers of local governments.
- To examine the autonomy and immunity of the local government of Nepal.

Methods and Materials

This article is mainly based on the theory of the local autonomy of Gordon Clark. This theory classified the power of local government into two parts; the power of initiative and immunity. The power of initiative means to legislate and regulate local affairs by the local

government. The power of immunity refers to the exercise of powers and performance of functions free from the dictate of the government's higher level. Clark (1984, p. 199) classified the local government regarding its power into four categories. In his local government classification, the first type has both powers of initiative and immunity, the second type has initiative without immunity power, the third type has no initiative but has immunity, and the fourth type has neither initiative nor immunity power. In Clark's opinion, the first type of local government would entertain a higher level of autonomy, and naturally, the fourth type of local government got a lower level of autonomy. The remaining second and third types of local governments exercised a middle class of autonomy.

This article evaluates the local governments of federal Nepal and their status and position based on Clark's theory. It is prepared on the factual basis of constitutions, statutes, and other related governmental documents. Similarly, institutional and intellectual publications are also sources of materials for this article.

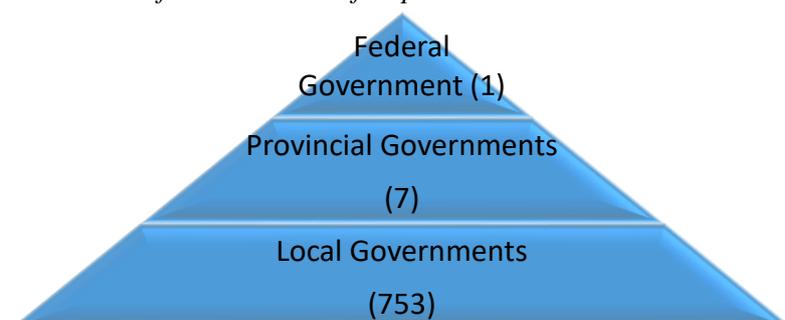
Discussion

The Constituent Assembly had promulgated the Constitution of Nepal on 20 September 2015. The constitution has converted Nepal into a federal from the unitary system. The preamble of the constitution reads, "Do hereby pass and promulgate this Constitution, through the Constituent Assembly, to fulfill the aspirations for sustainable peace, good governance, development and prosperity through the federal, democratic, republican, system of governance." Similarly, article 4(1) of the constitution declares; "Nepal is an independent, indivisible, sovereign, secular, inclusive, democratic, socialism-oriented, federal democratic republican state." Article 50(1) of the constitution vows; "for maintaining the relations between the federal units on basis of cooperative federalism" as a directive principle of the state.

Nepal has three government tiers: a federal government in the center, seven provincial governments in federal units, and 753 local governments in the bottom, as shown in figure-1.

Figure 1

Three Tiers of Governments of Nepal



Among the 753 local levels, there are 293 municipalities and 460 rural municipalities (RM). Municipalities are divided into three categories - metropolitan, sub-metropolitan, and municipalities. According to this division, six are metropolitans, 11 are sub-metropolitans, and 276 are municipalities (MoFAGA, 2017). All local levels are divided into 6,742 ward committees, as shown in table-1.

Table 1

Number of local levels

Province	District	Municipality	Rural Municipality	Total Local Level	Ward
1	14	49	88	137	1,156
2	8	77	59	136	1,271
Bagmati	13	45	74	119	1,121
Gandaki	11	27	58	85	759
Lumbini	12	36	73	109	983
Karnali	10	25	54	79	718
Sudur-Pashchim	9	34	54	88	734
Total	77	293	460	753	6,742

Note. Data extracted from MoFAGA, 2017

As per the new provision of the constitution and election of the local level act, 2017, the local levels' election was held in 2017 first time in the country. The vacant seats were fulfilled by the by-election held in 2019. Now the local governments are working in full-fledged form.

Initiative

The constitution of Nepal has provided the initiative power to the local level government. These powers can be categorized as follow:

Constitutional Recognition to the Local Level Governments

A significant provision of the constitution of Nepal is to recognize the local level governments as a constituent part of the federal system. Article 56(1) admits the local level as one tier of the three tiers structure of the state. It states, "The main structure of the federal democratic republic of Nepal shall be of three levels, namely the Federation, the Province, and the Local level." Similarly, Clause (3) and (4) of Article 56 provisions the district level body at each district, rural municipalities at villages, and municipalities at city or town areas as the local level government. The rural municipalities and municipalities would be divided into wards committee by the federal law. These provisions of the constitution recognize the local level as an integral part of the state.

Local Government as the Sub-system of the Political System of the Country

The Constitution of Nepal considers the local government as the sub-system of the country's whole political system. Article 56(6) of the constitution states;

The federation, province, and local levels shall protect Nepal's freedom, sovereignty, territorial integrity, independence, national interest, overall development, a multi-party, competitive, democratic, republican, federal system of governance, human rights and fundamental rights, the rule of law, separation of powers and check and balance, egalitarian society based on pluralism and equality, inclusive representation and identity.

This provision gives significance to the local government, along with the provincial and federal governments. Local government also equal responsible components just like to provincial and federal government are.

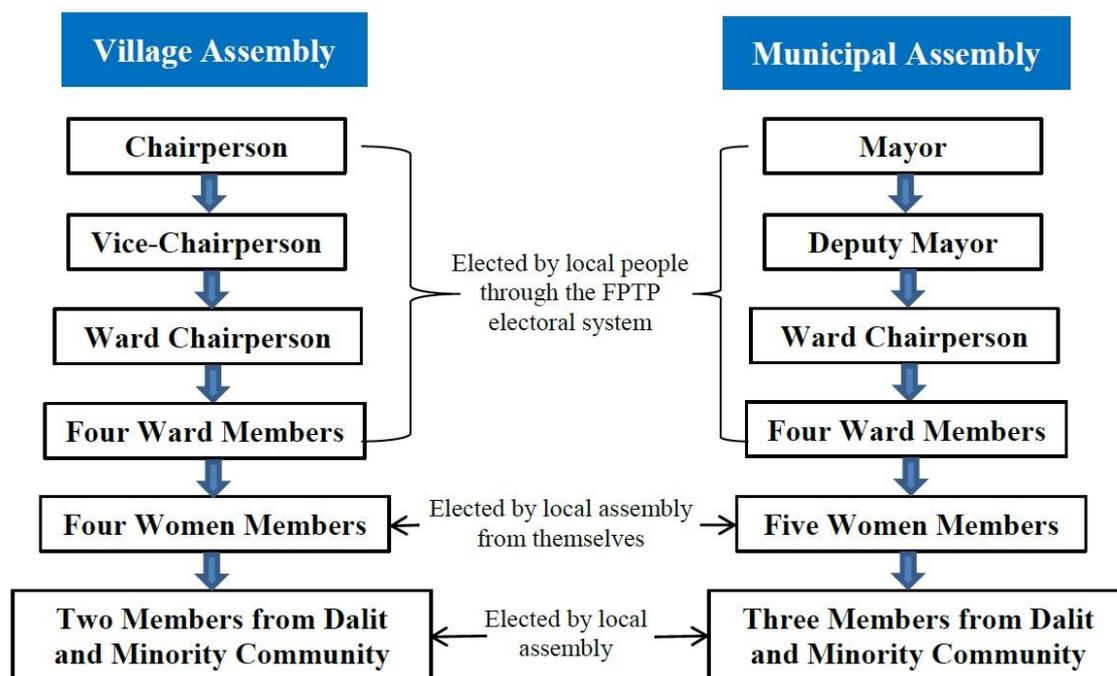
Provisions to Make 'Government' for the Local Levels

Each government has to need three major organs; legislative, executive, and judiciary. In the same way, Nepal's constitution has made provisions to create legislative, executive, and judiciary at local levels. Articles 222 and 223 of the constitution have mentioned the village and municipal assembly, respectively. The composition of these assemblies is as shown in figure-2.

The constitution has mentioned candidates' and voters' eligibility, electoral systems, and other provisions regarding local levels' election. The Local Level Election Act, 2017 has mentioned more additional provisions about the local level's election.

There are provisions for the village and municipal executive in articles 215 and 216 of the constitutions, respectively. In the local executives, four ward members shall be excluded. The remaining officials and members shall be the same as the assembly.

As the judiciary organ, the constitution has established a judicial committee within the local level. The vice-chairperson shall chair the judicial committee at the rural municipality and deputy mayor at the municipality. The committee shall consist of two members elected by the village assembly members or the municipal assembly from amongst themselves. The significant responsibility of the committee is to settle disputes under their respective jurisdictions under law.

Figure 2*Assembly of Local Levels*

Note. FPTP = First-past-the-post. Local assembly means village assembly or municipal assembly as per the context. Two (one must be from *the Dalit* community) shall be women out of four ward members.

These provisions about legislative, executive, and judiciary of the constitution at the local level are the reflection of organs of the state's central government. These are the sacred intention of the constitution to create a 'government' at the local level.

Power Sharing of the Local Level Government

The constitution provides the right of power-sharing to the local government as a partner of the country's political system. Article 56(2) of the constitution has provisioned, "The Federation, Provinces, and Local levels shall exercise the power of the state of Nepal according to this constitution and law." Similarly, Clause (4) and (5) of Article 57, Article 214, and Article 221 of the constitution have provided to the local level various executive, legislative, and other powers. Schedule 8 of the constitution has listed 22 sole powers that can execute by local levels. Schedule 9 has listed 15 concurrent powers of federal, provinces, and local levels (see appendix, for detail). These provisions of the constitution have accepted local levels as a part of the state system. They are accepted constitutionally as the owner of state power.

Legislative Power of the Level Government

The power to make laws concerning subjects and areas is a significant initiative power of the local government (Libonati, 2005). According to the constitution of Nepal, local levels can make laws for them. Clause (1) of Article 226 vows; "A Village Assembly and a Municipal Assembly may make necessary laws on the matters outlined in the Lists contained in Schedule-8 and Schedule-9". Now, local levels use to make laws, publish them in their gazette, and execute them.

Financial Power of the Local Level Government

Without money, the local government may not be an actual autonomous body. A significant variable of measurement of the local government's autonomy is how much financial power it has got? Article 59 of the constitution has provided various financial powers exercise to the local levels, which are as follows:

- Local levels shall make laws, make an annual budget, decisions, formulate, and implement policies and plans on any matters related to financial powers within their respective jurisdictions.
- Local levels shall provide equitable distribution as federal and provincial levels of benefits derived from the use of natural resources or development.
- Local levels have to prioritize the local community's investment in utilizing natural resources if they desire to do so.

Article 60 of the constitution has provisioned about the distribution of sources of revenue to the local levels. These provisions are as follows:

- Local levels may impose taxes on matters falling within their respective jurisdiction and collect revenue from these sources like the federal and provincial levels do.
- The Government of Nepal shall make provisions for the equitable distribution of the collected revenue to the Federation, Province, and Local level.
- Based on the need for expenditure and revenue capacity, the Government of Nepal shall distribute fiscal equalization grants to the local levels.
- Each province shall distribute fiscal equalization grants out of the grants received from the Government of Nepal and revenues collected from its sources, based on the need for its local subordinate levels' expenditure and revenue capacity.

These financial powers have made local levels stronger, and they would real autonomy. However, the needs of local people are high, and the budgets of local levels deficient. So, local levels could not meet the necessities of people, and it would create frustration, and it would be subject to criticism of local levels' performance.

Role of Local Levels to elect Members of National Assembly

Nepal has bi-cameral federal parliament consists of the House of Representatives (the lower house) and the National Assembly (NA) (the upper house). Out of 59 members of NA, there shall be 56 elected members. According to article 86(2)(a) of the constitution of Nepal, to elect the members of NA, an electoral college shall be composed; where the members of the provincial assembly, chairpersons and vice-chairpersons of the rural municipalities, mayors and deputy mayors of the municipalities shall play the role of members. It is giving worth to the local level government to elect the federal parliament by the constitution.

Immunity

Immunity is a kind of power that creates a free working environment. There would not be any type of interference, review, or dictate of upper tier's government on local government's activities. Initiative provides constitutional, legislative, legal, and customary power to the local government performing their functions. Pennsylvania State of the United States allows exercising any power and performing any function to the local governments. However, they cannot do any function denied by the state constitution and home rule charter (Lobonati, 2005). It is not immunity. The local government of South Africa has to follow various terms and restrictions of the provincial and federal government (Steytler, 2005). These are also opposite provisions of immunity.

Section 48 of the Village Development Committee Act, 1992, had a provision for directing the Village Development Committee (VDC) by the central government to perform functions. Similarly, section 49 of the Act provided the central government's right to investigate VDC's works in the name of corruption and budget misuse. Even in section 50 of the Act, the central government had the power to suspense or dismiss the elected VDS bodies. Section 68 and 69 of the Municipality Act, 1992 had the same provisions about the municipalities. These were extremely against of immunity of local-level government. These Acts are repealed, and new provisions are activated after establishing a federal system regarding local level governments.

Relation of Creator and Creatures

Whether the federal government is in the status of a creator and local governments are creatures. It is a crucial question to be discussed on the relevance of autonomy of local government. According to Clause (3) of Article 295 of the constitution of Nepal, the government of Nepal would form a commission for the determination of the number and boundaries of local level government. This provision proves that the federal government is not the direct creator of local governments. They are created by a separate commission formed according to the constitution. The government of Nepal had constituted a nine members commission under the leadership of former secretary Balananda Paudel on 14 March 2016 according to constitutional provision (Thapa, 2016). The commission creates the present local governments of Nepal.

Residual Powers

Article 58 of the constitution of Nepal states that power on any matter not listed for federal, provinces, or local level or not listed in concurrent power of two or three tiers of government and not specified power by the constitution shall be the power of federal government. It is called residual power. Is the residual power of the federal government contrasting with the immunity of the local government? It is another question to be solved. It is a constitutional tradition of the world's federal countries that residual power is vested in the federal government. It is for solving the problem, not to make a federal government dictator.

Federal Laws for Regulating Local Affairs

Constitution states through various articles that federal laws shall regulate different local affairs. For example, articles 222(7) and 223 (7) provide power to the federal parliament to make laws relating to the local government's election. Similarly, federal laws regulate the local-level government's executive powers, according to articles 214(1) and 219 of the constitution. Article 57(6) provokes that if the local law made by the local assembly is inconsistent with federal law shall be invalid to the extent of such inconsistency. Clause (3) and (7) of Article 59 of the constitution give the federal parliament the right to regulate the time of submission of budget and manage budget deficits through federal law.

Such the regulation on the local government's works by federal law is against the immunity of the local government? The constitution's intention is not directed to hindering local government's performances through the federal laws; instead, it is to promote them. Local Level Election Act, 2017, which the federal parliament enacted, encourages inclusiveness in the local level election. It makes compulsory for the political party to file at least one woman

candidate for the chairperson or vice-chairperson of the rural municipality and mayor or deputy mayor. Similarly, one woman member out of two women members of the ward committee should be from the *Dalit* community. After the local level election, held in 2017, Shrestha and Phuyel (2019, p. 10) found that seven women won the post of mayors and 276 women won the post of deputy mayors out of 293 municipalities. Similarly, 11 women were elected in the post of chairpersons, and 424 women secured the post of vice-chairpersons out of 460 rural municipalities. Altogether, 6,742 women members and 6,567 *Dalit* women members won at the ward committee at the local level election 2017. It would not be possible to be elected by several such women if the Local Level Election Act did not make compulsion of women candidacy.

Local Government Operation Act, 2017 is another major act enacted by the federal parliament. It has various provisions for operating local government smoothly. It encourages to local government to be more autonomous. Similarly, federal, provincial, and local governments are the sub-system of the federal system. They are not enemies of each other; instead, they are additional components of each other for the country's well-being and its inhabitants. So, the laws made by federal, provincial, or local assembly should be consistent. Inconsistent laws create troubles in the political system of the country. In this term, Article 57(6) of the constitution supports the local government's immunity.

The direction of the Federal Government

Nepal's federal government can give necessary directives to the local government directly or through the provincial government; article 232(8) of the constitution grants. It would be suspected that the central leaders may misuse this power. In the name of the direction, the central ruler could interfere unnecessarily in local affairs. Nevertheless, the constitution intends to assist the local governments in promoting their works for better quality through this provision.

Conclusion

Autonomous bodies at the local level have been working in Nepal from the ancient period, and it continues to the till now federal republic Nepal. The constitution of Nepal (2015) has recognized the local government as an integral part of the federal system, along with the provincial and federal governments. The provisions of the constitution and other federal laws have seemed sufficient to make local level government an autonomous part of Nepal's political system. Examining in light of Clark's theory of autonomy, Nepal's local governments are proved a higher level of their status with powers of initiative and immunity.

The constitution has made the local level a 'government' with legislative, executive, and judicial powers, just like the provincial and federal governments. Local governments have constituent power to enact laws as per their necessity. They can executive them. The judicial committee is existed at each local level to give decisions on local disputes. Local governments share the powers along with the provincial and federal governments. They can make a plan and budget. They can determine the rate of local taxes and levy taxes. The chief and vice-chief of local government have voting right to elect members of the National Assembly - the upper house of federal parliament. These constitutional provisions prove that local governments of Nepal entertain full-fledge initiative power as described by Clark.

As far as the issue of immunity power, no direct provisions are made to restrict local governments' powers and performances by the constitution. An authorized commission fixes the number and boundaries of local levels. So, the local levels are not considered the direct creatures of the central government. The concept of creator and creatures could not emerge in the relationship between federal and local governments. It encourages the autonomy of local government. There are some powers, which can execute by the federal governments. According to the constitution, federal laws will regulate various local affairs. Similarly, residual powers are vested in the federal government. The federal government can give directions to the local governments, and they have to obey these directions. These powers of the federal government may not be misused; it is not sure. So, the suspicions of restriction upon the immunity of local government in the name of the constitution's provisions are justifiable. However, these provisions are just to establish the federal government as a 'senior' and local government as a 'junior' partner of the federal system. It is a proper consideration all over the democratic and federal system of the world. We can conclude that the local governments have vested both powers of initiative and immunity, the number one category of Clark.

Implication

The findings and conclusion of this article would be useful for policy-makers and decision-makers of the country. It would provide the guidelines to the elected representatives of the local governments as well as to the personnel who have been working at the local level.

Future Research

This article covers the theoretical provisions of the constitution about local government. The study of practices of local governments in Nepal after entering the federal system will be a potential area for further research.

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Appendix

Schedule-8 of the Constitution of Nepal, 2015

[Relating to clause (4) of Article 57, clause (2) of Article 214, clause (2) of Article 221 and clause (1) of Article 226]

List of Local Level's Power

1. Town police
2. Cooperative institutions
3. Operation of FM.
4. Local taxes (wealth tax, house rent tax, land and building registration fee, motor vehicle tax), service charge, fee, tourism fee, advertisement tax, business tax, land tax (land revenue), penalty, entertainment tax, land revenue collection
5. Management of the Local services
6. Collection of local statistics and records
7. Local level development plans and projects
8. Basic and secondary education
9. Basic health and sanitation
10. Local market management, environment protection and biodiversity
11. Local roads, rural roads, agro-roads, irrigation
12. Management of Village Assembly, Municipal Assembly, District Assembly, local courts, mediation and arbitration
13. Local records management
14. Distribution of house and land ownership certificates
15. Agriculture and animal husbandry, agro-products management, animal health, cooperatives
16. Management of senior citizens, persons with disabilities and the incapacitated
17. Collection of statistics of the unemployed
18. Management, operation and control of agricultural extension
19. Water supply, small hydropower projects, alternative energy
20. Disaster management
21. Protection of watersheds, wildlife, mines and minerals
22. Protection and development of languages, cultures and fine arts

Schedule-9 of the Constitution of Nepal, 2015

[Relating to clause (5) of Article 57, Article 109, Clause (4) of Article 162, Article 197, Clause (2) of Article 214, clause (2) of Article 221, and clause (1) of Article 226]

List of Concurrent Powers of Federation, State and Local Level

1. Cooperatives
2. Education, health and newspapers
3. Health
4. Agriculture
5. Services such as electricity, water supply, irrigation
6. Service fee, charge, penalty and royalty from natural resources, tourism fee
7. Forests, wildlife, birds, water uses, environment, ecology and bio-diversity
8. Mines and minerals
9. Disaster management
10. Social security and poverty alleviation
11. Personal events, births, deaths, marriages and statistics
12. Archaeology, ancient monuments and museums
13. Landless squatters management
14. Royalty from natural resources
15. Motor vehicle permits