

Legal Frameworks for Effective Intergovernmental Coordination in Nepal: A study of legal structures and provisions that promote collaboration and coordination among federal government units.

The Constitution of Nepal adopted in 2015 ended the unitary and centralized system of governance. In its place, it established a federal structure that distributed legislative and executive powers among three governmental levels: local, provincial and federal. In a federal system, various frameworks and mechanisms are needed to keep the interrelationship between governments efficient and effective. Relations are established between governments through both formal and informal channels. Constitution and laws guide formal relations; meetings and assemblies create informal ties. Federal government relationships are either cooperative (from interaction) or conflicting (due to competition, control, and oppression).

In the shift to federalism, restructuring the previous centralized bureaucratic system aligned with federal principles was crucial. Initially, administration was predominantly managed at the federal level during the transition, posing challenges in adapting an administrative structure accustomed to a unitary system. Provinces started with minimal administrative foundations, while local governments faced a weak structure. To address immediate service needs, the Employees Integration Act, 2018, aligned with constitutional provisions, integrated employees across federal, provincial, and local levels. The Organization and Management Survey Committee recommendations led to the government approving organizational structures and employee quotas for all three government levels.

The transfer of district-level, zonal, and regional offices from the central unitary system to local and provincial governments during the implementation of federalism faced significant challenges. The absence of clear policies and adequate preparations, coupled with insufficient

An examination of political parties' roles and their adaptation to three-tier federalism is crucial for understanding the trajectory of federalism. Political parties played a key role in institutionalizing federalism into the 2015 Constitution, elevating it beyond mere political issues. Despite initial disagreements and protests, federalism gained momentum as parties participated in elections and formed governments at all three levels. However, parties, while theoretically accepting the Constitution, have yet to restructure internally for the new federal setup. Delays and confusion suggest a lack of institutional decision-making, impacting the effective implementation of federalism.

The Constitution authorizes all three levels to legislate, formulate plans and policies, and mobilize resources within jurisdictions delineated to them. Schedules 5 to 9 of the Constitution delineate the exclusive and concurrent responsibilities and authorities of three levels of governments. Article 232 of the Constitution states that relations between federal, provincial and local governments shall be based on the principles of cooperation, co-existence and coordination. The Constitution establishes formal structures: Article 234 envisions an Inter-Province Council

addressing conflicts between federal and provincial governments. Section 105 of the 2017 Act allows the Province Coordination Council to coordinate on provincial and local government issues. In July 2020, the federal parliament passed the Act Relating to the Management of Interrelationship and Coordination, expected to clarify functional responsibilities for the three tiers of government. Therefore, Implementing this law in line with the Constitution's spirit aims to foster a healthy relationship among them.