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Efficacy of Local Government in Delivering Local Judicial Service to Stakeholders in Nepal: A Scoping Review

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Systematic Review

Keywords: Judicial Committee, local government, access to justice, mediation, federalism, political economy, efficiency, Nepal

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*Khem Raj Subedi

Abstract

The Constitution of Nepal 2015, Article 217 has mandated the state's selected judicial function to the 753 local governments through a three-member Judicial Committee in every municipality and rural municipality. Nearly a decade later, the evidence shows that these committees resolve a large share of the disputes they receive, mostly through mediation, at low cost and close to home. Yet their efficiency is uneven and fragile. This scoping review maps the published and grey literature from 2015 to 2026 on how efficiently local governments deliver judicial services to stakeholders, including disputants, women, marginalized groups, local officials, lawyers and the formal courts. Evidence was drawn from Nepal Journals Online, the Tribhuvan University Central Library repository, reports of the International Commission of Jurists, and national newspapers. The literature is organized into six themes: legal design and jurisdiction, institutional and human capacity, procedural efficiency and outputs, enforcement and executive coordination, inclusion and gender, and political economy and legitimacy. The available studies show to high settlement rates facilitated by the Judicial Committee of the local government. However, the same studies report weak legal expertise, missing procedural rules, poor enforcement, political interference and low public awareness. From the political economy lens, these problems are less about technical gaps and more about how authority, partisanship, fiscal dependence and professional interests shape the committees. The review finds that the evidence base is thin, dominated by single-site case studies and opinion pieces, and lacks comparative, cost-based and longitudinal measures of efficiency. It closes with a research agenda and policy options for strengthening local justice in federal Nepal.

Keywords: Judicial Committee, local government, access to justice, mediation, federalism, political economy, efficiency, Nepal

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INTRODUCTION

Background

Nepal's 2015 Constitution turned a unitary state into a federal republic with three tiers of government: federal, provincial and local. One of its more unusual choices was to give local governments a share of judicial power. Article 217 provides for a three-member Judicial Committee in each rural municipality and municipality, coordinated by the vice-chairperson or deputy mayor, with the other two members elected by the local assembly (Constitution of Nepal, 2015). The Local Government Operation Act 2017 (LGOA) then set out the committee's

jurisdiction, procedures and powers in Chapter 8 (Local Government Operation Act, 2017). The logic behind this design was straightforward. Formal courts in Nepal are slow, costly and physically distant for many citizens. Bringing minor disputes, such as boundary conflicts, irrigation sharing, unpaid wages and family maintenance, to a local body was meant to reduce delay and cost, ease the burden on district courts, and revive older community practices of settlement (Bhattarai, 2021; Wagley, 2018). Nepal had tried a version of this before. Under the Village Panchayat Act 1961, panchayat-led bodies settled local disputes as an alternative to, rather than part of, the court system (Wagley, 2018).

The pressure on formal courts makes the question urgent. Reporting based on judicial statistics shows that the total annual caseload of district courts rose from 119,009 in fiscal year 2016/17 to 264,710 in 2020/25, an increase of about 122 percent, leaving 100,539 cases pending at the end of the latter year (Paudel, 2026). The Supreme Court alone had 28,434 pending cases as of July 2023 (Battling the court backlogs, 2023). Against this background, the Judicial Committee is a test of whether decentralized, mediation-first justice can deliver timely and fair outcomes at scale.

Statement of the Problem

The legal provision of Local Government Operation Act 2017 (LGOA) has mandated to form and operate Judicial Committees after the 2017 local elections in all 753 local governments (Pradhan, 2018b). The committees now handle thousands of disputes each year. However, there is no national dataset on their caseload, disposal time, cost per case, compliance with decisions or user satisfaction. What we know comes from a scattered set of single-site case studies, master's theses, monitoring reports by civil society, and commentary by lawyers and journalists. Critics question whether elected politicians can act as impartial adjudicators, whether committees have the legal skills to apply the law, and whether their decisions are enforced (Paudel, 2026). Supporters point to high settlement rates, low cost and the role of mostly women deputy mayors as frontline justice providers (International Commission of Jurists [ICJ], 2022; Timalsina, 2026).

The result is a polarised debate built on thin evidence. The Nepal Bar Association has called for limiting the committees to mediation and creating separate local courts, and a writ petition seeking local courts is pending at the Supreme Court (Paudel, 2026). Policymakers deciding whether to strengthen, restructure or replace the committees need a clear map of what the evidence says, where it is strong, and where it is missing.

Objectives of the Review

The general objective of this review is to map and synthesize the evidence on the efficiency of local governments in delivering local judicial services to stakeholders in Nepal since the Constitution of 2015 came into force. The specific review objectives are:

a. To assess the legal and institutional framework governs local judicial service delivery, implementation status since 2015.

b. To examine the evidence on the efficiency of Judicial Committees in terms of inputs, processes, outputs and outcomes for stakeholders, and overview the political economy factors explaining variation in their performance.
c. To locate existence of gap in the evidence, and what should future research and policy priorities.

Significance

This is, to our knowledge, the first scoping review that brings a political economy lens to Nepal's Judicial Committees. It is useful to three audiences. For researchers, it identifies gaps that justify new empirical work. For policymakers in the federal Ministry of Federal Affairs and General Administration, provincial governments and municipalities, it summarizes recurring problems and options.

Conceptual and Theoretical Framework

Defining efficiency in local judicial service

In public administration, efficiency usually means the ratio of outputs to inputs: more cases resolved for the same time, money and staff. In justice, a narrow definition is risky. A committee that settles every case quickly but pressures weaker parties into unfair agreements is fast, not efficient in any meaningful sense. This review therefore uses a broader idea of efficiency with four linked dimensions.

1. **Input efficiency:** the human, financial and physical resources available, such as trained members, legal advisers, budget, hearing rooms and record systems.
2. **Process efficiency:** time from registration to decision, adherence to procedure, number of hearings, and cost to parties.
3. **Output efficiency:** disposal rate, settlement rate through mediation, and backlog.
4. **Outcome efficiency:** compliance with decisions, durability of settlements, appeal and reversal rates, user satisfaction, and fairness for women and marginalised groups.

This framing borrows from the access to justice tradition, which treats justice as a service whose value depends on whether people can actually use it and whether the result is fair (Cappelletti & Garth, 1978). It also reflects procedural justice research, which shows that people are more likely to accept and comply with decisions they see as fair, even when they lose (Tyler, 2006). A fast decision that lacks legitimacy will often return as an appeal, a fresh dispute or a case in the district court, which wastes the time saved.

Decentralization theory

The case for local justice draws on decentralization theory. The classic argument holds that services should be provided by the lowest level of government that can do so effectively, because local bodies know local needs and are easier for citizens to hold to account (Oates, 1972). Later work adds that decentralization can improve responsiveness and accountability, but only when local governments have real authority, enough resources and active citizens (Bardhan & Mookherjee, 2006; Faguet, 2014). Grindle's (2007) study of Mexican municipalities showed that

the same reform can produce very different results depending on local leadership, public sector capacity and political competition.

Applied to Nepal, this suggests we should expect wide variation among the 753 committees. A metropolitan city with a law officer and a dedicated hearing room will perform differently from a remote rural municipality where the vice-chairperson also handles a dozen other duties.

Political Economy Lens

Political economy asks who gains and who loses from an institution, how power and resources are distributed, and why formal rules work differently in practice. Institutional theory reminds us that formal rules interact with informal norms and enforcement, and the gap between them often explains performance (North, 1990). The political settlements approach adds that institutions perform well only when they fit the distribution of power among influential groups (Khan, 2010).

For the Judicial Committee, five political economy questions stand out.

- **Fusion of roles:** the coordinator is an elected politician with party loyalties and re-election incentives, which can create real or perceived bias.
- **Intra-municipal politics:** the committee needs the mayor or chairperson and the executive to enforce its decisions, and the two leaders may come from different parties.
- **Fiscal dependence:** committees have no independent budget and depend on the municipal executive for staff and funds.
- **Professional interests:** lawyers and the formal judiciary have both principled concerns about due process and institutional stakes in where cases are heard.
- **Social hierarchy:** gender, caste and class shape who brings cases, who is heard, and whose interests prevail in mediation.

Street-Level Justice

Finally, the committees can be seen as street-level institutions. Lipsky (1980) showed that frontline public servants with limited resources and vague rules make policy through their daily discretion. Judicial Committee members fit this picture closely. With few procedural guidelines and little legal training, they make choices about which cases to accept, how hard to push for settlement and how to apply the law. Their discretion is where efficiency and fairness are won or lost.

Analytical Model

Taken together, these ideas suggest a simple causal chain. The legal framework and political economy context shape the inputs available to each committee. Inputs and discretion shape processes. Processes shape outputs such as settlement and disposal rates. Outputs translate into outcomes for stakeholders only when decisions are enforced and seen as legitimate. The review uses this chain to organise the evidence in Section 5.

Legal and Institutional Framework

Constitutional basis

Three constitutional provisions frame local judicial service. Article 217 creates the Judicial Committee and fixes its composition. Article 217(2) provides that the two members other than the coordinator are elected by the municipal or rural municipal assembly from among its members (Wagley, 2018). Schedule 8, which lists the exclusive powers of local governments, includes "local courts, mediation and arbitration management" as item 12 among its 22 items (Paudel, 2026). Finally, the constitution foresees local judicial bodies under provincial law that operate under the supervision of the district court, and the ICJ notes that Judicial Committees themselves work under district court supervision (ICJ, 2022; Paudel, 2026).

This layered design leaves an unresolved question. Is the Judicial Committee a quasi-judicial body, a local court, or a mediation forum? Early commentators flagged this ambiguity as the root of many later problems (Pradhan, 2018b). A decade on, local courts under Schedule 8 have still not been formed, and local governments say they cannot act until federal and provincial laws are passed (Paudel, 2026).

The Local Government Operation Act 2017

Chapter 8 of the Local Government Operation Act (LGOA), beginning at section 46, gives the committees their working rules (Local Government Operation Act, 2017). Section 46 requires a Judicial Committee in every local government, in line with Article 217 (ICJ, 2022). Section 47 divides jurisdiction into two parts. Under section 47(1), the committee may settle 13 types of disputes. These include boundaries of land, dams, ditches and the use of water; damage to crops; pasture, fodder and fuelwood; unpaid wages; lost or found livestock; maintenance of senior citizens; and other disputes assigned by federal or provincial law. Under section 47(2), it may resolve another 11 categories only through mediation, such as encroachment on private land, construction on another person's land, divorce, and some offences carrying up to one year of imprisonment (ICJ, 2022; Paudel, 2026). Decisions may be appealed to the district court (Pradhan, 2018a).

The committee keeps a roster of trained community mediators and refers parties to ward-level mediation centers (Pradhan, 2018b; Wagley, 2018). In practice, mediation is the default. Timalsina (2026) argues that, unlike most alternative dispute resolution systems where mediation supplements adjudication, Nepal's committees treat mediation as their primary mode of operation, and he describes a seven-stage mediation model used in Hetauda.

Supporting Rules and Guidance

In the first years, the absence of regulations and standard procedures was the most cited problem. Commentators in 2018 noted that many committees were waiting for uniform guidelines from the Ministry of Federal Affairs and General Administration (Without a clue, 2018). Over time, many municipalities adopted their own procedural laws, often based on model laws, and training was offered by donors, the Judicial Council, the National Judicial Academy and civil society groups. However, the ICJ found that training initiatives were poorly coordinated and procedures

still lacked clarity. The first national conference of Judicial Committees, attended by more than 500 coordinators and members, was organised to promote procedural uniformity.

Composition and the Gender Dimension

Because electoral law required parties to field a woman for either the head or deputy head post, most deputy mayors and vice-chairpersons elected in 2017 were women. Estimates range from more than 90 percent to about 95 percent of committee coordinators (Pradhan, 2018a, 2018b; Without a clue, 2018). This made the Judicial Committee one of the largest bodies of women decision-makers in Nepal's history. At the same time, monitoring by the Nepal Law Society found that only about 2 percent of committee members had a legal background (Pradhan, 2018b).

Summary of the Framework

The table below summarises the main features of the legal design.

Feature	Provision	Source
Composition	Coordinator (deputy mayor or vice-chairperson) plus two assembly members	Constitution, Art. 217
Adjudication jurisdiction	13 types of disputes	LGOA, s. 47(1)
Mediation-only jurisdiction	11 types of disputes, including minor offences up to one year's imprisonment	LGOA, s. 47(2)
Mediation support	Roster of mediators; ward-level mediation centers	LGOA, Chapter 8
Oversight and appeal	District court supervision; appeal to district court	Constitution; LGOA
Local courts	Listed as a local exclusive power but not yet formed	Constitution, Schedule 8

Methodology

Review Design

A scoping review suits this topic because the evidence is new, scattered across disciplines, and mixes peer-reviewed research with theses, institutional reports and media sources. Scoping reviews aim to map the extent, range and nature of evidence and to identify gaps, rather than to estimate a pooled effect (Arksey & O'Malley, 2005). The review follows the five stages set out by Arksey and O'Malley (2005), with the refinements proposed by Levac et al. (2010): (1) identifying the research questions, (2) identifying relevant studies, (3) selecting studies, (4) charting the data, and (5) collating, summarising and reporting results. Reporting follows the PRISMA-ScR checklist (Tricco et al., 2018).

Eligibility Criteria

The Population, Concept and Context structure recommended for scoping reviews guided eligibility.

Element	Inclusion	Exclusion
Population	Judicial Committees, local governments, disputants, mediators, women and marginalised users, lawyers, courts	Formal courts only, with no link to local bodies
Concept	Efficiency, effectiveness, capacity, access to justice, mediation outcomes, enforcement, legitimacy	Purely doctrinal comment unrelated to performance
Context	Nepal, local level, after promulgation of the 2015 Constitution	Pre-2015 local justice, other countries (used only for comparison)
Source type	Journal articles, theses, institutional and civil society reports, official documents, quality news and opinion	Social media posts, undated items without a traceable author or outlet
Language	English; Nepali sources where an English record exists	Sources without accessible full text or abstract
Period	September 2015 to October 2026	Earlier publications

Information Sources and Search Strategy

Searches covered Nepal Journals Online (NepJOL), the Tribhuvan University Central Library e-library, the website of the International Commission of Jurists, Google Scholar, and the archives of The Kathmandu Post, The Himalayan Times, The Rising Nepal and Ratopati. Search strings combined terms for the institution ("Judicial Committee", "Nyayik Samiti", "local judicial"), the activity ("mediation", "dispute resolution", "access to justice") and the setting ("Nepal", "local government", "municipality", "Article 217", "Local Government Operation Act"). Reference lists of included sources were checked by hand for further material.

Selection and Charting

Titles and abstracts were screened against the criteria, followed by full-text review where available. For each included source, a charting form captured author, year, source type, location, method, sample, efficiency dimension addressed, key findings and recommendations. Because the aim is to map rather than judge the evidence, no source was excluded on quality grounds. However, each was tagged by evidence type, so that empirical findings could be weighted more heavily than opinion in the synthesis.

Synthesis

The charted data were analyzed through descriptive numerical summary and qualitative thematic analysis. Themes were derived both deductively, from the four efficiency dimensions and five political economy questions in Section 2, and inductively, from issues that recurred across sources.

Limitations of the Review Method

Three limits should be kept in mind. First, much relevant material exists only in Nepali, in municipal records or in donor reports that are not publicly indexed, so the corpus underrepresents grey literature. Second, several sources are opinion pieces by practitioners. They capture informed views but are not systematic evidence. Third, the counts of records identified and screened at each stage should be documented in a PRISMA-ScR flow diagram when the database searches are rerun for submission, since this draft reports the final included corpus rather than a full screening log.

Results and Thematic Findings

Characteristics of the Evidence

The included corpus is small and uneven. Empirical studies of committee performance are mostly single-site case studies: Bhaktapur district (Bhattarai, 2021), Sandakpur Rural Municipality in Ilam, Hetauda Sub-Metropolitan City (Timalsina, 2026), and a purposive multi-municipality sample (Puri, 2025). Institutional sources include ICJ briefing and consultation reports and Nepal Law Society monitoring in Saptari, Dhading and Kavre (ICJ, 2022; Pradhan, 2018b). The rest consists of news reports and opinion articles by lawyers, deputy mayors and researchers. Most evidence comes from the Bagmati and Koshi regions. No included study focuses on Karnali or Sudurpashchim provinces, which is a significant gap given their remoteness and distinct social structures.

Source	Type	Setting	Method	Main efficiency focus
Timalsina (2026)	Journal article	Hetauda, Bagmati	Doctrinal plus longitudinal case data, FY 2074/75 to 2081/82	Outputs, barriers
Puri (2025)	Journal article	Several municipalities	Mixed methods, purposive sample	Procedural effectiveness, perceptions
Bhattarai (2021)	Journal article	Bhaktapur district	Case study	Functioning and challenges
Baraily (n.d.)	Master's thesis	Sandakpur, Ilam	Case study	Mediation practice, gaps
ICJ (2022)	Consulta	National	Expert consultation, 48	Women's access to

Source	Type	Setting	Method	Main efficiency focus
	tion report		participants	justice
Pradhan (2018b)	Opinion with monitoring data	Saptari, Dhading, Kavre	Field monitoring	Capacity, composition
Paudel (2026)	News analysis	National	Court statistics, interviews	Legitimacy, local courts debate

Theme 1: Legal design and jurisdictional clarity

The single most consistent finding is that unclear legal design reduces efficiency. The ICJ identified a lack of clarity about the jurisdiction and mandate of committees and an absence of clear procedures as core implementation problems. Early commentators argued that the law should first settle whether committees are quasi-judicial bodies or local courts (Pradhan, 2018b). Wagley (2018) noted a live debate over whether committees can mediate cases themselves or must refer them to mediators.

Ambiguity has practical costs. When members are unsure whether a dispute falls under section 47(1) or 47(2), they may refuse cases that belong to them, or hear cases they should only mediate, inviting appeals. Jurisdictional thresholds also matter. Deputy mayors of large cities asked for the law to allow metropolitan committees to hear rent disputes above Rs 2.5 million, suggesting that a single national design does not fit very different local economies.

Theme 2: Institutional and human capacity

Capacity is the most discussed input constraint. Nepal Law Society monitoring found that hardly 2 percent of committee members had a legal background and that committees had no separate institutional or administrative mechanism (Pradhan, 2018b). Commentators widely agreed that the lack of judicial and legal knowledge among members was the most serious concern (Without a clue, 2018). Similar concerns appear across later empirical work. Timalsina (2026) lists inadequate mediator training and infrastructure deficits among seven systemic barriers. Baraily (2023) recommends improving physical and human resources.

Resources are unequal across local governments. Deputy mayors of Kathmandu, Biratnagar and Bhaktapur reported no difficulty adjudicating because they had lawyers in their offices to advise them. In contrast, a deputy mayor of Nepalgunj described how a lack of infrastructure and trained staff, combined with patriarchal attitudes, hurt performance. Local governments also report budget shortages for adjudication. The pattern fits decentralisation theory: where local fiscal and administrative capacity is high, the same legal mandate produces better results.

Several sources call for a dedicated legal officer and legal assistant in every municipality to screen cases, register disputes and draft agreements (Wagley, 2018). This is a modest, practical

input reform, but the evidence on whether municipalities that have such staff perform measurably better is still anecdotal.

Theme 3: Procedural Efficiency and Outputs

Another important at theme is procedural efficiency and outputs. In Hetauda, 1,409 disputes were registered over eight fiscal years. Of 1,083 mediation attempts, 850 ended in settlement, a success rate of 78.5 percent (Timalsina, 2026). In Kathmandu Metropolitan City, 378 cases were registered in roughly the first two years of operation, of which 284 had been settled and 94 remained pending, a disposal rate of about 75 percent.

Perception studies point the same way. In Sandakpur, committee members, mediators and disputants all regarded mediation as the most effective approach to dispute resolution and noted that it could be completed in a short time. Commentary also highlights low cost and proximity. The committee brings justice close to people without the expense of regular courts and draws on members' familiarity with local customs and language.

These outputs must be read with caution. First, settlement rates measure agreement, not fairness or durability. Second, a low caseload can reflect low demand rather than efficiency. Kathmandu's 378 cases over two years in a city of its size suggest that many residents either did not know about the committee or chose the courts instead, and officials blamed weak public awareness. Third, no study reports average time to disposal, cost per case, or rates of appeal and reversal by district courts. Without these, the claim that committees reduce court backlog cannot be tested. District court caseloads continued to rise sharply over the same decade (Paudel, 2026), though this does not prove committees had no effect, since demand may have grown faster without them.

Theme 4: Enforcement and Executive Coordination

A decision that is not implemented produces no outcome. Enforcement is a recurring weak point. Timalsina (2026) identifies weak enforcement of mediated agreements as a systemic barrier. A deputy mayor in Parsa reported cases where she could not do justice because the committee lacked authority to implement its decisions, such as halting illegal construction. Others reported that local executive heads, who hold executive power, sometimes refused to cooperate with deputy mayors in enforcing committee decisions.

This problem has a clear political dimension. Early observers raised doubts about enforcement where the committee coordinator and the local executive came from different parties (Pradhan, 2018b). The committee depends on the executive for police support, administrative orders and staff. When the mayor and deputy mayor are rivals, the deputy's judicial role can become a site of political competition rather than public service.

Theme 5: Inclusion and Gender

The Judicial Committee has placed hundreds of women in decision-making roles in local justice, which commentators see as a potential success for women representatives and for local government as a whole (Pradhan, 2018a). The ICJ's 2022 consultation concluded that, with

sufficient resources and expertise, committees can improve access to justice, especially for women (ICJ, 2022). Speakers there, including Justice Sapana Pradhan Malla of the Supreme Court, linked the committees to the idea of community justice.

The same sources warn that the gains are not automatic. The ICJ found an absence of a gender-sensitive approach and recommended a referral guideline and coordination framework so that victims receive comprehensive support. Mediation carries specific risks for women in disputes over maintenance, property or domestic conflict, where social pressure to reconcile can override rights. Timalsina (2026) lists gender and social inclusion gaps among his seven barriers. A deputy mayor from Nepalgunj noted a mistaken perception that committees are women's bodies in which male office bearers have no stake, which can isolate coordinators within municipal politics. No included study disaggregates outcomes by caste, ethnicity, disability or income, so the effect on Dalits and other marginalized groups is largely unknown.

Theme 6: Political Economy, Impartiality and Legitimacy

The deepest criticism concerns the fusion of political and judicial roles. Senior advocate Mukti Narayan Pradhan argued that deputy chairpersons could be biased against their political opponents and proposed that only independent candidates should contest deputy posts. Another senior advocate, Chandra Kanta Gyawali, argued that adjudicative power should not have been given to elected representatives at all, and that committees should mediate while local courts adjudicate. Timalsina (2026) found political interference in mediator appointments in Hetauda.

These concerns have grown into an organized reform agenda. The Nepal Bar Association's 38-point Kathmandu Declaration of Jestha 2081 called for limiting committees to mediation and forming local courts to hear cases that mediation cannot resolve (Paudel, 2026). Four lawyers have filed a writ at the Supreme Court seeking local courts; the court has heard preliminary arguments and sought responses from the government, but the case remains undecided (Paudel, 2026). Questions about the neutrality of justice delivered by elected representatives continue to be raised in public debate (Paudel, 2026).

Supporters reply that local politicians are accessible and accountable to voters, know the community, and can produce settlements that restore relationships rather than divide neighbors. The evidence base cannot yet settle this dispute. No study compares user trust or decision quality between committees headed by aligned and non-aligned deputies, or between committees with and without legal advisers.

Table 1

Summary of findings by efficiency dimension

Dimension	What the evidence shows	Strength of evidence
Inputs	Few members with legal training; unequal staff and budget; weak infrastructure	Moderate: consistent across monitoring, case studies and testimony

Dimension	What the evidence shows	Strength of evidence
Processes	Mediation-first; low cost; close to users; procedures not standardised	Moderate for cost and proximity; weak for timeliness
Outputs	Settlement or disposal rates of about 75 to 79 percent in studied sites	Weak to moderate: two sites with administrative data
Outcomes	Enforcement problems; legitimacy contested; gender gains with risks	Weak: mostly testimony and opinion

Discussion: A Political Economy Reading

Efficient in Output, Fragile in Outcome

The evidence supports a qualified conclusion. Where committees function, they settle a high share of cases cheaply and close to home. That is a real achievement for a system built from scratch after 2017 by mostly first-time office holders. However, the chain from output to outcome is weak. Enforcement gaps, contested legitimacy and the absence of quality checks mean that a settled case is not always a resolved dispute. In the terms of Section 2, Nepal's committees appear more efficient in outputs than in outcomes.

This gap is not mainly a technical problem. Training and manuals help, but the persistence of the same complaints from 2018 to 2026 suggests that deeper structural forces are at work. Four of them stand out.

The fusion of Politics and Adjudication

The constitution chose to place judicial authority in the hands of the deputy head of an elected executive. This was a deliberate trade-off. It gave the committee democratic legitimacy, local knowledge and immediate presence in every municipality, at almost no extra cost. It also created an incentive problem. A deputy mayor who will face voters, and who belongs to a party with local rivals, cannot easily appear neutral in a dispute between a party supporter and an opponent. Even where she acts fairly, the perception of bias weakens compliance, a result predicted by procedural justice theory (Tyler, 2006).

The Bar Association's proposal to restrict committees to mediation can be read in two ways. On one reading, it is a principled defense of due process: adjudication should be done by trained, independent judges. On another reading, it also reflects the professional interest of lawyers in keeping adjudication within a forum where legal representation is central. Both readings can be true at once. A political economy analysis does not dismiss the argument because of the interest, but it notes that reform proposals carry distributional consequences for different groups.

Intra-municipal Rivalry and Fiscal Dependence

The committee has judicial authority but no executive or fiscal autonomy. Its staff, rooms, budget and enforcement all come from the municipal executive, led by the mayor or chairperson. Where the two leaders cooperate, this works. Where they are rivals, the executive can starve the

committee of resources or decline to enforce its decisions (Pradhan, 2018b). This is an example of what North (1990) describes as a gap between formal rules and enforcement characteristics. The law grants power to the committee but gives others control over whether that power has effect.

The national pattern of women deputies and mostly male heads adds a gendered layer. Coordinators described the perception that the committee is a women's body in which male office bearers have no stake. When judicial work is seen as secondary to executive work, and executive work is mostly held by men, the committee's weak bargaining position inside the municipality is reinforced.

Unequal Capacity and the Risk of a Two-tier System

Decentralization can widen inequality when local capacity differs (Bardhan & Mookherjee, 2006). The evidence hints at this. Large cities with in-house lawyers report fewer problems, while smaller and poorer municipalities report shortages of staff, budget and space. If this pattern holds, citizens in remote rural municipalities, often the poorest and most marginalised, receive the weakest local justice. That outcome would reverse the equity rationale for the reform. Provinces such as Karnali and Sudurpashchim, where distances to district courts are long, have the most to gain from strong local justice but also the least studied committees.

Mediation, Harmony and Power

Mediation is attractive in Nepal because it fits social norms that value harmony and relationships (Timalsina, 2026). It is also cheap and quick. But comparative work on informal justice warns that mediation can reproduce existing power relations when one party is much stronger than the other (Wojkowska, 2006). In a dispute between a landowner and a tenant, or between a woman and her husband's family, an agreement may reflect who holds social power more than who holds rights. High settlement rates are therefore ambiguous. They may signal efficient justice, or they may signal effective pressure. Distinguishing between the two requires outcome data that the literature does not yet have.

Reading the Reform Debate

The current debate is often framed as a binary choice: keep the Judicial Committee as it is, or replace its adjudication role with local courts. The evidence suggests this framing is too narrow. The committee's strengths, namely proximity, low cost, mediation skills and local legitimacy, are real and would be lost if it were reduced to a referral desk. Its weaknesses, namely legal expertise, impartiality, enforcement and quality control, are also real and are unlikely to be solved by training alone. Hybrid designs deserve attention. Options include assigning a legally qualified adjudication officer to clusters of municipalities, creating provincial local courts for contested cases while committees retain mediation, or strengthening district court review of committee decisions. Comparable models exist in the region, including Gram Nyayalayas in India and village courts in Bangladesh (Paudel, 2026), though their own records are mixed and should be studied before borrowing.

Research Gaps and Future Agenda

The review identifies six major gaps. Each point to research that universities, the National Judicial Academy and provincial governments could carry out.

Gap	Why it matters	Suggested research
No national dataset on committee caseloads, disposal time or appeals	Efficiency claims cannot be tested or compared	Build a standard reporting format and a national or provincial case database
Geographic concentration in Bagmati and Koshi	Remote provinces may face very different conditions	Multi-site studies in Karnali and Sudurpashchim, including Kailali and Kanchanpur
No cost or time measures	Cannot compare committees with courts	Cost per case and time to disposal studies, using municipal records and user surveys
Outcomes not measured	Settlement does not equal justice	Follow-up surveys on compliance, durability and satisfaction 6 to 12 months after settlement
Little disaggregated data	Effects on women, Dalits and marginalised groups unknown	Outcomes broken down by gender, caste, ethnicity, disability and income
Political economy untested	Bias claims remain anecdotal	Compare committees where mayor and deputy are from the same or different parties; compare those with and without legal advisers

Two methodological shifts would add value. First, studies should move from description to comparison, using samples large enough to test what explains variation. Second, research should combine administrative data with the views of all stakeholders, including losing parties and people who chose not to use the committee. Their absence from the evidence base hides important information about trust and demand. The 2022 local elections also create a natural point of comparison. Committees now have a second cohort of coordinators, some of whom are re-elected and experienced. Studying whether performance improves with experience, and whether the gender composition of coordinators has changed, would help separate first-term start-up problems from structural ones.

Policy Implications and Conclusion

Policy Implications

The evidence, though limited, supports a set of practical reforms. They are grouped by the efficiency dimension they target.

Clarify the legal framework. The federal government should pass a dedicated law or detailed regulation on Judicial Committee procedure that defines the committee's legal status, clarifies the boundary between section 47(1) and 47(2) matters, sets time limits for each stage, and adjusts monetary thresholds for large cities. Provinces should decide, through their own law, whether and how to establish local judicial bodies under the constitution, rather than leaving the question to a pending writ.

Fund and staff the committees. Every committee needs a law officer or legal assistant, a hearing room and a basic case management system. Where small municipalities cannot afford a full-time legal officer, provinces could fund shared officers for clusters of rural municipalities. A ring-fenced conditional grant for local justice would reduce dependence on the municipal executive and protect committees from intra-municipal rivalry.

Professionalize without losing proximity. Training should be standardized, certified and coordinated, rather than offered in fragmented donor projects. It should cover substantive law, procedure, mediation ethics and gender sensitivity. Mediators should be appointed through transparent criteria, which addresses the political interference reported in Hetauda (Timalsina, 2026).

Strengthen enforcement. The law should state clearly which municipal officials must enforce committee decisions and within what time, with escalation to the district administration or district court when the executive fails to act. Mediated agreements should have a simple route to legal enforceability.

Protect impartiality and fairness. Members should be required to declare conflicts of interest and to recuse themselves where a party is a close relative or political associate. For disputes involving domestic violence, maintenance or serious power imbalance, the committee should follow a referral protocol linking it to police, shelters and legal aid, as the ICJ recommends.

Measure and publish performance. The Ministry of Federal Affairs and General Administration, working with provinces, should require each committee to report standard indicators each year, such as cases registered, settled, decided and pending; average time to disposal; appeals and reversals; and outcomes by gender and social group. Public reporting would also raise awareness, which officials identify as a key reason for low use.

Conclusion

The provision of Judical Committee is in operation since the implementation of Constitution of 2015 and Nine years after the first Judicial Committees began work, Nepal's experiment in local justice is neither the failure its critics describe nor the success its supporters claim. The limited evidence shows that committees can settle most of the disputes they receive, cheaply and close to the people who need them, largely through mediation. In that sense, local governments have become meaningful providers of judicial service. Women coordinators have taken on a public role in justice that was unthinkable a generation ago. Yet the committees' efficiency rests on weak foundations. Legal ambiguity, thin legal expertise, uneven resources, poor enforcement and the fusion of politics with adjudication limit how far good outputs translate into fair and lasting

outcomes for stakeholders. A political economy reading shows why these problems persist. They are built into how authority, money and political incentives are distributed inside the municipality and across the federal system. The most urgent need is better evidence. Without standard data on time, cost, compliance and fairness, the debate over whether to strengthen committees or replace them with local courts will continue to rest on opinion. A focused programme of comparative research, led in part by universities in the provinces, could give policymakers the facts they need to design a local justice system that is efficient, fair and trusted.

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