

CHAPTER II

EVOLUTION OF DISTRICT ADMINISTRATION

Land revenue administration, which is the topic of the present study, forms a part of District administration. Of the various territorial divisions big and small, the one that has become principal unit of administration and has an equivalent in almost every country except for semantic variation, is the district.

The Indian district has its parallels or counterparts in the British Welsh, American County, the French Department, the Scottish Region, the Chinese Hsien, the Malaysian Jajahan, the Nepalese Jilla, the Japanese Chi-ho and the Thai Amphose.¹

The Oxford English Dictionary defines the district as "A portion of territory marked off or defined for some special administrative or official purpose, or as the sphere of a particular officer or administrative body civil or ecclesiastical; e.g. a police, postal or revenue". Specially in British India it was a division or sub-division of a province or presidency constituting the most important unit of civil administration, having, at its head an officer called 'Magistrate and Collector', or 'Deputy Commissioner'. It corresponds to the Zillah of earlier times.²

This chapter traces the evolution of district administration from ancient period to the modern one with special emphasis on the land revenue administration. The evolution is studied broadly under following four periods i.e. Ancient period, Mughal period, British period and Post-independence period, particularly because the present district administration has a legacy of the past.

1. ANCIENT PERIOD

Since the beginning of history, society in India has been based on the principle of private property and of private property in land. This principle is recognised in the *Rigveda* which is the earliest document of Indians³. In the

ancient period i.e. *Vedic* phase , the King or Raja or Chief of territory had a right to a share in the produce of all cultivated land. *Bali* and *Sulka* are the two terms occurring in the vedic literature for land revenue.

To assist the King in administration various officers called *ratnins* were appointed. *Samagrahitri*, one of the ratnins, was considered as a Collector general, and he might correspond with the *Samaharta* of Kautilya, who was entrusted with the collection of land revenues. The *Bhagadugha*, another ratnin, was also entrusted with the functions of revenue collection⁴.

During the pre-Mauryan period, the fixation of revenue and its collection for the state by a set of officials were more important than anything else. The King's share was fixed at one sixth according to the *Dharmashastras*. Gautama gives a long list of taxes, while Apastamba exempts certain categories from taxation. Like a bee, taking honey from flower without destroying it, the king was to take taxes without injuring his subjects.⁵ During the period of natural calamities such as scarcity, heavy rainfall, flood etc. remission in land revenue was granted by the king. As the payment of land revenue had its attachment with the religious duties of man, it was considered as a moral obligation on the part of farmers to give one sixth of their produce to the king. While charging land revenue, no differentiation was made on the basis of categories of land such as irrigated, non-irrigated etc.

The credit of first systematic approach to divide country into divisions and sub-divisions for the purpose of administration goes to the Mauryas. The Mauryas, almost 2500 years ago created for the administration of their *Vijita* (empire) a territorial system consisting of *grama* (revenue village), *sthana* (a group of villages - a revenue circle - or in some cases a small taluka) the *vishya* (taluka or tahsil), *ahara* (district), the *pradesha* (division) and the *janapada* (province).⁶

A hierarchy of officials was appointed by the Samrat (emperor). Of the various officials, *Pradeshika*, *Rajuka* and *Yukta* were important officials. The

Pradeshika, one of the divisional officers, maintained law and order and exercised control over the entire division touring once every five years. The *Rajuka*⁷ and *Yukta* who were lower to him in status, very probably accompanied him. The *Rajuka* was connected with land, its surveying, measurement and assessment, deciding disputes among the contending parties. Thus, the revenue, judicial and to a certain extent executive functions were concentrated in *Rajuka* while his head *Pradeshika* exercised the powers of inspection.

During the Gupta Period the state was divided into *bhukti* (province), *vishaya* (district) and *grama* (village). The *Uparika*, *Vishayapati* and *gramika* were the chief officials of the three units respectively. The *Vishayapati*, the district officer was responsible for administering the state business in the district⁸. He had an advisory council representing different interests in the locality. The administrative affairs in a district were handled with the assistance of minor officials as record keeper, treasurer, accountants etc. working under the *Vishayapati*. This system continued till the rise of mughal rule in India.

While commenting on the Indian Administrative system S.N.Sadasivan has rightly observed that 'The first ever systematic organisation of territories for administrative purpose was done by the Mauryas (324-232 B.C.) and the pattern they evolved had been so foolproof that it stood the test of centuries to be adopted by all succeeding imperial powers, the Guptas, the Mughals and the British. The district administrative in India from the very outset has been highly centralised and in the Mauryan empire the *rajuka* (dist. officer) of the *ahara* (district) was invested with not only the executive and judicial powers but also military authority⁹.

2. MUGHAL PERIOD

The Mughal Empire, for the administrative purpose, was divided into three units as pargana, sarkar and suba.

1) **Pargana:** The head of the pargana or Shiqq as a fiscal unit was

*Shiqqadar*¹⁰ was both an executive and revenue head assisted by *Amil* and *Quanungo*¹¹.

2) **Sarkar**: This was the higher unit of administration than pargana. It was administered by two officers viz. a) the *Amalguzar* who was in charge of accounts, assessment and collection of revenue and b) *Faujdar* who was charged with Military functions.

3) **Suba**: This was the next higher administrative division corresponding to modern province. The provincial head or governor was called as the *Sipah-Salar*. He had under him the various departmental officers such as revenue officers called a) the *Khazandar* or *Fautadar (Potdar)* in charge of treasury and account duties and b) *Bitikchi*, the accountant, who was chief assistant at the treasury¹².

In the villages the Patwari or the village accountant was an important functionary. His duties have been specified in *Ain-i-Akbari*. Under the Mughals the Patwari was the village writer or accountant. He was employed on behalf of the agriculturists and was paid one percent commission on the collection made under the head *Sad-doi* of Patwari. He was authorised to collect money and deposit it in the pargana treasury. He maintained in the local language a complete account of all collections made by the *Amil*.¹³

Thus during the Mughal period, the collection of revenue was vested in an officer called *Amil* or *Amalguzar*. He exercised a certain degree of judicial authority in the settlement of disputed claims and performed certain functions relating to law and order. Similar functions were also assigned to *Zamindars*. The head of the district was *Faujdar*, a military officer under the direct supervision of *Subedar*¹⁴.

3. BRITISH PERIOD

The present institution of Collector is the legacy of the British rule in India. For the sake of convenience this period is divided into two parts as A) East India Company's Rule 1765 to 1857 and B) British Rule 1858 to 1947.

A- East India Company's Rule. 1765 to 1858 :

Till 1765, the main object of the East India Company was trade and commerce in India. The administration of revenue, therefore, was simple and restricted to a few districts adjoining Calcutta. But in 1765, the company obtained from the Emperor of Delhi the grant of Diwani rights of the three provinces of Bengal, Bihar and Orissa. It included not only the administration of revenue but also civil justice¹⁵. This was the starting point of British revenue administration in Bengal. For the sake of administration the provinces were divided into districts.

The East India Company however, did not immediately take upon itself the task of the actual collection of revenue. It delegated that work to the Naib Diwans appointed by it. But when the collections did not equalise the assessments, the Company felt that it had been defrauded by the Naib Diwans, and their India officials.¹⁶

In 1769, the Company appointed Covenanted Servants as supervisors of the district with the powers of superintending the native officers employed in collecting the revenue and charged with the duty of enquiring into the history of provinces and preparation of rent rolls. The plan of supervisors also failed as the revenue collected was not to the expected level.

In these circumstances, Warren Hastings, the Governor of Bengal, appointed supervisors as Collectors from 14th May 1772¹⁷. The Collector was given special executive powers for collection of land revenue and inquiry rights also. The judicial work, in the cases of land rights, land reforms and ownership of land was also assigned to the Collector. He was the Chief-justice in the matters of criminal and revenue cases in the district.

Due to the appointment of Collectors, the civil expenses increased and Court of Directors did not approve the plan. So the Collectors were recalled and appointed at the Provincial Council consisting of a group of districts. In 1781 the provincial councils were abolished and District Collectors were

appointed¹⁸. In 1786-87, the administration of revenue, civil, justice and magistracy were united in the office of the Collector which brought simplicity and efficiency¹⁹. Due to concentration of powers, the Collector, virtually became a despot, more powerful than any of the district functionaries known to the Mughal constitution²⁰.

Separation of Powers:

Due to vast powers of the Collectors, the Zamindars were dissatisfied and they brought pressure on the Company to reduce those powers. With the amendment in regulation 2 of 1793, the revenue courts under Collector were abolished. The Collectors' magisterial duties were likewise transferred to the judges of Civil Courts²¹.

Partial Restoration of Powers 1794-1834:

The separation of powers, though founded on strict principles of justice, could not work in practice. The transfer of revenue suits led to an enormous increase in the volume of litigation which it was humanly impossible for civil courts to cope with. Under section 13 of regulation 8 of 1794, the judges had, therefore, to be authorised to refer to revenue accounts to the enquiry of the Collectors, the adjustment which was necessary for the determination of civil suits. Later, in 1812, the judges were required to refer to the Collector all cases of distrained property for enquiry and report.

The regulation of 1821, restored the Collector's magisterial powers while regulation of 1822 restored his judicial authority exercisable in the settlement of land revenue as also in the preservation of law and order.

With the 19th Century came a rapid territorial expansion. The downfall of the Peshwa in 1818 gave the Company enormous additional territory which included certain parts of Gujarat, the whole of Deccan, Khandesh and some districts of Dharwar. The ceded areas were placed in charge of a Collector armed with powers similar to those possessed by the Collector in Bengal. The Bombay arrangements, however, differed from the Bengal system in two

respects. Firstly, no Board of Revenue was created in Bombay and secondly the districts were restricted in size so as to allow of their being more easily administered than was the case with large and unwieldy districts of Bengal²²

In 1827, the Bombay Code defined the duties and powers of Collector in respect of assessment and collection, invested him with the powers of Magistrate, and in addition authorised him to decide certain civil suits and to try claims of exemption from the payment of land revenue²³. The tahsildars were also invested with revenue, police and judicial functions within their respective jurisdictions in Madras, Bombay and the North-West Province.

Appointment of Divisional Commissioners:

With a view to organise the administration in the districts on a uniform basis, the Divisional Commissioners were appointed in 1830 by the Bombay Regulation V of 1830.²⁴ They were charged with important functions relating to i) administration of Land and Land Revenue matters with appellate and revisionary powers vested in them under the Bombay Land Revenue Code, Court of Wards and other allied Acts. ii) General supervision and control over the departments such as police, forest, rural development, civil supplies etc. They were also expected to co-ordinate the work of district officers of other departments and advise Government on the question of administrative policy from the personal knowledge of district conditions. They were invested with powers of supervision and control over local bodies like Municipalities, District Local Boards and Village Panchayats.

The Royal Commission on Decentralisation (1907-9) reported that Madras remained strongly opposed to having commissioners for it argued that 'such a measure would dwarf the authority of Collectors'.²⁵

Various new departments were created after 1832 and their district heads were appointed but they had to work under the general control of the Collector of the district. District Superintendent of Police was appointed in 1852²⁶ followed by the appointments of District Executive Engineer, District Medical Officer etc.

B) British Period : 1858 to 1947:

The Act of 1858 declared that henceforth, 'India shall be governed by and in the name of the Queen' and vested in the Queen all the territories and powers of the Company. However, the Government of India was to be carried on by the Viceroy on behalf of the Queen. To protect the interests of the British Government and to maintain law and order the two offices of Collector and Magistrate were reunited in the provinces where Cornwallis system prevailed. The Collector-Magistrate became the head of the district in 1859 and this conception remained basically unaltered until the country attained independence²⁷.

The period of 50 years that followed the 'Mutiny' in 1857 was one of peace, and the problems of Collectors arose not from internal disquiet or external invasion, but from the expansion of state activity in such fields as municipal and local bodies, the developments of roads and railways, commerce and industry, collection of statistics, agriculture and co-operation, cadastral surveys, control of epidemic and famines.

The establishment of highly centralised departments, elected bodies as District Local Boards, passing the various Acts and Codes after 1861 such as Land Revenue, Tenancy and Forest Acts, the Penal Code, Civil Procedure Code, the Criminal Procedure Code curtailed the executive authority of the District Officer, and his sphere of action was further reduced by the development of technical departments, not directly under his control and tending to become more and more centralised.²⁸.

The Collector was to exercise, as the head of the district, the general controlling authority over all the departments in each district. Through this, the Collector got power of seeking information and giving general guidance to any departmental officer functioning in the district, without concerning himself with their day-to-day administration unless required by the Government to do so. Thus the purely 'technical' functions of these specialised departments were left

to their own officers but the District Collector was given adequate authority to guide and co-ordinate. As observed by R.K. Vepa,²⁹ 'The Collector would be the Officer to report to the Government on the activities of all departments, but the reports were of general nature to indicate whether Govt. policy was being followed or not; he also wrote at the end of the year the confidential assessments on the work of each officer'.

While commenting on the position of the District Collector after 1857, the Royal Commission on Decentralisation³⁰ observed in 1909. "Originally Collectors and their subordinates were responsible for almost all the administrative work of their districts, subject to the superintendence of Commissioners and Board of Revenue. During the last fifty years, however, separate administrative departments have been gradually evolved, the most important of which are those dealing with public works, education, police, forests, medical, sanitation, prisons etc. These departments have their own separate staff and heads in each province."

The years 1905-10 constituted a period of confusion and disunity with the partition of Bengal followed by the 'Swadeshi' agitation.³¹ The Royal Commission on Decentralisation in 1909 tended to boost up the authority of Collector and Collector was termed as the supreme head of the district and the sole representative of the government in the field. He was more than a *primus inter pares* and still wielded great political, administrative and judicial powers³².

The period 1919 to 1947 was a crucial test of the administration of Collectors. They had to tackle several problems. Violence had increased due to the revivalist nationalism. Hindu-Muslim riots also increased during this period. Due to the growth of industry, problems of factory workers also emerged. Due to the system of dyarchy the responsibility of some subjects was assigned to the local self-government institutions. It pushed the Collector into the background as the views of Legislative Council and local politicians came to

carry more weight. The powers of the Collector were sufficiently reduced and now his main duties were 'of managing the fabric of government and securing a good part of revenue needed for such maintenance as well as for the benevolent activities of the government in which he has no longer much share.'³³

While commenting on the role of the district officer after 1919, A.K. Ghosal³⁴ observed that "the role of the district officer in the new regime was, however, reduced to that of a co-ordinating agency instead of unifying agency that acted so far".

The introduction of the provincial autonomy (1937) enlarged the spheres of Collector's activity. When provincial autonomy started functioning many members of the superior services resigned knowing that they would not be able to pull on under the national leaders some of whom they had often maltreated under the previous regime³⁵.

By 1939, in addition to the functions of law and order, collection of revenue, land records etc. the Collector was to look after rural development, co-operative movements and the village panchayats. The Collector found himself faced with more complex and comprehensive problems and was expected to show more deference to popular opinion and to justify his actions when criticised by the members of legislature³⁶.

With the outbreak of Second World War in 1939, the Congress Ministry resigned and additional responsibilities were assigned to the Collector. The Collector was made incharge of the emergency recruitment to the armed forces, provisioning of the troops, taking care of the family of soldiers and sailors on the battlefields, etc. New departments like Food and Civil Supplies were set up and control, supply, procurement and rationing came under his control.

Thus, at the time of India's Independence, the Collector had established himself as the Chief agent of the government at the district level, head of

the police, the magistracy, and the revenue administration and the repository of all executive authority of the government. The office of the Collector is thus a very important legacy of the British to the Indian Administrative System.³⁷

The position of the Collector at the time of Independence is perfectly described by Parmatma Sharan³⁸ as "The District Collector had become the executive, chief and administrator of the area under his jurisdiction and as such he was supreme over everyone and everything except the courts. He was respected, feared and trusted by the people, in common parlance he was '*mai-baap*' (mother and father) of the people".

4. POST INDEPENDENCE PERIOD

After independence many changes have taken place in the district administration. Every state appointed its reorganisation commissions but no change has taken place in the organisation of the Collectorate. Due to various acts and creation of independent organisations at the district level, the powers of district Collector have been curtailed while many new functions have been added resulting into Collector as an overburdened official.

With the implementation of Panchayati Raj Institutions in many States, there is direct involvement of Collector in the developmental function through Panchayati Raj. Some states have given limited scope in the direct involvement of the Collector but in almost all the States Collector is given the powers of control over all the local self-government institutions in the district. Collector has to work under democratic government where the principle of decentralisation of power is most important.

At present there are many district level departments outside the District Collectorate i.e. Agriculture, Irrigation, Education, Building and Communication, Co-operation, Police, Jails, Excise and Prohibition etc. There was a large controversy about the role of specialists and generalists. The specialists wanted to have final say about their departmental decisions in the district. The

Administrative Reforms Commission considered this issue and recommended that the powers of Collector as a co-ordinator of all district departments should not be curtailed. There must be some definite agency at the district level to work as representative of the State Government.³⁹

The Collector is directly in charge of Revenue Administration and of all general administration which does not specifically fall in the sphere of other departments, and all such functions for which there is no district head in the district. Such functions are for example food and civil supplies, administration of controls, census, elections, scarcity and local calamities. He is also the ex-officio Deputy Commissioner of Industries in the District. The Collector is also the District Magistrate and has overall responsibility for law and order. Through various statutory and non-statutory committees, he is connected with the administration of other non-development departments and activities such as jails and prisons, employment exchange. In the capacity of O & M officer of Government, he is expected to visit the District Offices and examine the procedure of work with the view to improve the efficiency⁴⁰.

Collectorate Reforms in Maharashtra:

After independence the Central Govt. as well as the State Govt. appointed various Committees and Commissions to improve the administration from various angles. In Maharashtra following reformatory measures⁴¹. were adopted.

1) **Pimputkar Committee** : The Committee under the stewardship of Shri. M.G. Pimputkar was appointed to suggest methods of improving revenue administration. The Committee submitted its report in 1958. Government accepted its recommendations about the norms of appointment of revenue officers.

2) **Committee on Democratic Decentralisation:** V.P. Naik (Chairman)

As per recommendations of this Committee the District Collector was given the controlling powers over Panchayati Raj but was kept out of the structure having no responsibility of developmental functions.

3) **Administrative Reorganisation Committee:** In 1962, the Government of

Maharashtra appointed the committee under the Chairmanship of Shri. S.G. Barve, the then Finance Minister. Among other subjects the committee had considered matters relating to land administration, Taluka and Village administration and redressal of public grievances.

4) **Heble Commission:** In 1968, Shri. M.N.Heble, Commissioner was appointed to consider administrative reorganisation of different departments and suggest measures for improvement.He considered the problem of inefficiency, Development Administration and Panchayati Raj at the District, Block and Village levels, role of the Collector and Divisional Commissioner in the Panchayati Raj Administration. Out of 277 recommendations about reorganisation, the government accepted and implemented 175.

The role of District Collector is the most important one in the State Administration. He is vested with powers under various legislations. The Bongirwar Report⁴² enumerates the list of 65 enactments (Central and State Govt. Acts, Rules and Codes) conferring powers and functions upon the Collector and District Magistrate.

The Collectorate and its field organisations at Taluka level are called as revenue offices. Recently, the workload of revenue offices has increased enormously on account of greater social and political awareness among the people. There is also increase in litigation. Moreover, the revenue administration is subjected to strain on account of certain type of work which it has to handle at very short notice or on a priority basis such as work in connection with natural calamities, food and civil supplies, land reforms election, census etc.As the revenue staff is used to perform these functions it results in very unsatisfactory performance of the land revenue functions.

Though the powers and functions of the District Collector were changed from time to time he occupies a pivotal position in the district.

To understand the multifarious functions performed by the Collector in general and land revenue functions in particular it is necessary to understand

the organization of the Collectorate.

GENERAL OBSERVATIONS:

The District is the unit of territorial administration in most of the countries. Though it is a creation of British rule in India, similar organisations were in existence right from the ancient period.

For the sake of convenience, the review of the evolution of district administration, with special reference to land revenue administration, is studied under four periods.

In the Ancient period i.e. Vedic phase the King or Raja had right to a share in the produce of all cultivated land. It was considered as a religious duty of producer to give one sixth of his produce to the King. The officers like *Samagrahitri*, *Bhagadugha* were entrusted with the work of land revenue collection. The first systematic organisation of territories for administrative purpose was done by the Mauryas (324-232 B.C.). The empire was divided & subdivided into six units such as *grama*, *sthana*, *vishya*, *ahara*, *pradesh* and *janapada*. The *Rajuka* (District Officer) of the *ahara* (district) was invested with not only executive and judicial powers but also military authority.

During Gupta period the *Vishayapati* the head of the *Vishya* (District) was a multifarious functionary. He was responsible for administering the state business in the district.

The Mughal Empire for the administrative purpose was divided into 3 units as *pargana*, *sarkar* & *suba*. The collection of land revenue at the *Sarkar* (district) level was entrusted to an officer called *Amil* or *Amalgyzar*. He also exercised the judicial authority and performed functions relating to law and order. The head of the district was *Faujdar* a Military Officer under the direct supervision of *Subedar*.

The East India Company obtained from the Emperor of Delhi the grant of *Diwani* rights of the three provinces of Bengal, Bihar and Orissa. For the sake of revenue administration and civil justice, the provinces were divided into

districts. The supervisors assigned the duty of collection of land revenue were appointed as the Collectors of the district in 1772. The present institution of Collector is in existence for a period of about two and a quarter centuries.

In the beginning, the Collector was assigned the total charge of the district in respect of land revenue, judicial and magisterial powers. Due to concentration of powers, the authority of the Collector resembled like a despot. Since 1830 the Commissioners were appointed to supervise the work of Collectors. However, after 1857 the situation changed. Creation of specialised departments, local self-government institutions resulted into diminishing the powers of the Collector but in the capacity of co-ordinator of all the district level departments in a district, the importance of the District-Collector still prevailed.

By 1939, in addition to the functions of collection of land revenue, law and order, land records etc. the Collector was to look after rural development, co-operative movement and village panchayats. With the outbreak of World War II his powers were still increased. He became supreme over every one and everything except the courts. He was respected, feared and trusted by the people and in common parlance he was '*Mai-baap*' of the people.

After independence many changes have taken place in the district administration. The spirit of democratic decentralisation and separation of executive powers from judicial one resulted into decreasing the powers of the Collector but many new powers have been vested in him. In spite of creation of specialist departments the role of Collector is important as he acts as a co-ordinator of all district level departments. He works as the representative of the State Government at the District level and empowered under 65 enactments of State and Central Government.

It can be concluded that all through the ages in India, the district has been the principal area of state activities and after independence and the adoption of planned development, its importance has considerably been increased. The administration of the district remained heavily centralised under the overall control of a single officer who always was regarded as the representative of the government in his jurisdiction.

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