

CHAPTER III

DISTRICT COLLECTORATE - ORGANISATION

The study of the administration of the land revenue in a district involves the study of the organisation of the Collectorate. Based on the concept of area administration the Collectorate functions as an executive agency for many departments of the State Government. Before explaining the organisation of the Collectorate, therefore, a brief review of the organisation of the State Government in Maharashtra has been taken in this chapter. In addition, the duties and functions of the District Collector and the changing role of the District Collector in general have also been outlined.

1. ORGANISATION OF THE GOVERNMENT OF MAHARASHTRA

Out of the three branches of the Government, viz. Legislative, Judicial and Executive the present study relates mainly to the executive branch.

The Governor and the Council of Ministers headed by the Chief Minister are at the apex of the organisation. They are advised and assisted by the Mantralaya, which is divided into a number of Departments. Below the Mantralaya are the executive departments of the Government. They are organised territorially at the regional, district, taluka and in some cases even village levels.

Mantralaya Departments:

At the time of the formation of the Maharashtra State on 1st May 1960, there were 12 Mantralaya Departments, while at present there are 21 Mantralaya Departments¹.

Each department of the Mantralaya is headed by a Secretary who, except in the case of the Law and Judiciary Department, the Public Works Dept. and the Irrigation Department, is a member of the Indian Administrative Service (I.A.S.). Many large Departments have two or more secretaries. Below the

secretary of each Department, the hierarchy consists of Joint/Deputy Secretaries and Under Secretaries (Class I) either from the I.A.S. or the Mantralaya Services or from an Executive Department under the Mantralaya; Section Officers (Class II) appointed by promotion of Assistants in the Mantralaya and Assistants (non-gazetted) (Class III) recruited partly by direct recruitment through the Public Service Commission and partly by promotion from clerks appointed through direct recruitment.

Revenue Department:

Revenue Department has a unique place in the machinery of the Government of the State. There is no single Head for this Department. There are Six Divisional Commissioners each in charge of a Revenue Division and 31 Collectors each in charge of a district. The field organisation of the Revenue Department, which formed the backbone of the colonial administration, still occupies a pivotal position and is the repository of all Government functions which do not fall within the sphere of any other Department.

The Commissioner and the Collector are in charge of the planning function at the Divisional and District levels respectively which requires co-ordination of the programmes of all the Departments. They are often called the “eyes and ears” and sometimes even “the hands of Government”.²

At the Mantralaya level all the aspects of land management are dealt with in the Revenue and Forest Department which also deals with forests and relief operations in times of drought and natural or man made disasters. There are three Secretaries in the Department, one mostly in charge of land and land revenue matters, the second mainly in charge of forests and the third in charge of relief operations.³

Organisation of the Department

The organisational pattern of the revenue areas in the state is governed by the Maharashtra Land Revenue Code, 1966 (Henceforth written as MLRC, 1966). The State of Maharashtra is divided into six revenue Divisions viz.,

Konkan, Pune, Nashik, Amravati, Nagpur & Aurangabad.

The Chief controlling authority in the Division is the Commissioner. The State Govt. has power of superintendence, direction and control over commissioner.⁴ The State Govt. appoints a Commissioner for each Division. To assist the Commissioner, Additional Commissioner and Assistant Commissioners in each division are also appointed. They are subordinate to the Commissioner.

The Commissioner of the Division is of the rank of Secretary to Government and is invested with powers and functions not only under the laws relating to land and land revenue but also under several other Acts viz., the Criminal Procedure Code, the Acts relating to Zilla Parishad and Municipal Council and schemes such as Employment Guarantee Scheme. The Commissioner is also the Vice-Chairman of the District Planning & Development Council (D.P.D.C.)⁵

Allied Departments:

There are three departments which are closely allied to the Revenue and Forest Department.

i) **Land Records Department:** The Department is headed by the Settlement Commissioner and Director of Land Records who is an I.A.S. Officer of the rank of the Secretary. At the Divisional level, there is Deputy Director of Land Records and at the District level the Superintendent of Land Records who acts as the adviser to the Collector in all matters connected with the land records, measurement work and maintenance of Record of Rights.

The office of District Inspector of Land Records has been abolished and decentralisation has been done by creating taluka level offices of Taluka Inspector of Land Records (TILR) with effect from 1-10-1994. The District Collector is declared as ex-officio, 'Deputy Director of Land Records' and as 'Survey Officer'. Thus, all other offices of the department in the district are subordinate to the District Collector⁵.

The main function of the department is to survey lands, prepare survey

records, and to conduct periodical revenue settlement operations and revise the agricultural assessment of land. The survey records are essential for the land acquisition, preparation of development plans and settlement of land disputes. Implementation of the Bombay Prevention of Fragmentation and Consolidation of Holdings Act, 1947 is also one of the important function of the department.

ii) **Registration Department:**

The Settlement Commissioner and Director of Land Records is also the Inspector General of Registration. This department does not have any organisation at the Divisional level but at the District level the Collector is ex-officio District Registrar. The Joint District Registrar acts as the District Registrar subject to the overall supervision of the Collector. At the Taluka level, there is a Sub-Registrar who maintains a true copy of every document registered.

iii) **Stamps Department:**

The Inspector General of Registration is the Chief Controlling Revenue Authority for stamps except for Greater Bombay where the powers are granted to the Collector.

The sale of stamps is done through salaried stamp vendors in Greater Bombay and through licensed stamp vendors in the suburbs.

In the districts, the sale of stamps of denominations upto Rs.600 is done mostly through licensed stamp vendors who are supplied stamps by the treasuries or sub-treasuries. Matters such as adjudication of stamp duty, grant of refunds etc. are attended to by the respective Collectors.⁷ The Inspector General of Registration is the appellate authority against the decision of the Collector.

2. ORGANISATION OF THE COLLECTORATE:

The Collectorate is located at the District Headquarters in every district. The organisation of the Collectorate follows more or less a uniform pattern.⁸

The office is divided into a number of branches. Depending upon the nature and extent of work, some of the branches are created on temporary basis while others on permanent basis.

The Collectorate is headed by the District Collector, an I.A.S. Officer. He is assisted by a team of Deputy Collectors belonging to the State Class I cadre, viz. Resident Deputy Collector, Deputy Collector (Employment Guarantee Scheme), District Supply Officer, Resettlement Officer, Sub-Divisional Officers and Special Land Acquisition Officers. These officers are further assisted by the officers in Tahsildar's cadre working as head of the branches in the Collectorate.

Till 1940, the Collector had no assistance from the gazetted rank to share the burden with him. The first gazetted assistant was given to the Collector during the peak years of World War II. He was designated differently in different provinces. In Tamil Nadu he was under-designated as personal assistant, but in Maharashtra as Resident Deputy Collector⁹ (R.D.C.). The R.D.C. has the authority of an Additional District Magistrate. He is incharge of routine duties, office work and hears appeals in revenue cases and in cases under the Criminal Procedure Code.¹⁰

As the District Collector was a overburdened executive, there was need to relieve him from some of the work. The posts of Additional Collector were created in districts with heavy work load at Bombay, Pune and Nagpur. According to the recommendations of the Bongirwar Study Group, Government of Maharashtra created a post of Additional Collector for each district¹¹ from 28th January, 1992.

To achieve uniformity in the Collectorate administration throughout the state, and to evaluate the work of the concerned officer by the Commissioner, the Government has made the division of work between the Collector and Additional Collector.¹² The list of this division of work is given in the Annexures at the end of this Chapter. Annexure 'A' indicates 36 subjects to be allotted

to the District Collector and Annexure 'B' indicates 28 subjects to be allotted to the Additional Collector.

Despite the fact that the Additional Collector works functionally independent of the Collector so far as the subjects assigned to him are concerned, the Study Group recommended that he should work under the overall control and supervision of the Collector. Confidential report of the Additional Collector should, therefore, be initiated by the Collector and reviewed by the Commissioner. The Collector should have authority to call or any file from Additional Collector on the subject pertaining to him, and pass orders as deemed necessary. This is necessary to preserve the authority and the supervisory control of the Collector as "Head of the District" and also as head of "Revenue Administration"¹³.

Though the general pattern of the Collectorate is by and large same, there are variations in the number of posts for discharging a function and also in the designations given to the officers in the various districts of the Maharashtra.¹⁴

3. DUTIES AND FUNCTIONS OF THE DISTRICT COLLECTOR

Each district in India has an officer-in-charge, who represents the State Government in that area in the capacity of District Collector, District Magistrate and District Officer. He bears the official title of 'Collector' in Andhra Pradesh, Bihar, Gujarat, Kerala, Madhya Pradesh, Maharashtra, Tamil Nadu, Orrissa and Rajasthan; 'Deputy Commissioner' in Assam, Jammu and Kashmir, Karnataka and Punjab and 'District Magistrate' in Uttar Pradesh and West Bengal. But he is customarily referred to as the Collector.¹⁵

The Collector belongs to the Indian Administration Service and is appointed under the Land Revenue Code and vested with powers under the various Central and State laws either by express provisions or by delegation. He is allotted to a State in accordance with the existing scheme of I.A.S. The I.A.S.

consists of direct recruits and promotees from the State Civil Services. Therefore, I.A.S. direct recruits are posted as Collectors in their twenties whereas the promotees in their fifties.

Recruitment and Training of the Collector:

Recruitment into the I.A.S. is controlled by the Union Public Service Commission (U.P.S.C.) and is made through competitive examination conducted by the U.P.S.C. on all India basis. Intensive training is imparted to the trainees.

The I.A.S., being on All India Service, majority of its members are posted in States other than those from which they come. This policy is based upon the assumption that these officers would be above local politics and other petty considerations and hence be more independent and impartial in performing their duties.¹⁶

The District Collector belongs to the General Administration Department of the State Government while the officials over whom he exercises control and supervision belong to a variety of departments in the district hierarchy of which he may or may not have a formal assignment.¹⁷

Multifarious functions of the District Collector

The District Collector in India has to perform multifarious functions assigned under various Acts. These functions can be described in various ways. Dr. Tawale, Kshire and others have grouped¹⁸ these functions broadly in two groups as follows:

- i) **Regularly Functions:** These relate to public safety and maintenance of law and order, revenue administration concerning assessment and collection of land revenue, land reforms, land acquisition, control, regulation and distribution of food grains and civil supplies.
- ii) **Developmental Functions:** These include the most important functions relating to agricultural production, irrigation, animal husbandry, fisheries etc. Welfare activities include public health, education, social welfare, welfare of backward class communities. In addition to this the functions as holding

elections, census work, relief operations in the emergence of natural calamities and acting as the Chief agent of the government in the district are also performed by him.

In Maharashtra, most of the developmental functions have been transferred to the Zilla Parishad yet, the District Collector has been assigned an important role of co-ordinating the developmental activities of the district.

Before independence maintenance of British Rule was the most important function of the Collector along with the Collection of land revenue. Protection of law and order and administration of criminal justice was the next important work for him. For this, he was vested with the judicial and magisterial powers. He was to carry on administration without any consultation with the people.

The advent of independence brought out a series of changes in the socio-economic and political fields resulting into subtraction and addition in the previous powers and duties of the Collector. Before considering the changing role of the Collector, it is necessary to consider the conventional role of the Collector.

Conventional Role of the Collector:

The conventional role of the Collector may be broadly grouped into following seven categories viz. revenue administration, criminal administration, chief of the District Administration, representative of the Government at the District level, developmental administration, crisis management and miscellaneous duties.

A. Revenue Administration:

District is the primary unit of Revenue Administration. The post of the Collector was created by the British mainly for the revenue collection. As the head of the revenue administration, the Collector is responsible for seeing that

- i) Government revenue, cess and other dues are collected and credited into the treasury in time.
- ii) Land revenue records are maintained accurately and updated so that citizens know exactly what their rights are in respect of the land they own or possess.
- iii) All revenue cases, in which citizens' rights to

possess land are in dispute, are disposed of quickly and impartially iv) The Government property in his district are well carried for.

In the performance of his duties connected with revenue administration the District Collector is assisted by Additional Collector, Resident Deputy Collector and other deputy Collectors, Sub-Divisional Officers and Tahsildars at the Taluka level.

All the land revenue functions of the Collector have been discussed in detail in the Chapters V and VI.

B. Criminal Administration:

The District Collector also functions as the District Magistrate responsible for the maintenance of law and order in the district. He has wide preventive powers under the Criminal Procedure Code which are sometimes supplemented by special powers of detention without trial. His position in this context assumes greater significance looking to the social, political and communal tensions that threaten the law and order situation so frequently. Further, no amount of development can take place unless peace and tranquility are maintained. The police, the judiciary and the jails are the three elements¹⁹ involved in this function.

With the spirit of implementation of the Directive Principles of State Policy²⁰ the separation between executive and judicial functions was brought about in Maharashtra by an Act in 1951. The Bombay separation of Judicial and Executive Functions Act, 1951 was enforced throughout the State of Bombay on July 1st 1953. The Act created two classes of Magistrates, Judicial and Executive. All Judicial Magistrates are subordinate to the District and Sessions Judge while the Executive Magistrates are subordinate to the Collector as District Magistrate. The category of Executive Magistrates included District Magistrate, Sub-Divisional Magistrates, Taluka Magistrates and Special Executive Magistrates.²¹ The Criminal Procedure Code; 1973 has placed the function of judicial trial in the hands of the 'Judicial Magistrates' who are members of



the judiciary and are under the complete control of High Court.²²

The Police administration in the district is vested in the District Superintendent of Police who is subject to general control and direction of the District Magistrate. Bombay Police Act, 1951 clearly lays down that the District Superintendent and the police force shall be under the control of District Magistrate²³(S.17). The Collector does not interfere into the day to day administration of the Police Department. He is kept informed about the law and order situation in the district by the Superintendent of Police. The annual police administration report and the confidential report of the S.P. is forwarded after scrutiny and remark of the District Magistrate. Inspection of Jails and Police Station is also done by the Collector.

C. Head of the District Administration:

The District Collector is traditionally acknowledged as the Head of the District Administration. Most of the departments are represented at the district level by their own officers viz. police, excise, medical, public Health, forest, education, agriculture, co-operation, industry, information, planning etc.

The Collector is expected to see that nothing goes wrong in his District. He is supposed to compose differences between other officers. His role as the Head of the District Administration is clearly defined by the Bengal Administrative Enquiry Committee²⁴ as "He cannot compel. He is regarded as responsible for stimulating the activities of the officers of other Departments, but he has no real control over them, and although they are under an obligation to keep him informed of their activities, the extent to which this obligation is discharged depends in most cases on the personal factor".

The Collector's role of co-ordination and integration of the activities of different departments is of crucial importance. Whenever some special campaigns are started in the district like Tribal Development Programme or whenever special directives have been issued by the State Government regarding policy matters of some development the Collector organizes co-

ordination meetings of the heads of the concerned departments. They are given directions as well as their problems in the ambit of the Collector are solved.

District Collector is involved in a network of interrelationship with other district level functionaries, who may be classified into the following three²⁵ categories.

- i) Officers whose head at the district level is the Collector in all matters and who represent departments having no distinct district head of their own e.g. The Tahsildar.
- ii) Officers whose head at the district level is the Collector for only administrative and certain disciplinary matters but who in technical matters are under the control of their own district level officer e.g. The District Agricultural Officer, the District Industry Officer etc.
- iii) Officers who are themselves heads at district level of their field staff but are made subordinate to the Collector only in certain specified matters. Apart from these they are under the control of their own respective regional officers e.g. the Civil Surgeon, the Assistant Registrar of Co-operative Society etc.

The influence of the Collector is strengthened by the fact that he writes the character role of most of the District Level Officers, sanctions casual leave to them, approves their tour programmes, calls for their explanation in consultation with the head of the department. In his capacity as the Chief representative of Government²⁶, the Collector also exercises some powers of general supervision and control over the development administration.

The Head of the District Administration should consider the officials in the district as his comrades and while he is a senior comrade, they have also to play their part in a planned economy, and the administrative service. The Collector or the Deputy Commissioner as the Head of the District Administration is the nerve centre²⁷ of all the government activities in the District Administration.

D. Representative of the Government at the District Level:

The Collector represents Government in all departments which do not have a District Head in the district and also in respect of such residuary functions as elections, census, civil supplies, procurement and distribution of food and such other matters.²⁸ Whenever some new scheme is started by the Government for the implementation of which there is no organisation, it is allotted to the Collector for implementation as this is the only department having its organisational contact upto the village level.

The Collector is the Returning Officer for elections to Parliamentary and Vidhan Sabha Constituencies. Elections of local self-governments and co-operative banks are also conducted under his supervision and control. In 1994, for the first time the Identity Cards were to be given to the voters. This function was assigned to the Collectors. The revenue staff was busy in this matter for seven months. The power of observance of the Code of conduct of election was also given to the District Collector. He had to make arrangements to see that the code of conduct '*Achar Samhita*' was observed.

Conduct of the examination centre of the State Public Service Commission and Staff Selection Board (subordinate) is also assigned to the Collector. Application forms for the vocational courses of medical, engineering, pharmacy, architecture faculties are also sold through the District Collectorate.

Whenever people or political parties arrange 'Morchas' led to the Collectorate or '*Dharnas*' arranged before it, as a representative of State Government,²⁹ he has to face the leaders and accept their demands so as to send it to the concerned ministry.

E. Developmental Administration

After independence the developmental activities were given priority for the overall development of the nation. Balwantrai Mehta Committee recommended a three tier Panchayati Raj System to achieve democratic decentralisation as well as development through it. Collector was given prominent role in the

Panchayati Raj model proposed by the committee.

When the States implemented the Panchayati Raj(P.R.) system, some changes were made in the composition of the Panchayati Raj. In some states like Tamil Nadu, Kerala and till recently in Karnataka he has been made the pivote of the development but in some other states like Gujarat and Maharashtra, he is given few functions peripheral to it.³⁰

To relieve the Collector from overburdening of the work, in Maharashtra Zilla Parishad and Panchayat Samiti Act, 1962, provision was made to appoint a Chief Executive Officer of the IAS grade in Zilla Parishad (Z.P.). The Collector is mainly concerned with the enforcement of the provisions relating to elections, voting rights etc. of the members of Z.P. and Panchayat Samitis, audit report and selection of staff of class III & IV services. According to the Maharashtra Municipal Council Act, 1965, he has been given greater powers of control over the Municipalities in the district.

In 1975, the planning function was transferred³¹ from Z.P. to the District Collectorate and a new body viz. District Planning and Development Council (D.P.D.C.) was created of which the Collector is the member secretary.

Thus in Maharashtra, the role of the District Collector in Development Administration has been limited to hold meetings of the co-ordination committee to wipe out the hinderences in the way of developmental activities and to participate in the planning activities as a member secretary of the D.P.D.C.

F. Crisis Management:

The Collector plays an importance role during the moments of crisis generated by floods, droughts, earthquakes, scarcity etc. Infact, his management of the crisis depends on his ability to react quickly to a situation as far as the decision-making is concerned. Natural calamities like floods,droughts, scarcity of water have become matters of common occurance in particular districts. In this situation, the Collector has to work with a certain degree of anticipation and keep the shadow relief operations ready at hand

for relief to the affected people.

In 1994, due to heavy flood of Godavari, three fourth part of the village Saikheda, a market place 20 kms. from Nashik, was submerged under water. The Collector rushed to the place and actively involved himself in the rescue operations for 3 days. Due to his alertness there was no loss of human life. He also prepared a work plan that could be used in the event of natural calamities for relief operations.

G. Miscellaneous Duties:

In addition to the above six broad groups of functions, the following miscellaneous duties are also performed by the Collector.

To attend to the dignitaries visiting his district, work relating to the civil defence, control over prohibition and excise, to prepare information with regard to Parliamentary and State legislature questions concerning his district, matters of freedom fighters from the district, chairman of District Soldier's Board, matters relating to ex-servicemen, work in the capacity of Deputy Commissioner of Industries in the district, encouragement to the small/national savings, supervision and inspection of Government officers in the capacity of O & M officer of the Government in the district, inspection of jails, prisons, treasurers etc., grievances solving authority in the district, control and implementation of Employment Guarantee Scheme, implementation of scarcity work, licencing authority under the Rice Milling Industry (Regulation) Act, 1958.

In addition to this, the Collector is expected to perform various duties under the powers given to him by various Acts viz. Bombay National Park Act, 1950, Bombay Lotteries (Control and Tax) Act, 1950, Maharashtra Ancient Momuments and Archiological sites and Remains Act, 1960,³² duties under Bombay Minor Mineral Extraction Rules, 1955 etc.

To perform these multifarious duties the District Collector has to arrange and attend meetings of various Committees in the capacity of Chairman, Secretary or a Member. The Bongirwar study group has given a list of such

45 committees.³³

4. CHANGING ROLE OF THE DISTRICT COLLECTOR

Historically, the Collector started as a Revenue Officer when the administration was centred around the Collection of land revenue. From time to time there have been changes, additions and subtractions in the duties of the District Collector. After independence, there has been a lot of change in the role, prestige and powers of the Collector. On the whole, his duties have expanded while his powers have diminished.³⁴ Following factors are responsible for the change.

i) **Separation of judicial and executive powers** - With the constitutional spirit of Directive Principles of States Policy³⁵ the powers of execution were separated from judiciary resulting into loss of judicial powers of the District Collector.

ii) **Political Party system** - The political party system that has flourished after independence due to democratic system, has acted as another barrier to the growth in the Collector's powers. Parties have become an important channel of communication between the people and the government. The Collector is side-tracked sometimes when crucial decisions are made.

iii) **Emergence of technical departments** - After independence many technical departments emerged at the district level. These departments are headed by the specialists who have their bosses at the regional level. They are independent of the Collector. Even, when co-ordination meetings are called by the Collector, they send their assistants to attend it. This has hampered the authority of the Dist. Collector.

iv) **Emergence of Panchayati Raj:** Before emergence of the Panchayati Raj, in most of the states, the developmental function was assigned to the Collector. With the implementation of the Panchayati Raj in some states the Collector is kept away from the active involvement in the developmental

administration of the Zilla Parishad. He is vested with only the controlling and co-ordinating powers in respect of Panchayati Raj.

v) **Change in the composition** : After independence the ICS, the steel frame of British Raj was replaced by the IAS. Previously the Collectors were from the upper classes of the society. Now, they belong to all stratas of society, therefore, they have sympathy and understanding for weaker sections of the community.

vi) **Centre of Administration Shifted from District to Ministry** : The authority of the District Collector is eroded on account of the increasing and direct control by the directorates at the state level. His co-ordinating role is nebulous without specific orders of the State Government which are issued in the emergencies such as famine or drought. The upward shift of authority from district to the State departments and movement of successful Collectors from district to the Secretariat has shifted the centre of administration from district to the Ministry³⁶.

vii) **Appointment of Minister as Chairman of D.P.D.C.:** In Maharashtra, the Collector was given only some controlling powers with reference to the Panchayati Raj. In 1975, planning function was transferred from Z.P. to the District Collectorate, and a new body viz. District Planning and Development Council (D.P.D.C.) was created.

The Collector's authority has been considerably eroded by appointing a Minister as Chairman of D.P.D.C. comprising members of parliament and members of state legislature from the district. The Collector himself used to perform this task at one time with the same kind of membership.³⁷

To understand the burden of the work on the Collector in the district administration, it is necessary to consider the workload of the Collector.

Workload of the Collector:

The multifarious activities performed by the Collector make him almost indispensable but at the same time also make him an overburdened

functionary. The Committee appointed by Govt. of Bombay on Reorganization of District Revenue Offices made an effort to analyse the workload. The Committee commented that "The Collector himself is indeed a very heavily, worked officer. An average district seems to provide him with the following amount of annual work:

Correspondents	1600 hours.
Meetings	200 hours.
Case hearings	100 hours.
Jamabandi & Inspections	80 hours.
Village Inspections	200 hours.
Field inspections	250 hours.
Journeys	240 hours.
V.I.P.s.	180 hours.
Daily visitors	125 hours.

Total 2975 hours.

If we were to allow for Sundays, half Saturdays and other holidays, the whole daily workload comes to about 11.4 hours and if he were only to allow for Sundays it comes 9.9 hours. The pressure no doubt is heavy. This has made the general control so tenuous as to become almost ineffective. This position leaves the head of the district in a most dissatisfied state of mind and makes a cynic out of him".³⁸

Due to the heavy schedule of work, some of the work remains neglected and some only superficially attended to. As observed by Mangat Rai "As government's maid of all work" he (Collector) is responsible to all the secretaries and all the ministers for all their subjects in the district. It is difficult, indeed impossible, for him to pay concentrated attention to any particular subject. He is a man with many masters, answerable and responsible to all, expected to serve them all with equal impartiality and invariable courtesy."³⁹

Considering the variety of functions performed by the District Collector, from administrative point of view, the question arises to whom he should be

held accountable ? Whether to the Commissioner or to the Minister or to the people ? An American administration expert, Mr. Paul H. Appleby commented⁴⁰ “The Collector is so broadly responsible and overburdened that one of his primary functions has suffered seriously. One sits in his office only to hear him receive him along with streams of citizens/visitors, telephone calls from all the State Ministers who lay their most pressing problems at his door; he is responsible to everybody for everything though with varying degree of clarity..... No one can hold him responsible for anything in particular and few facilities for checking his performance exist. He struggles valiantly in an outmoded structural situation”.

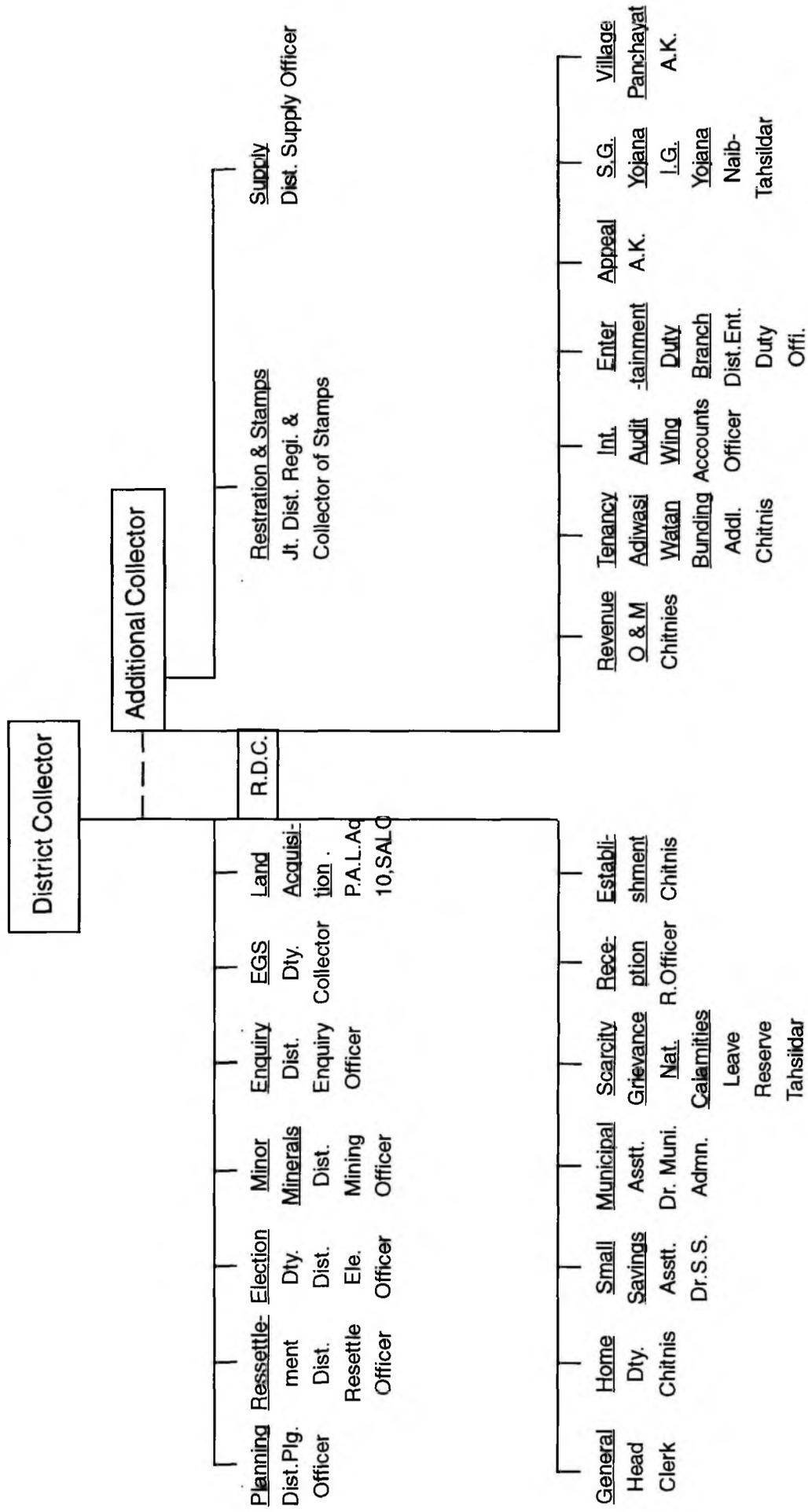
The basic factor that one finds is that the job of the Collector in the district is not only of varigated nature but also in a sense personalised one..... the success of the Collector does depend upon the team-spirit that he is able to generate and the way he gets the best out of his colleagues. To that extent the Collector is only the symbol of success and failure, and others have also to take equally the credit and the blame.⁴¹

5. NASHIK DISTRICT COLLECTORATE

For the sake of administration, the Collectorate is divided into branches. Each branch deals with a particular subject or a group of subjects. The Chief Officer of each branch is the head of the branch. He is assisted by Aval Karkuns and Clerks. The number of Aval Karkuns and Clerks varies from branch to branch. Peons are also allotted to each branch separately and in case of small branches jointly.

The Nashik District Collectorate has 23 branches as shown in the organisation chart of the Nashik District Collectorate. The nine branches viz. planning, resettlement, election, mining, enquiry, employment guarantee scheme, land acquisition, registration & stamps and supply branch, are headed by the officer of the grade of Deputy Collector. These officers can forward their

Organisation Chart of Nashik District Collectorate.



papers/files directly to the Collector or the Additional Collector as the case may be. The remaining fourteen branches viz. the general, home, small savings, municipal, scarcity, reception, establishment, revenue, tenancy, internal audit wing, entertainment duty, appeal, Sanjay Gandhi Yojana & Village Panchayat branch have their head in the grade of Tahsildar or the Naib-Tahsildar. Their papers/files are required to be forwarded through the Resident Deputy Collector (R.D.C.) to the Collector or the Additional Collector.

It could be observed from the organisational chart of the Nashik District Collectorate that most of the land revenue functions have been allotted to the Additional Collector. The Chitnis, Additional Chitnis, Leave Reserve Tahsildar and the Head Clerk are the officers in the grade of Tahsildar who are responsible for more than three subjects.

An attempt is made to take a brief review of these branches and to present a general idea about the various functions performed by or under the supervision of the District Collector.

i) **Planning Branch:** This branch is headed by the District Planning Officer who is of the grade of Deputy Collector. He is assisted by two planning assistants and two statistical assistants. This staff belongs to the planning department. Under the guidance, control and supervision of the District Collector, this branch performs important functions viz. preparation of the development schemes to be implemented during the next five years, providing guidance and co-ordination while implementation of the schemes, yearly review of the planning work executed in the district, planning for savings as well as for excess expenditure and considering approval proposals of the schemes to be implemented under the EGS.

In Nashik District, there is special importance of planning during the '*Simhstha*' period which comes after 12 years. Arrangements for lakhs of people and '*Sadhus*' who visit Nashik to take holy bath in the '*Ramkunda*' is required to be made. Then District Collector was honoured by the people for

achieving co-ordination of the various Government departments during the 'Simstha' period.⁴²

ii) **Resettlement Branch:** Head of this branch is District Resettlement Officer who is of the grade of Deputy Collector. Below him are one A.K., two clerks and one circle inspector. Additional staff is appointed when there is more workload.

The functions of this branch relate to the implementation of Maharashtra Project Affected Persons Rehabilitation Act 1986. It includes laying down restrictions in respect of sale and purchase of land in specific area by notifying it in the Gazette of Maharashtra, issuing certificates to the people as project affected persons, giving permission to the transfer of land in the notified area, providing loan to the affected persons, and providing land or plots on mass scale to the affected persons. In Nashik District the Act was applied to 18 projects. At present it is applied to two projects viz. Kashyapi (Nashik Taluka) and Nagyasaki Project. (Nandgaon Taluka).

iii) **Election Branch:** District Deputy Election Officer is the head of this branch. He is of the grade of Deputy Collector. This is not a permanent post. Experienced persons from the department are appointed temporarily before and after the election for a specific period. Two Aval Karkuns, one clerk and one peon is the other staff. During the election period, some temporary posts are appointed from the departmental staff.

The elections of Lok Sabha, Vidhan Sabha and Vidhan Parishad are the tasks assigned to the branch. The election branch has to take into consideration the relevant provisions of the Representation of Peoples Act, 1951, Specified Co-operative Society Act, Registration of Electoral Rolls Act 1960, Reservation of symbols order and conduct of Election Rules 1961.

For Lok Sabha election, the Collector of the District is the returning officer while for Legislative Assembly the Deputy Collector of the respective constituency is the returning officer. The functions of this branch include



preparation and revision of voters list, issuing identity cards to the voters, observance of the code of conduct of election (*Achar Samhita*), fixation of polling stations and staff for election duty, matters concerning ballot boxes, ballot papers and counting of votes etc.

iv) **Minor Minerals Branch:** Head of this branch is the District Mining Officer of the grade of Deputy Collector. At the District headquarters he is appointed by the Director, Directorate of Mining and Geology, Govt. of Maharashtra, Nagpur. He is assisted by a Junior-geologist, Mining inspector and senior clerk.

The functions of the branch are governed under the Bombay Minor Mineral Extraction Rules 1955 and section 48 of the MLRC, 1966. It includes fixation of the target of revenue collection for the district and tahsils, grant of land on the lease base, approval of sand auction, inspection of sites, regularisation of illegal extraction of Minor Minerals and to sanction permits/licences to the Govt. builders.

v) **Enquiry Branch :** This branch is established in the Collectorate since Feb. 1989. The head of the branch is Regional Enquiry Officer assisted by one A.K., one clerk and one steno.

The Maharashtra Civil Service Rules, 1979 (Conduct, Discipline and Appeal Rules) forms the basis of the working of this branch. Whenever certain matter is forwarded to the branch for enquiry, the officer expresses his opinion in the matter. The case hearings are arranged at the taluka headquarter and the decision is communicated to the Head of the Concerned Department.

On an average 7 to 8 cases of enquiry per month are decided by the branch. The cases concerning Talathi and other class III and IV employees are forwarded by the S.D.O. while that of Circle Officers are forwarded through the Collector. The report of this branch is forwarded directly to the General Administration Department.

vi) **EGS Branch:** Head of this branch is Deputy Collector for Employment Guarantee Scheme. He is assisted by one tahsildar, one A.K. and 4 clerks.

Apart from this, there is also an inspection squad consisting of 2 Executive Engineers, 6 Dy. Engineers and 6 Junior Engineers.

The branch performs its functions under the EGS Act 1978, directives of ministry of planning and control of District Collector. Providing work to the labourers is the main function of this branch. The plan and estimates of various proposed works as percolation tanks, village tanks, nalla bunding, tree plantation and road repairs are prepared by the Executive Engineer to which administrative approval is given by this branch. When Tahsildar decides to start specific work, the work order is also given by this office. Besides this, the preparation of annual draft plan, inspection of the work, quality control of the work are also important functions of this branch. Though the EGS work is performed by various departments like the irrigation, agriculture and Zilla Parishads, the administrative control for planning monitoring the schemes is with the District Collector⁴³.

vii) **Land Acquisition Branch:** There are 10 Special Land Acquisition Offices for different projects which are under implementation in the Nashik District. Head of each branch is of the grade of Deputy Collector. One of the land acquisition officers acts as the co-ordinator of all the special Land Acquisition Officers. Functions of the branch are related to the acquisition of land for public purpose under the Land Acquisition Act, 1894.

viii) **Registration and Stamps Branch:** Head of the branch is Joint District Registrar and Collector of Stamps. The registration Department does not have any organisation at the divisional level; but at the district level the Collector is the ex-officio District Registrar. Under the Bombay Stamps Act 1958, for all practical purposes, the Joint District Registrars act as the District Registrars subject to the overall supervision of the Collector.

ix) **Supply Branch:** The District Supply Officer (DSO) in the grade of Deputy Collector is the head of this branch. He is assisted by one Asstt. D.S.O. of the grade of Tahsildar, one supply Inspector of the grade of Naib-Tahsildar, 11

Aval Karkuns and 10 clerks.

The functions of this branch relate to the supply of essential commodities to the people through fair price shops. The actual supply work is managed by the Taluka unit. The District supply branch deals with allotment of the quota of wheat, rice, kerosene, sugar, edible oil, controlled cloth to the talukas, arrangement of godowns for storage of foodgrains, issuing licences for distribution of above commodities, collection of rice from paddy area, purchase of corn as per decision of the State Government, inspection of the taluka and village branches, sanction of transport contracts of food grains etc.

x) **General Branch:** Head of the branch is Head Clerk in the grade of Tahsildar. There are three sub-branches under this branch. Firstly, the Account branch consisting of one Aval Karkun, 5 clerks and one peon. Secondly, the General branch consisting of one Aval Karkun and two clerks. The Registry (*Tapal Branch*) consisting of 4 clerks and 2 peons, and the Typing pool consisting of 5 typists also work under the control of general branch. Thirdly, the Record branch consisting of an Aval Karkun, a clerk and a peon.

This branch looks after the maintainance of office building. Any new function that cannot be assigned to any branch is assigned to the General branch. Maintenance of service books and leave record, budget, vehicles of the revenue officers, pension cases, rent of office buildings, furniture demands of the offices, proposals for grants-in-aid, census operations, maintainance of central inward register, celebration of Independence day and Republican day, distribution of forms for admission to vocational courses etc. are the functions of this branch.

The Record branch maintains the record of judgments given by authorities of Collectorate on different cases, orders of non-agricultural assessment, orders of land grants, Government Resolutions, Gazettes, Codes and Acts. The record is arranged yearwise in the A,B,C and D categories of classification. It also provides copy of the record demanded by the applicant within seven days from

the date of application.

xi) **Home Branch:** Deputy Chitnis in the grade of Tahsildar is the head of this branch. He is assisted by one Aval Karkun and five clerks. The branch works under the Resident Deputy Collector (RDC) who also acts as the Additional District. Magistrate.

The branch deals with the most important function of maintenance of law and order⁴⁴. It also deals with matters of detention under National Security Act, renewal of Cinema Theatres Licence, relief operations during the period of Natural Calamities, pension of freedom fighters, verification of character and antecedents, issue of Registration Certificates for Rating Houses, issuing licence for storage and sale of fire crackers, blastings, recommendations for the appointment of Dist. Govt. Pleaders, withdrawal of criminal cases⁴⁵ etc.

xii) **Small Savings Branch:** Head of this branch is Assistant Director of Small Savings in the grade of Tahsildar. He is assisted by a Small Savings Officer and a District Lottery Officer of the grade of Naib-Tahsildar. They are assisted by six small savings officers, one deputy accountant and clerks.

This branch works under the Directorate of Small Savings, Finance Department. Help of revenue heads of District, Sub-Division and Taluka Offices is taken to augment savings.

The functions of this branch relate to the appointment of Small Savings Agents, MPKBY Agents (*Mahila Pradhan Kshetriya Bachat Yojana*), settlement of incentive claims of agents, renewal of agencies, appointment of lottery agents, supervision and distribution of lottery tickets, visits to various offices to increase the recurring deposits etc. To achieve the target of Collection, seminars are arranged at the taluka level by the District Collector⁴⁶.

xiii) **Municipal Branch:** The Head of this branch is Assistant Director Municipal Administration. He is class II officer from the cadre of Chief Executive Officer. He is assisted by two Aval Karkuns and three clerks.

The functioning of this branch is governed by the Maharashtra

Municipalities Act, 1965. It is mainly related to distribution of grants-in-aid to the Municipalities from the district, supply of water in scarcity conditions, inquiry of the grievances of the people in respect of Municipal administration, staffing pattern of the municipal council, budget of municipal council, elections, vote of no-confidence and inspection of the municipal councils. According to *Nagri Rozgar Yojana* this branch provides loan through bank for self employment and arranges job oriented training for urban people.

xiv) **Leave Reserve Tahsildar:** In order to maintain continuity in administration, whenever any Tahsildar goes on leave, a substitute i.e. Leave Reserve Tahsildar is appointed. In the Collectorate there are three branches under his control.

a) **Conciliation of Grievances Branch:** There is one Aval Karkun and one clerk in this branch. The applications stating grievances of the people are received by this branch. The grievances relate to any department of the government. Complaints regarding corruption, delay, breach of various Acts viz. Bonded Wages Act, Minimum Wages Act, Debt Relief Act, distribution of honorarium to the educated unemployed etc. The cases are decided in the bimonthly meeting of the District Board consisting of five members, District Collector being Chairman, Chief Executive Officer of the Zilla Parishad as a Government member and 3 non-government members.

b) **Scarcity of Water Branch:** One Aval Karkun is in charge of this branch. It performs functions related to scarcity of water viz. to make arrangements for supply of water through tankers, trucks, bullock carts etc, sanctioning proposals to take bore-wells in the scarcity villages, deepening the wells and taking out mud, reporting weekly to the Government and Divisional Commissioner about water scarcity, rainfall and crop position. The District Collector and Tahsildar visited the Chandwad Taluka to review the supply of drinking water through tankers.⁴⁷

c) **Natural Calamities Branch:** There is one clerk in this branch. The functions of this branch relate to the establishment of flood control section,

reporting the Government the estimated loss due to incidental fire, heavy rains, flood, lightening etc., distribution of grants-in-aid to the tahsildars for relief work and forwarding monthly statements of the expenditure incurred on grants-in-aid for natural calamities. Thus, this branch acts as a co-ordinating agency between Government and Tahsildar.

XV) **Reception Branch:** The Reception Officer in the grade of Aval Karkun is the head of this branch assisted by a clerk. He is entrusted the responsibility of receiving the Ministers, Government Officers and VIPs. He has to make arrangements for their residence in the Govt. Guest House, publicity of their tour programmes etc.

xvi) **Establishment Branch:** The Chitnis is head of this branch. He is assisted by two Aval Karkuns and three clerks. One Aval Karkun deals with the personnel administration of the staff below the level of Aval Karkun and Circle Officer in the District. The second deals with the establishment of the officers from and above the grade of Naib-Tahsildar.

xvii) **Revenue Branch:** The head of this branch is designated as Chitnis who is the officer of the Tahsildar's grade. In addition to establishment, the jamabandi and Organisation and Methods (O & M) branches function under his control. For Jamabandi and work there are two Aval Karkuns and Six clerks. The functions concerning land and land revenue are allotted to them. The organisation and Methods (O & M) branch consists of a Aval Karkun and a clerk. They mainly deal with the inspection, compilation of periodical returns from the tahsildars and sub-divisional officers, meetings, diaries and compliance of the inspection points.

xviii) **Tenancy Branch:** Head of this branch is Additional Chitnis in the grade of Tahsildar, assisted by one Aval Karkun and three clerks. Though the branch is designated as tenancy branch, it is assigned four different subjects.

a) **Tenancy :** The functioning of this branch is related to the Bombay Tenancy and Agricultural Lands Act, 1948. All matters about restoration of lands

to the tenants, grant of permission for sale of lands granted under restricted tenures but to be used for N.A. purpose are handled in this branch.

b) **Adivasi** : The applications of adivasis for sale or purchase of the land are forwarded through this branch to the Commissioner.

c) **Watan and Inams** : The work of this branch is related to the grant of land acquired under abolition of Watans and Inams Acts, granting permission for conversion of use of the land for non-agricultural purpose and permission for sale/purchase of the land.

d) **Bunding** : The work of this branch is related only with the recovery of the arrears from farmers pending for a long time.

xix) **Internal Audit Wing**: This wing was established in the Nashik Collectorate in 1983. Head of this wing is the Accounts Officer appointed from special cadre by the Govt. of Maharashtra. He is assisted by a Head Accountant, a Deputy Accountant and a clerk.

The functions of the wing relate with the audit of the receipts of the revenue account under the control of District Collectorate and its field agencies.

xx) **Entertainment Duty Branch** : Head of this branch is District Entertainment Duty Officer of the grade of Tahsildar. He is assisted by Asstt. Dist. Ent. Duty Officer of the grade of Naib Tahsildar, four Entertainment Duty Inspectors and two clerks.

The functions of this branch are related to the various Acts viz. Entertainment Duty Act and Rules, 1923, Bombay Entertainment Duty Rules, 1958, Maharashtra Cinemas (Regulation) Rules, 1966 and Bombay Cinemas Act, 1953.

The main function of the branch is collection of Entertainment Tax from the District. The medias of entertainment like Theatre, Video Halls, Dish Antenna, exhibitions etc. have to pay the entertainment duty as per rules. The Entertainment Duty Inspectors detect the unauthorised use of these medias. The cases where rules are violated are either fined or prosecuted.

xxi) **Appeal Branch** : The appeals are decided by the District Collector or the Additional Collector. The appeal branch consists of one Aval Karkun who handles the work related to the correspondence with the lower revenue offices, registration of the appeal and revision cases, issuing summons and notices to the concerned parties, calling the parties on specific date for hearing, adjournment of hearings, and recording the decision of the case.

xxii) **Sanjay Gandhi Yojana Branch**: The head of this branch is of the grade of Tahsildar assisted by two Aval Karkuns and two clerks. The Sanjay Gandhi Assistance Scheme was started from 2nd Oct. 1980 and Indira Gandhi Assistance Scheme from 1991. Sanjay Gandhi Niradhar Yojana and Sanjay Gandhi Swavalamban Yojana are two different schemes. Under the first scheme Rs.100/- per month is given to the selected persons and under second loan upto Rs.2.5 thousand (interest free) is sanctioned and given through the respective tahsildar. The function of this branch relates to funding, audit and inspection of Tahsil branches, sending funds proposals to the State Government, distribution of funds in 13 talukas, collection and reporting of the statistical information, considering applications sent by Tahsildar for revision of the decision of the committee and taking review of the work of all 13 branches in the meeting arranged in the first week of every month.

The Indira Gandhi Assistance Scheme 1991, is meant for rural areas only. The rural, landless, field workers male above 65 years and female above 60 years get assistance of Rs.100/- per month from the concerned Tahsil office. The co-ordination of this scheme is also done by the same branch.

xxiii) **Village Panchayat Branch**:

This branch works under the control of District Resettlement Officer who has been assigned additional charge of this branch. He is assisted by one Aval Karkun and four clerks. At the Ministerial level it has control of Ministry of Rural Development and State Election Commission. Bombay Village Panchayat Act, 1958 forms the core for directing functions of this branch.

The main functions of the branch are elections of the village panchayats, election of Sarpanch and Upa-Sarpanch, appeals concerning motions of no-confidence, distribution of grants for Panchayats through Zilla Parishad.

The above description of the variety of branches of Nashik District Collectorate, dealing with various subjects, helps in understanding the complicated nature of the district administration.

6. REVENUE FUNCTIONS OF THE DISTRICT COLLECTOR

The very nomenclature 'District Collector' itself is indicative of the functions to be performed by this officer. During British period the responsibility of collection of land revenue was assigned to the District Officer, therefore, from the function of collection the District Officer was called as the District Collector.

Prior to World War II, the major tax resources of the state were land revenue, excise duty, stamp duty and entertainment duty which were wholly dealt with and except for excise, still continues to be dealt with in Revenue Department. In the pre-war period, land revenue constituted nearly 50 percent of the revenue of the state⁴⁸. Prompt and fair collection of land revenue and other taxes is his important duty. Historically, this has been his first charge as the title 'Collector' signifies.⁴⁹

As the land revenue functions of the District Collector is the subject matter of this thesis, brief review of his other revenue functions is taken in this part to understand the vast nature of his functions. The District Collector is responsible for collection and recovery of various taxes and government dues which are grouped into 3 statements as A,B and C.

'A Statement' : This statement indicates the demand, collection dues to be recovered and percentage of collection of land revenue and other cess charged and collected along with land revenue. These are 12 items of collection mentioned in this statement viz. Ordinary land revenue, additional land revenue, Miscellaneous land revenue, Zilla Parishad Cess, additional education cess, non-

agricultural cess, sub-division survey fee, EGS (Municipal area) and education cess.

All these taxes are collected at the time of collection of land revenue at village level by the talathi. For this form the annual year is from August to July. i.e.revenue year. At the end of the month, the talathi sends the report of Collection of taxes in the statements A,B and C to the Circle Officer, who compiles the information in the format and sends it along with his diary to the Tahsildar. The treasury clerk from Taluka Office confirms the report from the treasury receipts and compiles the information in 3 statements. The revenue statements along with Tahsildar's diary are sent to the Collector through the Sub-Divisional Officer. In the Collectorate, the compilation of the taluka statements is done and District Statements of recovery are sent to the Divisional Commissioner.

The details regarding procedure of collection are discussed in Chapter V & Chapter VI.

Table 3.1*: Land Revenue And Cess Collection in Nashik District

Rs. in Lakhs			
Year	Total Demand	Total Recovery	Percentage
1991-92	245.24	202.76	82.67%
1992-93	623.86	402.47	64.5%
1993-94	340.39	330.25	99.66%

*Source : Compiled from 'A' Statements of Recovery, Nashik District Collectorate, Nashik.

It could be observed from Table 3.1 that the total demand is not fixed for all years. Due to scarcity conditions remission is given in the land revenue for that year resulting into less demand for the year. The arrears are recovered in the next year. In 1991-92 the percentage of recovery was 82.67% which fell to 64.5% in 1992.93. The arrears along with current year's demand were

recovered in the year 1993-94 resulting the total recovery of 99.66%.

It is interesting to note that out of the 12 items of tax and cess from Statement A the first item Ordinary Land Revenue is never in arrears. Recovery of this item is always 100%.

'B Statement' : This statement contains information of following six items viz. Revenue Recovery Certificate, Minor Minerals Lessee fees, Court fee and Stamp duty, Petition fee (Darkhast) and Entertainment duty.

The revenue from these items is not collected by the talathi but by different revenue officers. Most of the part is directly collected in the sub-treasury or the treasury. The target for yearly collection is determined by the Collector.

Table 3.2* : Revenue Collection from Items of B Statement in Nashik District.

Rs. in lakhs.			
Year	Total Demand	Total Recovery	% of Recovery
1991-92	262.68	281.07	107%
1992-93	364.88	297.55	81.54%
1995.94	278.57	305.78	109.76%

*Source - Compiled from 'B' Statements of the relevant years. District Collectorate, Nashik.

It could be observed from Table 3.2 that the revenue collection from 6 items of 'B Statements' shows increasing trend. In 1991-92 it was Rs. 281.07 lakhs which raised to Rs.305.78 lakhs in 1993-94. This shows substantial increase of about Rs.24 lakhs in two years. The column of percentage of recovery shows figures above 100% for two years. The percentage is calculated on the basis of target of collection laid down by the Collector.

Of the 6 items of revenue from 'B Statement of recovery' Entertainment duty is the most important source as it contributes about 85% of the total

revenue of the statement.

Entertainment Duty:

According to the Bombay Entertainment Duty Act,1923, the District Collector is authorised to levy and collect the entertainment duty from the district.All the theatres, Video centres, licenced Video game halls, Cabre and discothic dances, fashion shows, race courses and exhibitions, cable and disc antenna are subject to payment of the entertainment duty.

Table 3.3* : Revenue Collection from Entertainment Duty in Nashik District

Rs. in lakhs			
Year	Target	Recovery	Percentage of Recovery
1991-92	220.59	242.41	110%
1992-93	229.54	261.11	113%
1993-94	241.09	258.50	107%

*Source: Compiled from Recovery Reports of the Entertainment Duty Branch, Collectorate Nashik.

The target to be achieved in Collection of Entertainment duty for each district is decided by the State Government. It could be observed from Table 3.3 that the target shows growing trend in the three years. The percentage of recovery is always more than 100%. The recovery in 1991-92 was Rs. 242.41 lakhs shifted to Rs. 261.11 lakhs in 1992-93. The reason for this growth is the entertainment duty collection of Dish antenna was enforced from 1992-93. In 1993-94, due to closure of some open air theatres, the recovery fell to Rs. 258.50 lakhs.

'C Statement' : This statement indicates the recovery of loan. There are eight items of loan included in this statement viz. Loan on forest land, general tagai, soil conservation (bundling) loan, loan for Non-agricultural purposes, rehabilitation loan, loan for resettlement of project affected persons, Tanacy Act loan, and other loans.

The Collector performs the role of recovery officer for the District. The work of recovery of Government dues arising in other Departments of Government has been entrusted to the Revenue Department. It was suggested that the Revenue Dept. should be relieved of these recoveries and these should be left to the concerned department. Heble Commission, however, refused this suggestion on following grounds⁵⁰.

- i) The competition to recover the dues of different departments from one defaulter may give rise to conflict in effecting recovery from the same asset.
- ii) Govt. assumes the responsibility in a welfare state to recover dues on behalf of employees or workers under the Payment of Wages Act or Workmen's Compensation Act.
- iii) Past experience of appointment of special recovery officers from other department are not satisfactory.

The commission recommended that efforts should, therefore, be made to sanction adequate staff for this work, especially where it is found that arrears have accumulated.

Table 3.4* : Revenue Collection From Recovery of Loans in Nashik District.

Rs.in lakhs

Year	Total Demand	Relief	Net Demand	Total Recovery	Percentage of Recovery
1	2	3	4	5	6
1991-92	141.12	0.4	140.72	2.30	1.62%
1992-93	144.68	—	144.68	10.37	7.16%
1993-94	190.30	157	33.30	22.73	68.25%

*Source :Compiled from 'C Statement of Recovery 'Collectorate, Nashik.

It could be observed from Table 3.4 that the percentage of recovery for first two years was 1.63% and 7.16% respectively. In 1993-94 it was raised to 68.25%. The reason for this growth in percentage of recovery was the relief declared by the Government on account of scarcity. The villages where crop

yield (paisewari) was less than 50 paise continuously for 3 years, all the loans were written off by the State Govt.

The reason for low percentage of recovery of loans was the awareness of farmers. They knew that loans of the farmers were written off by the government after 3 or 4 years. Though they were financially in sound position they deliberately kept the loan items in arrears. The formalities of issuing notices to the defaulters were carried out but no action was taken against them.

In 1989, Govt. of Maharashtra took a decision to write off the accumulated loan arrears of soil conservation. The decision of giving relief of about Rs. 65 crores was taken by the government and power of declaration of individual relief was assigned to the Tahsildars⁵¹. In 1994, the Chief Minister sent telegrams and ordered all the District Collectors to withhold the soil conservation loan recovery by giving interim stay to it⁵².

The A, B and C Statements of revenue recovery are sent monthly to the Divisional Commissioner for information. If the recovery is not satisfactory, he can ask the concerned Dist. Collector to take necessary action in the matter. If the orders of Div. Commissioner are not observed by the Dist. Collector, the matter is expected to be brought to the notice of the Govt.⁵³.

It is evident from the comparative study of recovery column of Table No.3.1., 3.2 & 3.4 that the revenue collection from items of 'A Statement' is highest among the three statements. The ordinary land revenue forms the base of other cess and taxes.

As most of the taxes are charged on land it is necessary to study the land revenue administration of the district. The functions about land management are vested in the District Collector. In various matters, however, the powers of the Collector have been delegated to the Sub-Divisional Officer and Tahsildars working as field officers. It is therefore necessary to study the field organisation of the Collectorate with the help of which most of the

functions are performed by the Collector.

GENERAL OBSERVATION

The District Collector functions as an executive agency for many departments of the State Government. By and large, the organisation of the Collectorate in Maharashtra follows a uniform pattern with slight variations in the nomenclature of some subordinate officers and their number.

The Collectorate is headed by the Dist. Collector an I.A.S. Officer, - a generalist administrator, assisted by a team of officers. He is entrusted with the regulatory as well as developmental functions and other functions assigned to him by the State Government.

After independence the duties of the Collector have expanded while his powers have diminished on account of separation of judicial and executive powers, side tracking of the Collector by the Government when some crucial decisions are to be taken, rise of departments headed by specialists, emergence of Panchayati Raj which kept the Collector out of purview of developmental functions, the upward shift of authority from district to the secretariate and appointment of Minister as the Chairman of D.P.D.C.

The average workload of Collector as presented by the Pimputkar Committee being as high as 11.4 hours per day in 1958, he has to attend those functions which he finds urgent and important. Due to this other functions suffer. To relieve the Collector, however, Additional Collector has been provided in each district since 1992.

The Nashik District Collectorate consists of 23 branches, 14 of them have been assigned to the Collector while 9 of them have been assigned to the Additional Collector as per the division of work laid down by the State Government.

The land revenue functions form a part of the revenue functions of the Dist. Collector, therefore, a brief review of the revenue functions has also been presented in this chapter. The actual collection of revenue is done at the village and Taluka levels through the field organisations of the Collectorate which are discussed in the following chapter.

REFERENCES

- 1) S.S.Gadkari, *Organisation of the State Government* in Maharashtra
(Himalaya Publishing House, Bombay, 1990) P.18
The 21 Departments are 1) General Administration Department, 2) Home
3) Revenue and Forests 4) Agriculture and Co-Operation 5) Education and
Employment 6) Urban Development 7) Finance 8) Public Works 9) Irrigation
10) Law and Judiciary 11) Industries, Energy and Labour 12) Rural
Development, 13) Food and Civil Supplies 14) Planning 15) Social Welfare,
Cultural affairs, sports and tourism 16) Legislative Affairs 17) Housing and
Special Assistance 18) Public Health 19) Medical, Education and drugs 20)
Tribal Development 21) Environment.
- 2) *Ibid.*, p.23
- 3) *Ibid.*, p.118
- 4) Government of Maharashtra, Law and Judiciary Department
The Maharashtra Land Revenue Code, 1966. (As Modified
upto 23rd Aug.1991)
(Director, Govt. Printing & Stationery
Bombay 4) S.5.p 7883.
- 5) S.S.Gadkari, *op. cit* p.119
- 6) G.O.M., R & F.Dept. *Resolution* No.Est. 1093/SR. 19/8-1
(Mantralaya Bombay 32) Dt. 18 Aug. 1994
- 7) S.S.Gadkari, *op.cit.*, p.123
- 8) Govt. of India, Administrative Reforms Commission *Report
of the Study Team on District Administration Vol.II*,
Manager of Publications, Delhi, 1967 p.126
- 9) S.N.Sadasivan, (Ed.), *District Administration* (A National Perspective)
(Indian Institute of Public Administration (I.I.P.A.)
New Delhi. 1988) p.17

- 10) A. Avasthi., *Revenue Inspections At the District Level*
(I.I.P.A., New Delhi. 1965) p.33
- 11) G.O.M., R & F Dept. *Resolution No. S-14/3613/No.209/(2)E3*
(Bombay) Dt. 28.1.1992.
- 12) GOM., R&F.D., *G.R.No. S-14/3613/No. 209(2) E3*
(Mantralaya, Bombay 32)Dt. 30-4-1992.
- 13) GOM., R&F.D., *Report of the Study Group regarding Scientific
Study on Reorganisation of Revenue Activities*
(Commissioner A.L. Bongirwar) Bombay, 1987
(Henceforth written as Bongirwar Report) p.150
- 14) Bongirwar Report, *Op.Cit.*, para 7.3. to 7.6 pp.110-12
- 15) Parmatma Saran, *Public Administration in India*
(Meenakshi Publications, Meerut, 1978) p.211
- 16) Eduin Eames and P. Saran., *District Administration In India.*
(Vikas Publishing House, New Delhi, 14., 1988) p. 100
- 17) Shriam Maheshwari, *Indian Administration*
(Orient Longmans Ltd., New Delhi, 1968) p.226
- 18) Dr.S.N. Tawale, P.N.Limaye, Dr. V.K.Kshire, Dr. N.R. Inamdar
Leadership and Bureaucracy in Developmental Process
(An ICSSR Project)
(Oxford & IBM Publishing Co. New Delhi) pp.54.55
- 19) Rajni Goyal, 'The District Collector in India'
in R.K. Arora and S.L. Kaushik (Eds).,
The Universe of Public Administration,
(Associated Publishing House, New Delhi 2). 1994, p.233
- 20) *The Constitution of India* Ch.IV Art.50
- 21) A.Avasthi, *op.cit.* P. 24
- 22) D.D.Basu.,*Code of Criminal Procedure*
(Prentice Hall of India,1992) pp 3, 28

- 23) Govt.of India, Administrative Reforms Commission *Report of the study team on District Administration Vol.I*
(Manager of Publication, Delhi 6, 1967) p.78
- 24) Govt.of Bengal, *Report of the Bengal Administration Enquiry Committee.*, 1944-45
(Chairman - Sir Archibald Rowlands) Calcutta, 1946) Para 65
- 25) A.K. Tiwari 'Changing Role of Collector' in A.P. Padhi (Ed)
Indian State Politics (A case study of Orissa)
(B.R. Publication, Delhi, 1985) p 311-12
- 26) G.O.I., *A.R.C. Report Vol. I. op.cit.*, p.77
- 27) V.V. Giri 'Problems of Administration' (Ch. 3) in Sardar Patel Institute of Administration, Madras (Ed)
Administration and Politics in Democracies
(Chugh Publications, Allahabad, 1976) p.49
- 28) G.O.I., *A.R.C. Report Volume II, op.cit.*, p.83
- 29) G.O.M., *Report on Reorganisation of Maharashtra Administration Vol.I.*
(Chairman M.N. Heble)
(Govt. Central Press, Bombay, 1971), Para 40.3 p.522
- 30) T.N. Chaturvedi, in forward of the book by S.N.Sadasivan (Ed).,
District Administration, op.cit., p.v.
- 31) Dr.S.N. Tawale, Dr. V.K. Kshire & Others, *op.cit.*, p.54
- 32) G.O.I., *A.R.C., Report Volume II op.cit.*, p.123
- 33) Bongirwar Report, *op.cit.*, pp. 183-84
- 34) F.J. Tysen, *District Administration in Metropolitan Calcutta*
(Institute of Public Admn., New York 1964) p.4
- 35) *The Constitution of India* Art. 50
- 36) Ishwar Dayal, Kuldeep Mathur & Mohit Bhattacharya
District Administration - A survey for Reorganisation
(Macmillan, 1976) pp. 49-50

- 37) Navanit Sinha - 'Role And Rationale of All India Services
in *IJPA*, Vol.XXXVII No.1 Jan - March, 1994. p.99
- 38) Govt. of Bombay, *Report on the Reorganisation of District
Revenue Offices*
(Chairman M.G. Pimputkar), Bombay, 1959 p.24
- 39) E.N. Mangat Rai, *Civil Administration In the Punjab*
Harvard University, 1968, p.45, quoted in C.P. Bhambari,
Public Administration In India, (Vikas, Delhi-6, 1973). p.16
- 40) Paul H. Appleby, *Public Administration In India* (Report of a survey)
(G.O.I., Delhi, 1953) p.32
- 41) T.N. Chaturvedi., 'A Time to remember' in Mohan Mukherji
and Ramesh K. Arora (Eds). *The Collectors Recollect*,
(R.B.S.A., publishers, Jaipur-5, 1987) p.29
- 42) *Deshdoot*, (The Daily : Nashik) dt. 10/9/1992, P.9
- 43) S.S.Gadkari, *op.cit.*, p.299
- 44) *The Indian Penal Code* S.37(1) and S.57(3)
- 45) *The Criminal Procedure Code* S.494
- 46) *Deshdoot*, (The Daily : Nashik) Dt. 2.1.1994, p.3
- 47) *Ibid.*, Dt. 19.11.93 p.6
- 48) S.S.Gadkari, *op.cit.*, p.66
- 49) Shriram Maheshwari, *Indian Administration*
(Orient Longmans Ltd., New Delhi, 1968) p.229
- 50) G.O.M., *Heble Commission Report.*, *op.cit.*, pp.529-30
- 51) G.O.M., *G.R.No.* S.C.1088/C.R.-426/16-A Dt. 24 Jan. 1989
52. G.O.M., *Order of Chief Minister by Telegram*
No. Land 2040 N. CR 946/Rajya 73, Dt. 21-3-1994.
- 53) G.O.M., R & F.Dept., *G.R.No.* REV.1087/245397/P.No.18/T-3, Dt. 5 April 1988

ANNEXTURE 3.1

Division of work between District Collector and Additional Collector

Source : Govt. Circular No. S-14/3613/ce 209(2) E3 Dt. 30th April, 1992 & S-14/36/3/C.R. 209 (2) E.3 dt. 26th July, 1993, Govt. of Maharashtra, Revenue & Forest Dept., Manantralaya, Bombay 32.

Annexure 'A'

Subjects Assigned to the District Collector

- 1) District Planning and Programme above Rs.2 crores.
- 2) Employment Guarantee Scheme, Rural Landless Employment Guarantee Programme (Jawahar Yojana) and other employment programmes.
- 3) Implementation of 20 point programme (excluding the matters assigned to the Additional Collector).
- 4) Law and Order.
- 5) Rehabilitation of the project / food affected persons.
- 6) Industrial Development with the matters of Dist. Industrial Centre.
- 7) Natural Calamities and relief operations.
- 8) Land Management - Urban and Rural, Land acquisition.
- 9) N.A. permission in 'A' Class Municipal Council area.
- 10) Minor Minerals and concerning matters.
- 11) Prohibition and Excise.
- 12) Elections - General Election., Z.P. Election, Election of Agricultural Marketing Committees., Preparation of Voters list for Graduates and Teachers Constituency.
- 13) Census.
- 14) General Co-ordination at the District level.
- 15) Planning of finance (Credit) and concerning matters.
- 16) Public Health Programmes
- 17) Agricultural Production Programmes.
- 18) Small Savings.

- 19) Settlement of Grievances, Protocol, Tours & V.I.P.s, National Programmes etc.
- 20) Establishment of Deputy Collector, Tahsildar and Naib-Tahsildar.
- 21) Organisation and Method, Training of the Staff, inspection of subordinate offices.
- 22) Financial matters like purchase of something.
- 23) Administration of Municipal Councils.
- 24) All matters concerning Z.P. & Panchayat Samitis.
- 25) All matters concerning Notified Co-operative Institutions.
- 26) Meetings of the committees concerning above subjects.
- 27) To prevent atrocities on S.C. & S.T. people and on other weaker sections of the society and resettlement of the affected persons.
- 28) District Soldiers Board.
- 29) Matters concerning establishment of A.K., C.O., Clerks., Talathis, Peons.
- 30) Allotment of Government quarters.
- 31) Functions about Court of Wards.
- 32) Scarcity and concerned matters.
- 33) Permission under Arms Act.
- 34) Urban Land Ceiling Act and concerned matters.
- 35) Permission to Video houses.
- 36) Any other subject which is not specifically assigned to the Additional Collector.

Annexure 'B'

Subjects Assigned to the Additional Collector

- 1) Food and Civil Supplies.
- 2) Entertainment Tax.
- 3) Construction of wells (special scheme), Sanjay Gandhi Niradhar Anudan Yojana.

- 4) Jamabandi (including N.A. assessment)
- 5) Land Records, Survey and Jambandi (by Talathi and Circle Officers)
Inspection of Village records.
- 6) Land Ceiling, Tenancy, Returning lands to Adivasis, Implementation of land reforms legislation.
- 7) Implementation of Minimum Wages Act.
- 8) Implementation of Eradication of Bonded Labours Act.
- 9) Gaothan Extension Scheme, plots and housing scheme for rural landless and homeless persons.
- 10) Village Panchayat and Bombay Village Panchayat Act.
- 11) Recovery of Tagai, Bunding and all types of Govt. dues.
- 12) Matters concerning *Nikhat Nidhi* .
- 13) Matters under Registration Act.
- 14) Stamp duty Act & concerned matters.
- 15) Crop survey, crop estimates, Paisewari, Agricultural Census.
- 16) Budget (Including Performance Budget), Internal Audit.
- 17) Correspondence under Rent Control Act.
- 18) Inspection of subordinate offices (accompanying Dist.Collector)
- 19) Debt Relief Act.
- 20) Administration of Evacuee Property Act. 1950
- 21) Vardha Plan.
- 22) Appeals under M.L.R.C. 1966 and other Acts.
- 23) Supply of different forms, stationary, printed matter through Government Printing Press.
- 24) Meetings concerning all subjects mentioned above.
- 25) Matters under Waqf Board.
- 26) Special Drive Programme.
- 27) Family Planning Programme.
- 28) Any other subject assigned by the Commissioner / Govt.