CHAPTER V

THE ROLE OF THE DISTRICT OFFICER –
A CASE STUDY OF ALIGARH DISTRICT

(Section-A)
THE ROLE OF THE DISTRICT OFFICER - A CASE STUDY OF ALIGARH DISTRICT

Before I take up the case study of the District Magistrate in Aligarh District, it would be relevant to describe briefly the socio-economic and geographical conditions of Aligarh District, which have a direct or indirect bearing on his office.

Geographical Location:

The total area of Aligarh district is 5019 sq. kms., comprising of the northern most part of Agra division at a distance of 86 kms. from Agra, lies in the doab of the Ganga and Yamuna. Ganga separates the district from Budaun from a few kms. in the extreme north east while Yamuna constitutes the dividing line in the north-west between Aligarh and Gurgaon district of Haryana. To the north, the boundary is formed by Anupshahar and Khurja Tahsils of Bulandshahar district. On the west and south-west district stretches with Chhata, Mat and Sadabad Tahsil of Mathura district while to the south-east lies Jalesar, Etah and Kasganj Tahsils of Etah district. The extreme parallels of latitude are 27° 10' north and of longitude 77° 29' and 78° 38' east. The greatest breadth is about 112 kms. from the Yamuna to Ganga nearing
the northern border and the maximum length from north to south is about 72 kms. The total area varies very slightly from year to year due to change in the causes of great river, although extensive alternation are seldom.\(^1\)

Land and Soil:

"The surface of district is like a plate. As a result of this, the rain water from nearly districts of Mathura and Bulandshahar flow into the district causing floods during rainy season. Soil of the district is 'Domat and light Domat' (i.e. loany and sandy loany).\(^2\)

Climate and Rainfall:

"The district experiences the extremes of both hot and cold weather which is normally prevailing in northern part of the country. During the year 1986-87 the highest temperature recorded was 47.2\(^\circ\)C and minimum 3.4\(^\circ\)C. The summer is usually prolong. The coldwave damages potato, pea and arhar crops. The hot weather is usually characterised by an intensive dry heat and dust streams which are quite frequent.\(^3\)

\(^1\) Census of India, series 22, pp.1-2.


\(^3\) For detail see, Lead Bank Survey Report on Aligarh District conducted by Professor Samiuddin, Chairman and Dean, Faculty of Commerce, A.M.U., Aligarh.
"The normal rainfall in the district is 773 mm. About 80% of the rainfall is experienced during the month of July, August & September. Some rain is also witnessed in the month of December and January. Dependence on natural rain for agricultural operations is risky".

**Administrative set up:**

For the administrative purpose district has been divided into six Tahsils and 17 Blocks which are as follows:

<table>
<thead>
<tr>
<th>Tahsils</th>
<th>Blocks</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Koil</td>
<td>1. Lodha</td>
</tr>
<tr>
<td></td>
<td>2. Jawan</td>
</tr>
<tr>
<td></td>
<td>3. Dhanipur</td>
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<tr>
<td>2. Khair</td>
<td>1. Khair</td>
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<td></td>
<td>2. Chandos</td>
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<tr>
<td></td>
<td>3. Tappal</td>
</tr>
<tr>
<td>3. Iglas</td>
<td>1. Gonda</td>
</tr>
<tr>
<td></td>
<td>2. Iglas</td>
</tr>
<tr>
<td>4. Hathras</td>
<td>1. Hathras</td>
</tr>
<tr>
<td></td>
<td>2. Mursan</td>
</tr>
<tr>
<td></td>
<td>3. Sasni</td>
</tr>
<tr>
<td>5. Sikandra Rao</td>
<td>1. Sikandra Rao</td>
</tr>
<tr>
<td></td>
<td>2. Hassayan</td>
</tr>
<tr>
<td></td>
<td>3. Akrabad</td>
</tr>
<tr>
<td>6. Atrouli</td>
<td>1. Atrouli</td>
</tr>
<tr>
<td></td>
<td>2. Bijouli</td>
</tr>
<tr>
<td></td>
<td>3. Gangiri</td>
</tr>
</tbody>
</table>

4. Canara Bank, op.cit., p.2
There are "171 'Nyaya Panchayats'. Total number of villages in the district are 1769 and there are 15 town areas and 4 Nagarpalikas" 5.

**Population**

Total population of the district during 1971 was 21.12 lakhs which increased to 25.75 lakhs during 1981. Out of which 77.0 per cent are living in rural areas and remaining 23.0 per cent in urban areas. There are 5.79 lakhs i.e. 22.5% Schedule Castes people of the district. Their percentage is greater in rural areas rather than in urban areas. So far as Schedule Tribes population of the district is concerned there are only 21 people living in city area of Tahsil Koil and rural area of Tahsil Atrouli. According to census 1991 population of Aligarh district further increased and has become 32.86 lakhs. The population growth during the year 1981-91 remained 28.03 percent and density of population on per square km. has become from 513 to 657 in the following years which is undoubtedly a serious problem.

**Infrastructure**

**Railway and Roads:**

The district is linked by rails as well as by roads. The railway track in the district runs to a total length of 168 kms. having 21 railway stations including halts. Out

of this, metre gauge covers only 62 kms. in the district. The district is served by a total length of 1,257 kms. of metalled road. No national highways pass through the district whereas state highways account 207.3 kms. and main district roads for 170.5 kms. Other local roads managed by local bodies make 879.2 kms.  

"Metalled roads connect Aligarh and Delhi, Meerut, Agra, Mathura, Etah, Dehradun and Lucknow. Roads play an important role in the economy of a district. The G.T. Road runs through Aligarh and connects it with Delhi on the one hand and Kanpur on the other."  

State Road Transport Corporation runs buses on major routes of the district.

**Communication**

**Post and Telegraphy:**

"Total number of post offices in the district are 490. In addition to this, there are 89 telephone offices in the district."  

**Medical Facilities:**

The district enjoys the benefit of the reputed Gandhi Eye Hospital which takes care of the eye patients of the district and outside of the district. In addition to this,

7. Samiuddin, op. cit., p.3
J.N. Medical College in AMU and Malkhan Singh Hospital under U.P. Government provide medical facilities to the patient's in Aligarh. Medical facilities in rural areas require further improvement.

Education:

Aligarh is considered to be an important centre for imparting education. The Aligarh Muslim University, Aligarh is recognised as a world fame educational institution providing opportunities to a large number of students coming from different parts of the country as well as abroad.

In addition to Muslim University, "there are about 6 Degree Colleges, 141 Intermediate and 1798 other schools in the district". 9

Languages:

About "17 languages have been reported as mother tongue of the people living in the district (excluding University students)". 10

Agriculture:

Aligarh district has got distinction of having a

10. Samiuddin, op.cit., p.15.
very high productivity in agriculture in the State. "Nearly 82% of the work force in the district is engaged in agricultural activities. Net shown area in the district is about 3.90 lakhs hectare of which about 90% is/irrigation. Majority of farmers are having small holdings of less than one hectare. Average holding is 1.64 hectare, Intensive Area Development Programme has helped the farmers in adopting modern techniques of crop cultivations as the district enjoys rivers, canals and tubewell water etc.

According to 1981 census, the total cattle wealth of the district is 11.80 lacs. Out of which there are 5.94 lacs of milk cattle.

Aligarh Dugadha Utpadan Sahakari Sangh (DUSS) is engaged in the collection and transportation of milk. Mango Guava, Lemon and Papaya are important fruit crops in the district. In addition to this Ber Orchards are also in a large number in the entire district. 11

Industry:

Aligarh is also known for lock Industry, electrical equipment, building fitting material, carpets, glass beads, light engineering and other products. Industrial development

started with the establishment of a small lock-making unit by Mr. Hiralal Jha in 1887. Some famous industries in Aligarh are such as 'Prag Oil Mill', 'Link Lock Factory', Melrose Bakery, etc.

Transportation:

"Due to inadequacy of pucca roads in the village, the farmers use bullock carts, buggies, tractors etc. for the transportation of agricultural products to the nearby marketing centre. Road transport has taken a lead over railway goods transports. Many trucks coming from different places also carry goods from Aligarh and unload goods at Aligarh." 12

Marketing:

"To regularise the marketing of agricultural products, the Krishi Utpadan Mandi Samiti is located at the Aligarh, Hathras, Atrouli, Khair and Sikandara Rao. Besides these, a number of fairs, hāts and melas are organised in the rural areas for the sale of food grains, cereals, vegetables, fruits, cattles etc. Despite all these, Agricultural Department, Cooperative, Food Corporation of India, R.F.C., have storage facilities, even all these efforts are not adequate for the district" 13.

RESPONSIBILITIES OF THE DISTRICT OFFICER IN ALIGARH DISTRICT

Responsibilities as Collector:

The Collector is the head of revenue department of the district. He has been empowered to provide supervision and control of land records and their staff. He keeps close watch on the agricultural conditions of the season. Under his charge is the collection of revenue and other taxes like agriculture income tax and irrigation rates, sales and mortgages of land. He ensures proper administration of land, preserved ensures that rights of the land are and enjoyed by the people.

In order to improve condition of land management and take care of rights of land to the landless and poor people, various land reforms Acts were passed by the Uttar Pradesh Government to overcome the stagnant agricultural situation created by the alien rule. First step in view to uproot the problems of land settlement, the U.P. Government had passed Zamindari Abolition and Land Reforms Act of 1950. The abolition of the Zamindari system which involved intermediaries between the cultivator and the State resolved that the rights of such intermediaries should be acquired on payment of equitable compensation. It was supposed that the abolition of Zamindari and its replacement by a land tenure suited to the genius
and traditions of our country. It was asserted that "without a radical change in the existing land system no coordinated plan of rural construction can be undertaken to ensure agricultural efficiency and increase food production to raise the standard of living of rural masses and to give opportunities for the development of the peasant's personality. The landlord-tenant system was established by the British for reasons of expediency and administrative convenience. The Act of 1950 provided for the acquisition of intermediaries' rights on payment of compensation at eight times of their net assets. It yielded an income to the bigger Zamindars sufficient for a reasonable standard of living. For rehabilitation of small Zamindars who constituted the overwhelming majority, it further provided for the payment of a graded rehabilitation grant ranging from 2 to 20 times of the net assets being largest for low incomes and smallest for those with comparatively large incomes. To overcome financial and legal difficulties, the tenants were asked to make voluntary contributions of ten times their rent". 

This was to provide finance for the speedy abolition of Zamindari, check inflation and utilise the peasant's savings for a productive purpose. The tenants who made this 

contribution were to be entitled to transferable rights in their holdings, and were to be called Bhumidhars paying fifty percent of their existing rent as land revenue.

In order to prevent accumulation of large holdings and the consequent exploitation of labour, no person will in future be permitted to acquire by sale or gift a holding of more than 18 acres. Further, to cure the inefficiency and waste involved in the cultivation of the existing uneconomic holdings, a provision was made for the encouragement and rapid growth of cooperative farming suited to our country.

Further, the Uttar Pradesh Imposition of Ceiling on Land Holdings Act of 1960 brought many important reforms in the land system. In order to ensure increased agricultural production, to provide land for landless agricultural labourers and for other public purposes as best to subserve to common goods, a more equitable distribution of land is essential. And, therefore, it was expedient to provide for the imposition of ceiling on land holdings. This Act came sudden into force all of a / The provision was made that no tenure holder shall be entitled to hold in the aggregate any land in excess of ceiling area applicable to him. The purpose of the ceiling area shall be in case of a tenure-holder having a family of not more than five members. They have
7. 30 hectares of irrigated land, plus two additional hectares of irrigated land. For each of his adult sons, who are either not themselves tenure-holders or who hold less than two hectares of irrigated land, subject to a minimum of six hectares of such additional land.

Further, the land falling in any of the categories mentioned below shall not be taken into consideration for the purpose of determining the ceiling area applicable to, and the surplus land of the tenure holder, namely—

(a) "land used for industrial purpose i.e. for purposes of manufacturing, preservation, storage of goods;

(b) land occupied by residential house;

(c) used as a grave-yard;

(d) land used for tea, coffee or rubber plantations, and to the extent prescribed land required for purposes;

(e) land held before Jan. 24, 1971, for purposes of a stud farm;

(f) land held from before the first day of May 1959, by or under a public, religious or charitable waqfs, trust etc.;
Moreover, provision was made that no person will transfer any land referred in clause (d), (e), (f), (g) without prior permission of the State Government, and any transfer made without such permission shall be void. As far as power of the Collector is concerned, he will maintain a register of Ceiling on Land Holdings Forms showing details of all land declared surplus in his district. The Collector will also ensure that necessary corrections are made in revenue records in respect of surplus or short land.

In the process of land reforms, the Uttar Pradesh Government had passed Consolidation of Holdings Act in 1953, in view to remove problems of sub-division and fragmentation of holdings. Under this system one consolidated holding was granted to the farmer equal to his total land. This total land was in different scattered plots. The method of consolidation of holdings was used to provide better land management facilities to the farmer. Moreover, this Act has decreased labour work, financial needs and land disputes to a great extent. There is a specific machinery

for the consolidation of holding work in the Aligarh District. The works of different officials have been indicated in the Table No.2.1, as given below:

Table No. 2.1

**Machinery of Consolidation of Holdings:**

<table>
<thead>
<tr>
<th>Position</th>
<th>Level</th>
</tr>
</thead>
<tbody>
<tr>
<td>Director of Consolidation</td>
<td>at State level</td>
</tr>
<tr>
<td>Commissioner of Consolidation</td>
<td>Commissionary level</td>
</tr>
<tr>
<td>Dy. Director of Consolidation</td>
<td>Distt. level</td>
</tr>
<tr>
<td>Senior Officer of Consolidation</td>
<td>S. D. level</td>
</tr>
<tr>
<td>Asstt. Settlement Officer</td>
<td>Tahsil level</td>
</tr>
<tr>
<td>Consolidator</td>
<td>Pargana level</td>
</tr>
<tr>
<td>Lekhpal</td>
<td>Village level</td>
</tr>
</tbody>
</table>

Source: By the courtesy of Mr. Abdul Chafoor, ACRA, Collectorate, Aligarh.
Under the U.P. Consolidation of Holdings Act of 1953, the State Government has conferred the power of declaration and cancellation of notification for bringing under consolidation operations of a district or part of it on the Consolidation Commissioner. The powers of Director of Consolidation have been conferred upon the Additional District Magistrate (Executive) of Consolidation Districts. But in consolidation Lekhpal plays an important role by maintaining up-to-date information of the land. He keeps record of different scattered plots of farmers. He decides name of different plots for consolidation according to their products and area. The Lekhpal of Consolidation is different from the Lekhpal of land revenue. On the basis of maintained land records of Lekhpal, the Consolidator has to make inquiries for validity and authenticity of records. In this capacity, the Consolidator is a real officer to deal with the work of consolidation of holdings. The complaints against the Consolidator can be made to the Settlement Officer of the District. The State Government has delegated their power to appoint Assistant Settlement Officer of Consolidation for disposal of appeals filed in the courts of the Settlement Officer of Consolidation to the Consolidation Commissioner.
Size of Holdings in Aligarh District:

The Table No. 2.2 gives details of the size and number of holdings and area operated by them.

**Table No. 2.2**

Number of Holdings and Area Operated by size classes - According to the Agriculture Census of 1992-93 in Aligarh District:

<table>
<thead>
<tr>
<th>S. No.</th>
<th>Size of holding (hectares)</th>
<th>No. of holdings</th>
<th>% age</th>
<th>Area operated by the holdings (in hectares)</th>
<th>% age</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>0 - 2</td>
<td>235427</td>
<td>78.4</td>
<td>161746</td>
<td>38.9</td>
</tr>
<tr>
<td>2.</td>
<td>2 - 4</td>
<td>42256</td>
<td>14.0</td>
<td>116680</td>
<td>28.5</td>
</tr>
<tr>
<td>3.</td>
<td>4 - 7.50</td>
<td>19423</td>
<td>6.5</td>
<td>103829</td>
<td>24.9</td>
</tr>
<tr>
<td>4.</td>
<td>7.50 - 10.0</td>
<td>2276</td>
<td>0.7</td>
<td>19303</td>
<td>4.6</td>
</tr>
<tr>
<td>5.</td>
<td>10 &amp; above</td>
<td>989</td>
<td>0.4</td>
<td>12886</td>
<td>3.1</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>300371</strong></td>
<td><strong>100.00</strong></td>
<td></td>
<td><strong>414444</strong></td>
<td><strong>100.0</strong></td>
</tr>
</tbody>
</table>

Note: One hectare is equal to 2.47 acres.

Source: By the courtesy of ACRA, Mr. Abdul Ghafoor, Collectorate, Aligarh.

The above Table shows that 78.4% farmers of the district have only 38.9% hectares area under cultivation. Each farmer under this group has only 0-2 hectare land which is not sufficient to yield enough food even for his grains/for dependents. The second largest group i.e. 14%
farmers are cultivating 28.5% area for agriculture purposes. Each head under this section has only 2-4 hectares land under possession. Likewise, 6.5% farmers have 24.9% area, 0.7% tenants have 4.6% area. Only 0.4% tenants of the District Aligarh have more than 10 hectare land under each head for cultivation. Analysis of above table makes it clear that large number of farmers have very small size of holding for survival when agriculture Census is held after every five years.

Collection of Land Revenue in the Aligarh District

There is a specific machinery for recovery of land revenue. At the top level Collector is the final authority to take decisions regarding collection of land tax. In this connection, Collector is greatly assisted by the ADM (Finance & Revenue) of the Aligarh District. Besides him, there are other field officers of various ranks doing job of the recovery of land revenue. The Sub-Divisional Officer for (SDO) at the Sub-Division level, Tahsildar at the Tahsil level (he is assisted by Naeb Tahsildar), Kanungo at the Pargana level, and Lekhpal and Amin are at the bottom level. In the above mentioned hierarchy only Amin collects land revenue otherwise all higher authorities only issue orders for recovery of land tax.
As far as collection of land revenue in the Aligarh District is concerned, first Lekhpal prepares a Jamabandi (annual assessment of revenue) which contains name of land holder, production of various crops on the land etc. Besides, all groves of Bhumidhars and Sirdars exempted from the payment of land revenue are marked in column 18 of the khasra. The Collector has power to form and alter Lekhpal Halkas. The Collector may re-arrange the villages of the district in Lekhpal Halkas and from time to time alter the limits of such Halkas. The Collector may order a fine not exceeding Rs. 50 to any person found spoiling border pillar or boundary marks etc. The Collector shall maintain the record of rights or annual register. On the basis of Lekhpal's land record Amin will fix land revenue in the following parts viz., arrear (remaining of the last year), current (present demand) and total (net demand). Here it is relevant to know that land holdings up to 30 1/8 acres have been exempted from the land tax. Land limit up to this level was exempted by the late Chief Minister of Uttar Pradesh, Chaudhri Charan Singh, in order to improve the condition of the farmers. These farmers were facing difficulties in paying land revenue because of severe poverty constraints.

The land tax is collected two times in a year — (1) at the time of kharif crop-collection shall be 40 per cent of the demand, (2) at the time of Ravi crop-collection
60 per cent of the demand. If after expiry of the period allowed under any order of assessment, the whole or any part of the amount of the tax remained unpaid without any reasonable cause, the taxation officer (besides land revenue all kinds of taxes or dues will be referred to the District Collector in case of non-payment in due course) may forward to the District Collector a certificate under his signature specifying the amount of tax due from such person. The Collector on receipt of such certificate will take steps for recovery of amount of tax as an arrear of land revenue. Thus, the Collector provides an opportunity to the person to pay due tax. After a list of defaulters will go to Tahsil by the Collector, then Tahsildar with the help of Amin will recover due amount from the defaulters. Whenever money has been collected or realised in excess, a person can write an application of complaint to the Collector. If on inquiry it appears correct, the Collector may order it to be refunded to the applicant.

If, still, defaulter deliberately refuse to pay the tax, the coercive processes will be used. The Collector can take reasonable steps for expeditious recovery of arrears by issue of arrest warrant and sale of movable property of the person from whom the sum are due as the recovery of arrears of land revenue. Moreover, the Collector may realise the arrear by attachment and sale of interest of defaulter in any
other immovable property of the defaulter. Every sale in this connection shall be made either by Collector in person or by an Assistant Collector. Under coercive processes, generally, Tahsildar issues warrant of arrest and with the help of Amin defaulters are called at the district headquarter for clearing their land records. Thereafter they are arrested and put into the custody.

The Collector has been empowered to grant Loans for the relief of distress on the occurrence of certain calamities like drought, flood, hail storm etc. The power of remission and suspension of loans also belong to the Collector of the district. The Uttar Pradesh Government has passed Agricultural Credit Act in 1973 with a view to secure adequate flow of credit for agricultural production and development through Commercial Banks and other Institutional Credit Agencies. Apart from providing loans for the relief of distress, Banks providing loans to the poor people for setting up small scale business. The aim behind is to generate more means of income and eradicate poverty as soon as possible. Loans are provided by banks on an instalment basis. Loanee has to pay fixed instalments in due time. If Loanee or agriculturist fails to pay the amount on the due date, the bank officer may forward to the District Collector a certificate specifying the amount due
such from agriculturist. On receipt of certificate the Collector shall proceed to recover from agriculturist the amount specified therein together with expenses of recovery. Same process is adopted in case of non-recovery of Sale Tax, Stamp Dues, Excise Dues etc.

Different departments have to send a revenue certificate to the Collector specifying the dues from the defaulters.

Collector's power of Land Acquisition:

The Collector has power to acquire land for public purposes like entry to canal, road, for construction of Government building, industry, hospital, for maintaining first public park etc. In this regard, he has to issue a preliminary notification. This publication should contain names of the owners of land and building and other details of the land which is likely to be acquisitioned. After declaration, Collector can take order for the acquisition of land. Then Compensation Officer or Collector shall determine the amount of compensation to be paid for the land and building material. If the compensation is not accepted, the Compensation Officer or Collector shall report to the State Government the fact of the case. The Land is a State subject so decision of the State Government is binding over its subject.
So far as Aligarh District is concerned there are many examples when land was acquired for public purposes. First instance, the Collector Naqvi had acquired land in 1944 near Aligarh Muslim University campus for maintaining a public park (popular as Naqvi Park) to improve public health as well as to control environmental pollution. Another instance, in 1992, Collector Deleep Kumar Kotia, had acquired land near Provincial Armed Constabulary (PAC) Chawani for the foundation of Tala Nagari (Lock City).

Apart from Land Acquisition, Collector has powers to issue Old Age Pension, to those who don't have property or other means for their survival, preservation of historical monument if any one lies in his jurisdiction, issue licences for scientific, industrial and medical purposes, take out the government land and property in public interest which have illegally occupied by the people. In city area shop keepers generally take possession of road side land which is illegal, this possession can be stopped or removed by the order of the Collector. After going through above mentioned powers and duties of the Collector, it is clear that he has more undefined than defined functions.
STRUCTURE OF THE COLLECTORATE
OF ALIGARH DISTRICT

The District Officer is the boss of whole Collectorate. All matters of district are placed under his charge to look after well. The people of all walks of life come to Collectorate to get their problems solved. In order to redress the public grievances, Collector takes help of his staff i.e. Collectorate. The main office of the District Officer is under the general control and supervision of the Administrative Officer. There are number of senior clerks under him who act as Sectional Heads. However, the entire business of Collectorate is assigned to various sections under the charge of sectional heads like Revenue Assistant, Judicial Assistant, Chief Revenue Accountant, Nazir, Correspondence Record Keeper, Revenue Record Keeper and Assistant Land Records Officer in addition to general clerk working directly under the supervision of Administrative Officer, as indicated by the Table No. 2.3.
Control by the District Officer over the Collectorate:

The District Officer should personally make an occasional round of the whole Collectorate building to satisfy himself that the court and office rooms are kept tidy and clean. He has to ensure that sanitary arrangements, furniture, books in library are in decent condition and properly arranged. He should also make occasional inspections of the various branches of work in his office. He should examine any particular department whose work is suspected to be unsatisfactory. Main work of District Officer should be to see that inspections have been regularly made by the Officer in-Charge of the various departments, the Administrative Officer and Section Head and that the defects pointed out by them have been removed. When an inspection is made by a subordinate officer, the inspection note should be submitted to the District Officer for his perusal and orders.

Control and supervision of the Administrative Officer over the Collectorate:

The Administrative Officer should personally investigate complaints received regarding serious delays in complying with requisition for papers from the record rooms. He should also satisfy himself that the record keepers are working
properly and systematically and that effective supervision is being exercised on them. The supervision of the Administrative Officer over the copying section in the record room should be related to such matters as to keep up-to-date of notice board, the proper defacement and correct recording of the value of stamps, and existence of suitable arrangements for the prompt receipt and registration of applications for copies. Complaints of abnormal delays in the supply of copies should be personally investigated. The Administrative Officer will exercise general supervision over the Form Keeper. The Form Keeper has been placed under the Criminal Record Keeper. He has to take care of the library and maps and keep up-to-date of the various codes etc. The District Officer may in his discretion put Form Keeper in-charge of stationary of the Collectorate.

The Administrative Officer of the Collectorate should exercise the closest supervision over the work of the Nazirs and their assistants. He should pay special attention to the punctual despatch of the dak to Tahsils and to officers in camp, to the careful weighing of parcels and papers for the post to prevent wastage of stamps. He should give special care to the existence of an methodical arrangement for the service of processes issued from headquarters in order to prevent unnecessary expenditure on the entertain-
ment of extra process-servers. At regular intervals, he should try occasionally to obtain receipt granted by the Nazirs and compare the amount entered in the receipts with the entries in the nazir's cash books. When he visits the Nazarat office, he should be careful to see that payment of diet money are not made except to the court officer authorised to receive such payments 16.

Thus, daily routine of work and control of the office is entirely in the hands of the Administrative Officer. He is made responsible for the discipline and smooth, efficient and economical working of his charge. In this regard, it is expected from him to keep gradation lists and character rolls of all officials and submit proposals for promotion. This work has to be done by him with the consent of sectional heads. The final power in such cases rest with the District Officer. However, the Administrative Officer is expected to make the periodical inspections of the work of each clerk in his office. The Administrative Officer has to maintain an inspection book in which he records a very brief summary of the inspections made by him and submits it through Officer-in-Charge to the District Officer. Apart from him, the senior clerk will also carry out inspections of the workers working under them.

So far as supervision over the court is concerned, it is Presiding Officer not an Administrative Officer responsible for the inspection and efficient performance of the work of court clerks. He has to satisfy himself that all rules have been observed by court clerks. He has to report to the District Officer about the performance of court whenever he is asked for it.

The Collectorate Library is placed under the charge of Administrative Officer who is popularly known as Office Superintendent. He has to circulate to all officers at the district headquarters at the end of each week a list of books and reports received by him during the week.

**Distribution of Business under the various Sections of the Collectorate:**

The whole business of the Collectorate is assigned to the various sections under the charge of sectional heads. Following are few important functions carried out in some sections of the Collectorate:

I- **Revenue Assistant's Section:**

The works of Excise Clerk, Suits Clerk and Stamp Clerk are placed under the jurisdiction of this section.
**Excise Clerk**: The "challans for deposit of excise dues concerning bonded pharmacies, power, alcohol installations and distilleries should henceforth be passed for acceptance at the Treasury by the Excise Inspector posted at the spot and not by the Excise Clerk. The licensee should be encouraged to present their applications in first instance to the Excise Inspector concerned, so that the applications go to the Excise Clerk with the Excise Inspector's report.

**Suits Clerk**: When a notice US/80 CPC is received it has to go to the Suits Clerk without indexing. He has to himself check the suit and see that it is in order. He has to send it in original to the department concerned for a narrative, keeping a note to this effect in separate sheets. Then department has to send it to the District Government Counsel (DGC). If DGC finds that there is no force in the notice and the District Officer agrees, the District Officer has to himself send a reply to the notice given to the effect that the suit if filed will be defended. If it is proposed not to file a suit in whole it has to be referred to the Legal Remembrancer for his instructions. The Head of the Departments and Commissioner are empowered to compromise suits upto Rs.2,500. In small suits (value upto Rs.250), the Legal Remembrancer should not be consulted about the written statement or about any other matter.
Stamp Clerk: The pending entries of demands and collections in respect of instruments not duly stamped are at present brought forward each month in the Demand and Collection Register. It is not necessary to enter full particulars of cases of infringement of stamp law and action taken about them in the monthly infringement statement which is submitted to the Board of Revenue. Henceforth only the total number of pending and decided cases should be shown in the statement.\textsuperscript{17}

II- Judicial Assistant's Section:

According to arrangement following officials have to work under this section.

Arms Clerk: "Under the U.P. Arms Rules and Orders a register in Form"G" has to be maintained for recording particulars of licences issued to possess arms and ammunition and armed for purposes of sport, protection or display. When licence is renewed a report in Form S has to be made to the authority by which the licence was issued or was renewed. The weapons have to be inspected once in three years. Sub-divisional Magistrates and gazetted police officers have to make it a practice to inspect the licences of arms and ammunition/tours. The licences for revolvers, pistols and for the manufacture of fireworks and for blasting powder should be

\textsuperscript{17} Revenue Manual, Revenue Department, Government of Uttar Pradesh, op. cit., pp. 35-36.
renewed by the Sub-Divisional Magistrate. Every licencee should be permitted to buy unlimited quantities of ammunition. In exceptional cases like communal riots, the District Officer may restrict the quantity of ammunition to be sold to the licence.

**Passport Clerk:** If a national of a foreign country desires extension of time or permission to visit places not mentioned in his passport, he has to present his passport with a stamped application before the District Magistrate or Additional District Magistrate. The D.M. or A.D.M. must issue grant orders on the application. In no case the party should be referred to a clerk. Only the D.M or ADM can send the application form to the clerk who has to keep it in a monthly bundle which should be sent to the Record Room. As regard special visas for member of the Pakistan Police or Armed Forces, the Government has to send such cases direct to the Superintendent of Police. The applications for international passports must be provided by the Passport Clerk.

**III- Chief Revenue Assistant's Section:**

In order to ensure expeditious action, the following procedure is adopted in respect of demands received from various authorities:
(i) An authority is entitled to collect the arrears of land revenue has to address the Collector for the same.

(ii) At the same time the authority has to endorse a copy of his letter to the Tahsildar concerned. The Collector has to issue a general order to each Tahsildar stating that on receipt of such endorsement, the Tahsildar has to collect the sum and send intimation direct to the authority, referring only difficult cases to the Collector.

(iii) The auditors of the Board of Revenue, should not inspect the Chief Revenue Accountant's Section more frequently than twice a year".

IV- Land Acquisition Clerk:

"The department at the time of taking possession of acquired land has to make a record of crops and trees on land. This record must be certified as correct by the owner of the land. The District Officer has to ensure that no department take possession of land without proper legal proceedings. Irregularities are often noticed in the issue of orders suspending or remitting land revenue in respect

of land already acquired and the former landowner continues to be asked to pay land revenue. This causes unnecessary harassment. Accordingly, the District Officer must ensure suspension of land revenue in such cases immediately after possession of the land has been taken.

V- Nazarat:

The Nazarat has been relieved of the work of maintaining the service books of Tahsil peons. The annual verification of services has to be done by Tahsildars. The entire despatch work of the Collectorate has been centralised in the Nazarat and the despatcher has to sit there with his despatch register. The various peons employed in dak work, except one each under the Administrative Officer (Office Superintendent), the ALRD and the CRA, are pooled and sit in the Nazarat. It is the duty of one peon to go constantly round the office to take letters for despatch to the Nazarat.

Collector's Stenographer:

The maintenance of files and registers by the Collector's stenographer is unauthorised and not in keeping with the well understood duties of his post. The District Officer must see that he is not encumbered with such work and that all files and registers which have accumulated with him are immediately transferred to the Collectorate. Particulars of letters issued by stenographer have to be filled in the stamp
register maintained by him. The District Officer has to take particular care that the telephone calls which his stenographer receives should be attended promptly and replied politely" 19.

Apart from these above mentioned some important sections, the General Clerk of Collectorate looks after matters of loans and pensions. He also deals with the matters of appointment, transfer and filing up of temporary vacancies of the employees. The General Clerk is under the charge of Administrative Office (Office Superintendent).

So far as matters of the Collectorate are concerned, the District Officer is the final authority. He is at liberty to make alterations in the above mentioned procedure in the interest of smooth functioning and assign any work to any section of the Collectorate or to any departmental clerk in a section. The District Officer issues orders regarding distribution of work in various sections and their assistants every year. Further, it is the responsibility of departmental clerks to prepare a statement of business instituted, dispose off pending work of every quarter to enable the District Officer to observe the progress of business.

CHAPTER V

THE ROLE OF THE DISTRICT OFFICER –
A CASE STUDY OF ALIGARH DISTRICT

(Section-B)
An important responsibility of the District Officer as District Magistrate is to maintain law and order in his district. In a democratic country like India, the problem of public peace and tranquility is complex, because people fight for their rights and press their demands through agitational means. Besides, people of each corner of district approach District Magistrate for redressal of their grievances.

So far as Aligarh District is concerned, the District Magistrate has delegated power of maintenance of public peace and tranquility to the Additional District Magistrate (City), City Magistrate, Assistant City Magistrate (First), Assistant City Magistrate (Second) and Additional District Magistrate (Rural Areas), who with the help of Senior Superintendent of Police or Superintendent of Police maintain law and order in the district. Basically, district police plays an important role in maintaining law and order. The D.M. is the head of civil and criminal administration of the district, and in this capacity controls and directs the action of the police. The D.M. has special powers with reference to the allocation of Village Chowkidars in his district. He not only appoints them but also dismisses them. The law and order is not strictly
concerning any special type of crime. This is about general law and order which may be disturbed even by non-criminal motives. The real nature of the emergency here may be political, economic and communal, such disturbances of peace have to be prevented. The police is vigilant to watch the situation and take preventive measures to maintain peace and harmony in the face/communal situation, festivals, agrarian troubles, industrial strikes, subversive political upheaval etc. In order to know actual position of law and order of the district, it is equally essential to go through the organisation and functions of the district police.

ORGANISATION AND FUNCTIONS OF THE DISTRICT POLICE:

The police is a State subject. The administration of police in a State is vested in the Inspector General of Police. The orders from the Government are conveyed to him and he conveys them to the subordinate police officers. Some orders are directly addressed by the Government to the District Magistrates, and in these cases copies are endorsed to the I.G. of Police who then issue order to the District Superintendent of Police (SP). The I.G. of police is responsible to the Government for the efficiency and discipline of police force and for the proper performance of its duties. Down to I.G. are Deputy Inspector General of police (DIG) to supervise and guide the work of district Sps. He tours the districts, inspects police
offices and police stations and ensures that the police discipline is well maintained etc. The position of different ranks of the police officials has been illustrated in the table no. 3.1, given below:

Table No. 3.1

THE STRUCTURE OF THE POLICE ORGANISATION:

Inspector General of Police
  | Deputy Inspector General of Police
  | Superintendent of Police
  | Deputy Superintendent of Police
  | Inspector
  | Sub-Inspector
  | Head Constable
  | Constable

SOURCE: Office of the ADM(City), Collectorate, Aligarh.

The District Superintendent of Police is incharge of the District Police. He is responsible for the efficiency and the discipline of the Police Force and proper performance
of police duties. His main function is to check & control crimes but he has also a large amount of administrative work. For the control of crime he keeps himself in touch with the Police Stations, receives report of crime and investigation and provided guidance to investigation officers etc. He tours the district and inspects the Police Stations. All Police personnel in the district are under him; he supervises their work and subject to the approval of the District Magistrate, he may transfer Station Officers and the officers of the higher rank within the district and may on his own transfer lower officers within the district. On the administrative side, he has to maintain discipline in Force. He has to keep the Reserve Lines in good order and to ensure that the Police is properly drilled, is well provided with arms and ammunition etc. He is also responsible for the proper administration of Police Funds. The office of the SP is at the headquarter of the district and he is assisted by Dy. SPs. Basically, at the city level SP works in close cooperation of ADM (City). The ADM(City) also moves with him to analyse the real situation of law and order of the district. He also inspects all the Thanas of the district and shoulders responsibility of maintaining peace in the district.

The Deputy Superintendent of Police (Dy. S.P.) helps the SP in enquiries and makes recommendation both to control crimes and related administrative duties. In Uttar Pradesh,
these officers are known as Circle Officers (CO). They directly supervise Thana Police, inspect the Thanas, direct important investigations and also discharge some administrative duties.

There are number of Inspectors in the district. Their duties are to supervise the Thana Police and assist the Circle Officer (CO). In particular, they supervise investigation and prevention of crime and may take up some investigation work themselves and coordinate preventive and detective work in their jurisdiction. They also inspect Police Stations and carry out miscellaneous enquiries.

A Police Station is headed by an officer of Sub-Inspector's rank who is called Officer-in-Charge of the Police Station. He is briefly known as SO (Station Officer) or SHO (Station House Officer). The police station is the backbone of police department and plays pivotal role in executing all police orders in a police organization. The SO is assisted by Head Constables and Constables. Usually 25 to 150 villages are placed under the jurisdiction of SO. The Head Constables are expected to perform functions of writing reports and maintenance of records, discipline and drilling of the force, investigation work etc. The Constables are usually assigned Beats so that every Constable is responsible for patrolling in his Beat and keeping himself informed of the state of crime and the general state of people. He, particularly, keeps to
bad characters and looks for gambling-dens and illicit distilleries. The Station Police has also to provide escort to important visitors, keep vigilence, participate in all official functions and assist general administration in every possible way.

**BRANCHES OF THE POLICE:**

Apart from such specialised agencies as the Photographic Bureau, Hand Writing Bureau, Finger Prints Bureau, Wireless Section and Fire Services; the Police Force may be divided into following branches:

1. **Civil Police:** It is bulk of the police and usually mans the Police Stations. It is used usually to control crowds and processions and also used for ceremonial purposes.

2. **Armed Police:** It functions as part of the District Police. It is used in emergencies to meet violent crime. It is also used for guarding treasuries, transporting cash, dispersing unlawful assemblies and crowds, and protecting and guarding public buildings, bridges etc.

3. **Special Armed Police:** It does not form part of the usually District Police. It is centrally trained in a State and usually posted at a few centres in groups,
but is available for emergencies when assistance is needed by the District Police. In Uttar Pradesh it is known as the Provincial Armed Constabulary (PAC). When the District Police cannot meet situations arising out of agrarian trouble, outbreak of serious crime, widespread riot etc. this force is called in.

4. District Intelligence Staff (DIS): The DIS is Local Intelligence Agency which keeps the District Magistrate and the District Superintendent of Police informed of the general state of public opinion, specially public reactions to Government policies and underground public activities. The DIS comprises a Sub-Inspector, a couple of Head Constables. This is a part of the District Police.

5. Criminal Investigation Department (CID): It is a separate branch of the State Police organisation. Its main function is to guard the security of the State. It deals with the investigations of rather complicated crimes. The CID personnel are spread all over the State and work in cooperation with District Police. It is different from DIS. It is a special branch of police and issues a number of periodical secret reports.
Apart from these above mentioned branches, there are Railway Police and Vigilance branch. The Vigilance Branch deals with the matters of mal-administration, irregularity in essential commodities etc. At the district level Vigilance Committees are constituted to examine such matters. Each Vigilance Committee constituted for a district shall consist the following members, namely:

i) "the DM or person nominated by him shall be the chairman;

ii) three persons belonging to the SCs & STs and residing in the district, to be nominated by DM;

iii) two social workers resident in the district, to be nominated by the DM;

iv) one person to represent the financial and credit institutions in the district, to be nominated by the DM;

v) each Vigilance Committee shall regulate its own procedure and secretarial assistance, as may be necessary shall be provided by the D.M." ¹.

Thus, District Police plays an important role in maintaining law and order. There is a close relationship between the police officials as well as administrative officials of the district.

RELATIONSHIP BETWEEN POLICE AND THE MAGISTRACY
AT THE DISTRICT LEVEL:

The District Magistrate should be promptly informed by the Superintendent of Police (SP) of the occurrence of all serious crimes and of any sudden increase in the crime. He generally should receive a fortnightly statement of the crime in the district. The SP should also keep the D.M. informed of all events that are of importance from a police point of view and should frequently seek an opportunity of discussing matters with him personally. Following are the offences in which SP has to send a report immediately in a red-envelope to the D.M. of the district. These offences are "dacoity, robbery, torture by police, escape from police custody, forging of currency notes, manufacture of counterfeit coins, serious fraud on public money, important cases of murder, rioting, burglary and theft, breach of peace between different classes, communities in political groups and other cases of special interest" 2. Apart from these reports, the SP is advised to keep himself in touch with the D.M and ADM (City) and remain in constant personal communication with them. Thus, the Superintendent of Police's main function is to provide an efficient instrument for carrying out public policy which is directed by the District Magistrate. But the

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2. Vaichariki, District Administration; Office, Finance and Legal Digest, op. cit., p.211.
position of the SP as immediate head of the disciplined force must be maintained and the District Magistrate is not supposed to intervene in the internal management of the Police Force. Such interference will adversely affect the coherence and, therefore, effectiveness of the Police Force. The District Magistrate in the exercise of his power of control should avoid doing anything to weaken the District Superintendent of Police's authority.

The District Magistrate issues general directions to the police in matters of regulation of festivals and processions and deputes police on such occasions. The police is called upon to execute policies of the Government which have a general bearing on law and order situations. In such cases policies are communicated by the Government to the District Magistrate who is responsible for getting these policies executed by the police. The DM takes local conditions into consideration, plans action and supervises its execution by the Police. Such policies may relate to arms and licences, road transport, subversive political parties, political action and a host of other subjects.

The District Magistrate has power to impose penalty and make arrest whenever a speech is delivered in public places without the permission in writing of the DM or the SP,
and these such public meetings which may cause public excitement or disturb peace. In such situations bad characters may be arrested without warrant and punished severely for a term which may extend to six months, or with fine, or both.

Under the Goondas Act, where it appears to the EM that any person is a Goonda and his movements or acts in the district are calculated to cause alarm, danger and harm to the public and property, the EM may by an order in writing direct him to remove himself outside the district until the expiry of such period specified in the order. This order is generally for six months. If he fails to remove him from the district or re-enters the area from where he was ordered to be removed the EM may cause him to be arrested and remove in police custody to such place outside the area specified in the said order.

If there is imminent danger to the life and property of the public because of flood, the EM can direct such persons by an order to remove them from the specific area which is likely to be affected by flood. The EM can also arrange accommodation for the flood affected persons. He can take help of the army for protection of life and property of the people. He can take possession of any premises other than premises used for the purpose of religious worship or a private dwelling in use as such for the evacuated persons.
The District Magistrate has been empowered to disperse any unlawful assembly if it is likely to cause a disturbance of the public peace. If police fails to meet the situation he calls in armed forces. In order to disperse the assembly any Executive Magistrate of highest rank like ADM (City), SP etc. may direct for arresting and confining the persons who form part of it. The following principles should be governed in case of use of force. The Magistrate and the senior police officer should function in close cooperation. All attempt to disperse a crowd by warning and exhortation shall be made before it is ordered to disperse. If even after the order the attitude of crowd remains defiant force shall be used. If a Magistrate is present, the responsibility for using force shall rest with him otherwise senior police officer can direct for use of force. If Magistrate is not present, the SP can order to avert an unlawful assembly. In firing blank cartridges will not be used and firing should not be in the air or over the head of the crowd because it will only encourage further violence.

The SP within the district, can transfer officers below the rank of Inspector. In case of Inspector and officer in charge of Police Station, he must get approval of the DM before passing such orders.
In the field of law and order, control of crimes, execution of processes and general public policy, the Magistracy and the police work in cooperation is headed by the District Magistrate. An organised efficient and honest police system is the basic need of the district administration. No progress is possible unless there is peace and order, law is properly enforced and crimes are minimised. The good cannot be protected without punishing the evil doers. The DM, therefore, lends all his authority and influence to the police so that it may discharge its legitimate duties. Yet, he holds the balance even between the police and the people and ensures to the possible extent that dishonest and vindictive officers are punished and the public interest is protected.

In order to prevent corruption among the officials of the district, an "Anti-Corruption Committee has been set up in each district consisting of;

1. " The DM - President;
2. The SP - Member
3. Three non-officials members nominated by the Government."

This committee will examine various work after complaints of corruption against public servants in a district.

Apart from the above mentioned committee, a district Integration Committee should also be constituted in each distt.

under the chairmanship of the District Magistrate. This Committee will perform two important functions, namely:

1. "to look after the matters relating to Harijans,
2. to prevent communal tension" 4.

It is the duty of the District Magistrate to visit the district jail at least once in a month. Such visits must also be accompanied by SDMs etc. The DM should inspect each Police Station once a year. The ADM (City) or SDMs can be asked to inspect Police Stations in their jurisdictions. He can also direct any subordinate Executive Magistrate to inspect the Police Stations. An inspection book for use of the District Magistrate should be kept at every Police Station. This book must be sent to Superintendent of Police after inspection and shall be forwarded to the DM by a S.P. for information.

In the States like Madras and Bombay, the District Magistrate's authority is very well respected over the Police, but his authority over the police in U.P. has been comparatively weaker. It is because here DM does not write the Character Rolls of his Superintendent of Police. Further, the DM will record annual entries in respect of all district level officers, except those police officers connected with planning and development. This will not be open to the

4. Ibid., p.171.
reviewing or accepting officer to make any judgement on it. The entry of the DM will be confined to the contribution of officer in the successful implementation of district plans, his general reputation of integrity and his behaviour with public. In the event of an adverse entry made by DM, Representation, if any, against it will be made to the Commissioner. The Commissioner has the authority to take a decision and make recommendations to the Government on all administrative matters.

Apart from the above mentioned duties of the District Magistrate, he is also the chairman of Zila Sainik Parishad. He is an inspector for his district under the Factories Act for factories and other establishment. He is also an inspector for the purposes of payment of wages act in respect of all factories within his district. He is a Returning Officer for elections to Parliament and Vidhan Sabha constituencies, and is responsible for coordination of the election work at the district level. He makes necessary arrangements for the election process. For example, he has to arrange for the manpower and their training connected with the conduct of elections, and transportation facilities etc.

At last but not least, he is a District Census Officer. He is responsible for conduct of census operations once in ten years. This work entails more elaborate arrangements than the elections. He appoints enumerators, provides for their
training and makes timely arrangements for the supply of all relevant material & forms etc.

THE ADDITIONAL DISTRICT MAGISTRATES AND THE DISTRICT MAGISTRATE - STUDY OF MUTUAL RELATIONSHIP:

The District Magistrate is the Central Government representative in the field to implement its policies within his jurisdiction without any fear or favour. From the very beginning people of this country consider him 'Kingpin' of the district administration. Hitherto, people of all walks of life reach him to get redressal of their grievances. The District Magistrate is made responsible to manage affairs of the district. These affairs may be either in the field of revenue, law and order, judicial (like Pure Food and Adulteration Act, Criminal Procedure Code and Indian Penal Code) or the development. In judicial affairs he is assisted by ADM (Judicial) of the District. After the separation of judiciary from the executive in 1974, the ADM (Judicial) was renamed as Chief Judicial Magistrate and placed under the charge of the District Judge. The idea behind this was to provide better social justice to the people.

In course of time, use of science and technology stressed need for specialisation of each activity of the District Magistrate. In order to meet the needs, increase efficiency and effectiveness in work and
reduce workload of multifacet activities of the District in Magistrate, six posts of the ADMs have been created in Aligarh district. At present, these ADMs are providing assistance to the District Magistrate in the areas of his conventional responsibilities such as, revenue, law and order, civil supply, ceiling etc. The chief idea behind delegating powers of the District Magistrate to the ADMs is to provide enough time to the District Magistrate to pay more attention especially for the managerial problems. These ADMs are promoted from the Sub-Divisional Magistrates (SDM) in consideration of their past services and the experience they possess of the district. Functions of the ADMs in the Aligarh district can be very well understood from the diagram given below:

Following are the ADMs of Aligarh District:

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District Magistrate

ADM(City)  ADM  ADM  ADM
(Rural)  (Finance & Civil Supply) (ADM(Urban Areas) Revenue)  (ADM(Urban Ceiling)
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Each main branch of the Collectorate is headed by either an officer of the rank of Deputy Collector or Additional District Collector and from there the line of authority runs to the field. Each branch of the Collectorate is further divided into sections as in Uttar Pradesh. Each
section is placed under the charge of sectional head, such as Revenue Assistant, Judicial Assistant, Chief Revenue Assistant, Nazir, Correspondence Record Keeper, Revenue Record Keeper and Assistant Land Records Officer. The success of the above mentioned arrangement "largely depends upon the quality of the organisation of the Collectorate and the efficacy of its communication. Presently, most of the Collectorates in U.P. are in a chaotic state and the confusion prevailing in the headquarters often has its consequences in the field offices. In order to overcome such a situation the disorderly and aging Collectorate should be reorganised on systematic basis in view that it may equip for its own orderly coordination as well as of the entire district administration.

Further, horizontal or intersectional coordination at the base is the first task which can successfully be performed to provide the social climate and administrative culture encourage mutual assistance and cooperation between the first line supervisors. Positive responses between equal functionaries of the same level, automatically provide a wholesome atmosphere for co-ordinative efforts". This intersectional coordination has great value where the branches are headed by the ADMs as in U.P., because the District Magistrate has to pay special attention to the coordination work of the district.

However in the normal times, the District Magistrate may "entrust the function of coordination of the central office to the officer immediately below him, in view of its importance he has to exercise overall personal supervision for its orderly and integrated functioning. Due to multifarious responsibilities including frequent official tours, it may not be possible for the District Magistrate to review periodically the working of all branches and sections of his Collectorate, and he has to rely on effective delegation in order to keep them moving in concert". The workload of the District Magistrate has been reduced up to a great extent by delegating administrative as well as financial powers in the charge of various ADMs of Aligarh district. All Executive Magistrates except the Additional District Magistrate shall be subordinate to the District Magistrate and every Executive Magistrate (other than the Sub-Divisional Magistrate) exercising powers in a sub-division shall also be subordinate to the Sub-Divisional Magistrate subject to general consent of the District Magistrate. Whenever any powers conferred by the DM may be withdrawn by the respective Magistrate, by whom such powers were conferred on any person".

DISTRIBUTION OF BUSINESS AMONG THE ADMs OF ALIGARH DISTRICT:

The DM may from time to time make rules & gives special orders for the Distribution of Business among the different ADMs of Aligarh District. The ADMs of Aligarh District will discharge all the functions of District Magistrate, excluding policy matters.

It is the restriction that all the major decisions like the Annual Report to the State Government shall be taken by the DM as the responsibility regarding the completion of work at the district level rests with him. In order to bring efficiency and effectiveness in the work of the Collectorate and leave the DM to the work of supervision, following functions are to be discharged by the different ADMs of Aligarh district.

Additional District Magistrate (City):

1. Responsibility relating to inspection/supervision of all Thanas of Aligarh city and maintenance of law & order;
2. Supervision of the courts of Nagar Magistrate and Upper Nagar Magistrate situated at the headquarter;
3. Under the Arms Act, he has been empowered to settle down all types of arms cases (excluding carbine, Revolver and Pistol) relating to all Thanas of the Aligarh city;
4. Settle down all the new cases relating to Revenue, Goonda Act and Stamp Duty;
5. Superintendence charge of VIPs is placed under him;
6. Work relating to Press and Communication Department;
7. Work relating to Sports, Riffle Club, Nagrik Parishad, Festival, Homeguard and Passport;
8. Work relating to District Jail and observation of District Jail;
9. Work relating to compensation to the workers;
10. Superintendence charge of the District Sainik parishad;
11. Superintendence charge of the Municipality of Aligarh;
12. Officer-in-Charge to Exhibition;
13. Superintendence charge of the work relating to Gandhi Eye Hospital;
14. Distribution of the Government residances;
15. Work relating to Schedule Caste;
17. Superintendence charge of the work relating to the welfare planning of child labour;
18. Superintendence charge of Joint Office (Excluding work related to the Revenue Assistant);
19. Superintendence charge to maintain internal security;
20. Superintendence charge of Civil Suits/Indian Citizenship;
21. To discharge all those work which have been entrusted upon him by the District Magistrate.
Additional District Magistrate (Rural Areas):

Following functions are entrusted to the ADM (Rural Areas) of the Aligarh District:

1. Responsibility relating to maintenance of law and order and inspection/supervision of all the Thanas except Thanas of Aligarh City;

2. Inspection and supervision of the courts of all pargana officers and other officers of the district;

3. Excluding Thanas of Aligarh city, examination of cases under District Goonda Act, inspection of courts of Pargana Officers and Tahsildars, and matters of their transfer applications to the court;

4. Under the Arms Act, excluding Thanas of Aligarh city, he has been empowered to settle all matters of district relating to suspension/disarmament of arms (except Carbine, Revolver and Pistol);

5. Work relating to cancellation of Agriculture land Patta and Awadi Patta in the district;

6. Superintendence charge of land reform, land order, consolidation, land acquisition, rural ceiling, gazeteer, historical monuments, mineral property, agriculture census, animal census character certificate, farm store, old age pension, judicial and revenue archive, Government residence supervision, political pension, Lok Sabha and Vidhan Sabha questions, Anglo Archive etc.;

7. Superintendence charge of Joint Office (related to the Revenue Assistant);

8. Work relating to inquiry against the gazetted officers according to the order of the District Magistrate;
9. Hearing of appeals against the Lekhpals at the time of departmental proceedings;

10. Authorisation to go across uncertain leave problems of gazetted and non-gazetted officers;

11. Superintendence charge to verify matters related to the residence, caste and nationality;

12. Work relating to salary and travelling allowance of class II gazetted officers;

13. Work relating to acquire Estate;

14. Superintendence charge of Nazarat;

15. Officer-in-charge to the Navodaya Vidhyalaya, Agsouli Tahsil Sikandra Rao;

16. Discharge all those works referred to him by the District Magistrate.

Additional District Magistrate (Finance and Revenue):

Following revenue matters of the district will be taken into his effective guidance and supervision:

1. District Finance Officer/District Registrar;

2. District Stamp Officer;

3. Realisation of all the government dues, supervision of the work relating to natural calamities and Superintendence charge of collection work;

4. Inspection work relating to the settlement of Audit Objection;

5. Work relating to obtion and sale of attached property;

6. Work relating to treasury;

7. Work relating to Muslim Waqf and Trust;

8. Registrar under the Mahajan enactment;
9. Superintendence—charge of natural calamities;
10. Superintendence—charge of Evacuee property and enemy property;
11. Superintendence—charge of general pension;
12. Superintendence—charge of entertainment tax, luxury tax, etc.;
13. Settle down all pending cases of Stamp Duty and decide that Stamp Duty is not being misused;
14. Work as Assistant Returning Officer of the district during the period of election of MLAs and MPs etc.;
15. Apart from these, discharges all those functions entrusted upon him by the District Magistrate.

Additional District Magistrate (Civil Supply):

The Civil Supply department of Aligarh district is placed under his charge. He has to ensure an uninterrupted supply of essential commodities in the district. In case of general shortage of these commodities he is supposed to exercise the necessary control over their attainment and distribution. In this regard, following are the important functions entrusted upon the ADM(Civil Supply) of the Aligarh District:

1. Superintendence—charge of all those works relating to civil supply;
2. Under the Essential Commodities Act, empowered to take action against the sieged material;
3. Work as a coordinator in district in those examinations arranged by the Government of India;
4. Settlement of 450 consolidation watching, which are transferred from the court of District Government Council;

5. Settle new Stamp Duty cases of Iglas and Khair Tahsils;

6. Settle down pending revenue cases of Iglas Tahsil;

7. and discharge all those works referred to him by the District Magistrate.

Above mentioned allocation of work has made it clear that conventional works of District Magistrate from revenue to law and order have been entrusted upon the ADMs of the district. Responsibility to the State Government about the work of district rests with the District Magistrate. In order to ensure responsibility he exercises power to control the working of different departments in the district. Apart from control, he provides guidance and supervision to various district level officers to achieve the objectives of the policy laid down by the Government.
ALIGARH DISTRICT AND ROLE OF THE DISTRICT OFFICER
IN DEVELOPMENT ADMINISTRATION

In recent times, the vital role of the District Officer in the district administration has been a subject of debate. The main focus of district administration has indisputably shifted away from the collection of land revenue and the maintenance of law and order to economic development, coordination and the upliftment of the weaker sections of society.

The present role of the District Officer in Uttar Pradesh vis-a-vis development administration can hardly be said to be different from rest of the country except Maharashtra, Gujarat and Andhra Pradesh. The development functions and responsibilities of the District Officer of Aligarh District increased manifold on account of addition of the Community Development Programme (CIP) activities to his portfolio.

In Uttar Pradesh the scheme of Community Project and National Extension Service was started in 1952-53 and by the end of 1955-56, there were 26 Community Projects and 135 National Extension Service Blocks of which 28 were converted into Intensive Development Blocks. New material and managerial tools were invented and the process of extension and consolidation was set in motion, which continued throughout 1960s. But establishment of Panchayati Raj
Institutions in the district created a vertical split in the district administrative set-up. As mentioned earlier, the acceptance of the scheme of democratic decentralisation by the States had a far reaching effect upon district administration. A very important question that naturally came up for discussion at the very outset was: what should be the role of the District Officer in the scheme of Panchayati Raj? How he stands in relation to these democratic bodies? Should he be inside the Panchayati Raj Institutions or watch their activities and progress from outside acting as their guide and adviser?

PANCHAYATI RAJ ADMINISTRATION AND THE DISTRICT OFFICER IN ALIGARH DISTRICT:

Inspired by Gandhiji's idea of village republics Uttar Pradesh had initiated programme of rural development even before attaining freedom. Thereafter the Uttar Pradesh Panchayati Raj Act was passed in September 1947, on the basis of the recommendations of Kher Committee on Local Self-Government of Uttar Pradesh gave serious thought to the need to introduce democratic decentralisation. In the beginning, it was decided to make Zila Parishad the vital link. Accordingly, an ordinance was promulgated on April 29, 1958, which was latter replaced by the 'Uttar Pradesh Antarim Zila Parishad Act', 1958. In this way the Antarim Zila Parishad took over the functions of the then existing District Boards and District Planning Committees.
In 1959 the Zila Parishad Bill known as "Uttar Pradesh Kshetra Samitis and Zila Parishads Adhiniyam" 1961, was introduced in the legislature. After the passing of this Bill, the State Government committed itself to the task of democratic decentralisation; the Panchayat Raj Act of 1947, the Uttar Pradesh Zamindari Abolition and Land Reforms Act of 1951 had no doubt done the spade work in strengthening the concept. It was, however, the 1961 Act which can be described as the last cementing force to lay a very sound foundation for the same.

The Third Five Year Plan of Uttar Pradesh introduced necessary changes to implement the development programmes by establishing three-tier institutions with Zila Parishad at the apex level, Kshetra Samiti at the centre and Village Panchayat at the base. This plan laid down the following objectives of democratic decentralisation in the State:

1. Panchayat Samitis and Panchayats should make efforts to mobilise local manpower and other resources and services available at the right time according to the accepted programmes.

2. Panchayat Samitis and Panchayats should pay special attention to raising the level of living of the less privileged sections.

3. Panchayat Samitis and Panchayats should place their main emphasis on increasing agricultural production.
According to the Adhiniyam, 1961, the composition of indirectly elected Zila Parishad in Uttar Pradesh shall be as follows: All Pramukhs of Kshetra Samitis established in the district are members of Zila Parishad; Members of Parliament from the district; MLAs from the district; all members of Legislative Council residing in the district, the District Officer (a non-voting member) and Presidents of all municipal boards in the district will be ex-officio members. Nominated members will be chosen by the Kshetra Samiti out of its members in the prescribed manner; persons shall be coopted in the manner prescribed by the Government. There is provision to have representatives of women and scheduled castes according to the number of khands in a district. The total number of members under subsection (1) of section 18 shall not be less than twenty.

Under the Act, the Zila Parishads were given both supervisory and some executive functions, such as general supervision of Gaon Panchayats and Kshetra Samitis preparation of district plans and review and coordination of Kshetra Samitis-distribution of adhoc grants allocated by Government and other bodies. As coordinating and supervisory agencies with some executive powers the Zila Parishads under the Act have not been made very strong in respect of functions, powers and as an affective administrative machinery. Zila Parishad periodically meets and discusses the various problems that arise in connection with Panchayati Raj and development
schemes of the district. The Chief Executive Officer of the Zila Parishad is of the rank of District Officer.

POSITION OF THE DISTRICT OFFICER IN THE ZILA PARISHAD:

So far as the District Officer's powers and its relation to Panchayati Raj Institution are concerned, in Uttar Pradesh, he is entitled to attend the meetings of Zila Parishad and participate in discussion but has no-voting right. The District Officer can inspect any movable property, books or documents which are under the possession of the Zila Parishad. He can seek or furnish any statement, account and reports from the Zila Parishad by an order. The District Officer may time to time call meetings of Parishad Officers to discuss matters relating to expenditure from the budget grant of the Parishad relating to planning and development. It is expected from the DM to furnish quarterly reports to the State Government about the progress of development work of the district.

If at any time, it appears to the State Government that the Zila Parishad has made default in performing duties imposed on it by enactment or the State government then the State Government has power either to dissolve the Parishad or supersede it for a specific period. In such case, the State Government may appoint the District Officer to perform Parishad's function and take decisions of Parishad alone.
For instance, this happened in Aligarh District when after dissolution of Parishad, election was not held at least 14 years from 1977 to 1989. So, by the 73rd Constitutional Amendment Act, 1993, Government has made various provisions such as to hold election every 5 years and in case of supersede within 6 months. Thus, role of the District Officer in relation to PRIs is only limited to inspection, participation and cooperation except in emergency periods. In case of emergency the District Officer may provide for the execution of any work which the Zila Parishad is empowered to execute for the safety or protection of the public. For the expenses of the Zila Parishad the District Officer may issue an order directing the person having the custody of the Zila Nidhi to pay the expenses.

DEVELOPMENT PROGRAMMES OF ALIGARH DISTRICT:

For the District Annual Plan 1993-94, the Rs. 1338.31 lakh outlay has been determined. When in 1992-93, it was only Rs. 1200.26 lakh. Under the year 1993-94, the old-age pension, aid to widow and handicapped and scholarship to the 9th and 10th class students alike plans have been transferred from State Sector to District Sector. These schemes have increased the workload over the District Sector. Following are the important development programmes going on in the Aligarh District. Rural Landless Employment Guarantee Programme (RL & CP), Training for Rural Youth for Self Employment (TRYSEM).
Development of Women and Children in Rural Areas (DWCR), Integrated Rural Development Programme (IRDP), Jawahar Rozgar Yojna (JRY) etc. Later on, like other parts of the country, various development programmes were merged into Integrated Rural Development Programme in Aligarh District too. It was implemented all over the country in 1978 after merging various development programmes such as IPAP, DDP, TRYSEM, NREP etc. within its purview. In case of Aligarh District IRDP was implemented in 1980 in few blocks of the distt. which later on extended to all the 17 blocks of the district. It is a centrally sponsored scheme implemented by District Rural Development Agency (DRDA) of the States. It is funded on 50:50 basis by the Centre and the States.

Under the programme, assistance is given to the rural families of target group having annual income below the Rs. 6400. This limit has been increased to Rs. 11000 from April 1992. At least 50% of the families covered should belong to the SCs/STs from 1990 onwards.

For successful achievement of the objectives, sector-wise targets are assigned to each block in the district in consideration of available resources in the area for the selected poor families. The District Rural Development Agency (DRDA) is responsible for implementing the programme at the district level and Block Development Officer (BDO) at the block level. The District Officer is the Chairman of DRDA, Aligarh. Besides him; all MPs, MLAs and various
district level Officers of the district are its members. The chairman i.e. District Officer of DRDA has been empowered to form an executive committee to assist the DRDA. The DRDA is over all incharge of planning, implementation, monitoring and evaluation of the programme of the district.

Under the IREP, it has been observed that many of the poor households of Aligarh District do not have the Below Poverty Level (BPL) card. They can neither be registered as poor nor they are eligible for any grant under the IREP. It has been noticed that the persons responsible for programme implementation are not interested in target fulfilment and do not care for viability of the project. The quality of asset is inadequate to generate additional income for the target families to cross the poverty line. In a number of cases full payment of subsidy is not given to beneficiaries and is less than the sanctioned amount. There is undue delay in sanctioning loan to the families by the banks. In many cases material, regarding the project, given to beneficiaries from approved shops are of low quality with higher prices than the open market. Sometimes, it has also been noticed that beneficiaries who have got their animal insured did not get insurance payment in case of accident. Cases of misutilisation of funds by the benefitted families by manipulating false assets with the help of their relatives have also been reported. Under severe poverty constraints sometimes various beneficiaries utilised sanctioned loan on illness,
marriage and other natural calamities etc. Therefore, proper monitoring and continuous watch are necessary. Regular visits should be made by the officials to ascertain the positions of assets and their proper utilisation.

Further, financial institutions sanctioning such loans have adopted rigid norms and procedure in the shape of higher rate of interest and inadequate amount of loan for setting up of enterprises. Besides, there are lack of proper implementation, technical expertise and awareness amongst the poor households about the anti-poverty programme. The officials responsible for identifying target groups for assistance do not have adequate knowledge of the poor in their jurisdiction and are not properly motivated to help them.

Efforts are in the offing aiming at reducing poverty and unemployment by employing adequate means and exploiting the available sources and creating greater motivation among the functionaries in the delivery system. All the concerned officials, non-officials and others need to be apprised of the concepts, strategy and expected outcomes of the programme. Further, it is imperative to equip them for task through the transfer of skills and inculcation of such values and attitudes which will be conducive for the attainment of goals of Integrated Rural Development.
Besides these programmes, various other departments are also engaged in development work of Aligarh District. These departments are Agriculture Department, Gardening and Usufruct Department, Sugarcane Development Department, Help to Small and Marginal Farmers, Animal Husbandry Department, Milk Development, Fishery Development, Forest Department, Cooperative Department, Panchayati Raj Department, Community Development, Minor Irrigation Department, Electricity Department, Plan for Rural and Cottage Industry, Education Department etc.

DEVELOPMENTAL RESPONSIBILITIES AND THE DISTRICT OFFICER:

In order to make development meaningful and effective, a separate department of development has been created and all work relating to it referred to the ADM(Planning) who is renamed as Chief Development Officer, who assists the District Officer in development work of the district. Accordingly, separation of developmental activities from the purview of the District Magistrate are thus diverted to him such as advising, assistance and coordination rather than direct control of development work of the district. Separation does not mean complete aloofness of the District Magistrate from the development process of the district. He is still Chairman of District Plan Co-ordination and Implementation Committee as well as Vice-President of the District Planning and Observation Committee. The step to separate development
department was taken in view of the Distt. Officer's already responsibilities overburdened with his routine functions. Although still the District Officer is theoretically the administrative head of the district, he has been divested of any effective role in the development administration of the district. The Chief Development Officer (CDO) being his equal, is in no way under the control of the District Officer (DO). Consequently, the entire development machinery in the district is placed outside the pale of the District Officer's authority. The influence, if any, that he continues to exercise in development matters is largely arising from the status and prestige of his office.

The District Officer of Aligarh district therefore, remains primarily a regulatory functionary greatly occupied with routine functions, and crucial matters like monitoring and review of development programmes which concern the welfare of society as a whole do not strictly come within the purview of his jurisdiction.

The preoccupation of the District Officer with routine work implies an under utilisation of his managerial capacity which is in great demand in the field of development. It also implies that his administrative experience is hardly applied to solve real problems of the majority of people such as poverty, unemployment and satisfaction of minimum needs. The District Officer of Aligarh District is ideally placed to perform the role of coordination of development activities.
rapidly proliferating in the district. The involvement of the District Officer here in development administration would not only make his role more meaningful and satisfying but also the district level coordination more effective. If the District Officer is to bear the responsibilities of development, his traditional role of preserver of the status quo should yield to that of dynamic agent of change. He should be relieved of routine revenue and magisterial functions in order to afford him more time to concentrate on the real problems of human welfare in the district. The inclusion of the District Officer in district planning of Aligarh District has been a very healthy step since it has brought him into direct contact with the multifarious aspects of development administration.

**DISTRICT PLANNING BOARD:**

It is a supreme body of planning in the districts. Its composition comprises of all MPs and MLAs hailing from the district, the Zila Parishad President, District Collector, Economic and Statistical Officer, Chief Development Officer, all District level Officers, Minister nominated by the State Government and all the Legislative Council Members (MLCs) etc. of the district. The functions entrusted upon the District Planning Board are: "to prepare perspective plan, five year plan and annual plan of the district for its balanced development; to evolve specific schemes in various fields; to ensure
that the planning is realistic and aims at maximum participation; to undertake a regular and effective review and evaluation of the implementation of the district level schemes and programmes; to undertake special monitoring and evaluation of the minimum needs programme to locate the bottlenecks in the implementation of schemes and remove them, to detect the missing links in the infrastructure for implementation of the family oriented programmes and to formulate appropriate schemes to restore the links; to review the progress of the implementation of family oriented programmes in the district, and to ensure that their benefits actually accrue to the rural poor" 8.

The District Planning Officer is expected to tour and visit the sites of projects financed by the District Planning Board. The District Planning Board is also expected to build up a reference library on economic development besides acquiring publications of the Planning Commission & the State Government.

In order to meet the live needs of people, the district level planning was considered last alternative. This decentralised planning process was started in Aligarh district by the U.P. Government in 1981-82, so that districts can chalk out excellent development plans by best use of fiscal and man-power resources of the district. It has generated great enthusiasm all over the district. The people have come to feel that they are participating in planning and that they can propose and get

things executed. Decentralised planning process is the delegation of powers and the devolution of funds to the District Officer. The people realise that the Distt.Planning Board is an effective body to meet their departmental needs, accept suggestions or proposals. In order to strengthen district planning process U.P. Government has created following new posts:

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<tr>
<th>S.No.</th>
<th>Name of the post</th>
<th>Number</th>
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<tbody>
<tr>
<td>1.</td>
<td>Economic and Statistical Officer</td>
<td>1</td>
</tr>
<tr>
<td>2.</td>
<td>Assistant Economic Statistical Officer</td>
<td>2</td>
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<tr>
<td>3.</td>
<td>Cartographer</td>
<td>1</td>
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<tr>
<td>4.</td>
<td>Clerk/Typist (Junior Assistant)</td>
<td>2</td>
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But down to the district i.e. at the Block and Village levels till now no separate planning arrangements have been made by the U.P. Government. Perhaps the idea of the Government seems to strengthen district planning process first. It is said that information down to the Block and Village levels about the planning process will go through trained workers in order to get their more effective contribution. Under the decentralised planning process, planning of all those departments engaged in rural development first be prepared at the district level than moves upwards to Division level. For the formulation of district plans various Executive Committees have been constituted and their duties have been assigned, as indicated below:
A- **District Plan Co-ordination and Implementation Committee:**

At the district level a District Plan Co-ordination and Implementation Committee has been constituted under the chairmanship of District Officer for the preparation, rapid implementation and to get more benefits of district plan. The constitution and duties of the committee are as follows:

**Constitution:**

" 1. District Officer Chairman
  2. Chief Development Officer Secretary
  3. Economic and Statistical Joint-Secretary Officer
  4. All District Level Officers as members

**Duties of the Committee:**

1. to prepare Annual and Five Year Plans for the district by taking into consideration the laid down guidelines and outlay of the district;
2. review monthly progress of district plans;
3. Prepare proposals of re-appropriation according to the guidelines of the State Government" 9.

B- **District Planning and Observation Committee:**

This Committee has been constituted in the order given below:

**Membership:**

" 1. Minister nominated by the State Govt. Chairman
  2. Chairman, Zila Parishad Vice-Chairman

Duties of the Committee:

1. to give last shape to the proposed Annual Draft Plan of the District Plan Implementation Committee at the district level according to the indicated guidelines of the State Government and distributed outlay of the district;

2. to make observation at least once in two months for all the plans of district departments.

3. to distribute departmental outlay in different blocks of the district according to the time to time made parameters of the State Government. The aim behind it is to abolish inequalities of different blocks of the district.

4. to make upward i.e. at the Commissionary level with the re-appropriation proposal of district plan implementation committee with its own approval.

5. If necessary, get the general information from the departmental officers of each department* 10.

C- Organisation and Duties of District Executive Committee:

The District Plan and Implementation Committee has a Executive Committee. It is called Pre-Plan, Creation and Distribution Committee. The Constitution of this committee is given below:

10. District Plan, Aligarh, op.cit., p.3.
Membership

1. District Officer Chairman
2. Chief Development Officer Member-Secretary
3. District Development Officer, Different Departments/Highest Officers of Organisations or nominated Engineer, Members
4. Representatives of the District Lead Bank Members

Above mentioned Committees are important Committees doing planning work at the district level. After approval of District Planning and Observation Committee, the district plan comes within the purview of Commissioner for/consent. Here State nominated Minister, Commissioner, Joint/Deputy Development Commissioner and all District Officers of Commission etc. examine and analyse of district plan. Divisional Committee also makes debt planning to the availability of more institutional finances for the development works. This committee has power to give administrative and financial permission up to the extent of Rs. 10 lakh for the new plans. After the approval of Divisional Committee the district plan moves upward to the Secretary, State Planning Commission. Here, State Government finally approves the district plan and distributes money for the achievement of the determined targets.

In short the actual position of the District Officer within the frame-work of development administration in

11. Ibid., p.3
Uttar Pradesh will be determined after the re-organisation of the Panchayati Raj bodies in the light of 73rd Constitutional Amendment. What type of changes have to take place is yet to be seen, but one thing is certain that the growing quantum of the developmental activities having a direct bearing on his office is likely to change the present role of the District Officer in the State.