

Comfortable with colonial legacy of DM but uneasy with Britishers-designed Parliament

JUNE 22, 2021

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HUMBLE

Covid-19 and Pradhan Corona Warrior Narendra Modi ji have put district magistrate (DM) on the Centre Stage in pandemic management. DMs have issued countless orders under Disaster Management Act, Epidemic Diseases Act and other relevant laws to rein in citizens from joining infection chain.

With second wave waning, it is time to review and pitch for reforming institution of DM. It was created by East India company in 1772 as District Collector; also known as Deputy Commissioner.

Ironical it is, that Modi Government is comfortable with this colonial legacy. It, however, feels uneasy with the perception that Britishers-designed Parliament was not built for Independent India.

Apart from three designations, the executive head of district wears other hats too. This IAS cadre official wields power under more than 50 central and State laws. He heads many district committees and institutions. DM's workload keeps rising with the launch of new central and state schemes and new laws.

No wonder some of the DMs don't know well all the laws and names of committees they preside over. This fact was discovered by 2nd Administrative Reforms Commission (ARC) in its 15th Report on State & District Administration released in April 2009. Why has NDA Government not revisited the Report's valuable recommendations that were trashed by UPA?

Some DMs don't attend meetings of the committees that they chair - a fact recorded by Kerala Administrative Reforms Commission. A lot has been written about DMs in reports of Central and State governments over the decades.

DM is aided by few sub-divisional magistrates/additional collectors appointed for each sub-division of the district. There is an army of officials of district offices of various departments that assists DM-SDMs team. We will revert to the issue of reinventing district administration later in the column.

A few DMs grabbed headlines for their misconduct in enforcing lockdowns and corona/night curfews. In three viral videos in three different States, they were seen slapping citizens. Mr. Modi didn't admonish DMs & their core teams against over-zealousness in cracking the whip on alleged breakers of covid restrictions. PM instead concentrated on boosting their morale. He last month likened the role of DMs and other covid-fighting State officials with that of **"field commander"**

of the war. While advising them to take care of citizens "ease of living" amidst pandemic, he gave **"free hand to them"** to **"innovate"** and suggest **"policy changes"**.

This reminds me of what late Rajiv Gandhi, the original innovator of PM-DM interface, said at the first of the 5 workshops on Responsive Administration (RA) that he had with DMs.

At the first such interaction with DMs in Bhopal on 10th December 1987, Mr. Gandhi stated:

"The District Magistrate or Collector is the Government as far as the people are concerned, with a capital 'G'. The face that you present to the millions that you come into contact with is the face of the Government. Your behaviour is the behaviour of the Government, your attitude is the attitude of the Government".

Mr. Modi had two separate video interactions with DMs and other field officials of districts last month. These were basically pep talks. The interactions, of course, helped PM project his image as dedicated corona warrior.

In one meeting, Chief Ministers of states concerned also attended as **"puppets"**, as put by West Bengal Chief Minister Mamata Banerjee. She complained she was not given an opportunity to speak.

This was second instance of Mr Modi's virtual interaction with DMs. On 9th August 2017, he addressed them as collectors on **"New India- Manthan"**. This too was pep talk with focus on marketing of his vision for New India.

In seven years, Mr. Modi has thus avoided reforming DM's multi-faceted role as Executive, Developmental, Revenue, Welfare and Electoral Head of district administration. This over-burdened and diffused responsibility of DM affects public delivery of welfare, economic development, social harmony and peace at the district level.

Mr. Modi's predecessors tried to catch the bull by the horn. How much they succeeded in improving district administration is anyone's guess. District administration has to be reinvented to get the best results from Central and State money that flows to it. The outcome of central and state policies and schemes ultimately depends on how district administration works under the leadership of DMs.

The Public's experience in dealing with the district administration influences their perception about State and Central Governments. Districts are crucibles in which all public policies and schemes are tested with varied results. That was the reason why Mr Gandhi as PM held five RA workshops in five regions during December 1987 - June 1988.

It is here pertinent to recall what Mr. Gandhi said in the Rajya Sabha on 13th October 1989 while replying to the debate on the Constitution (64th Amendment) Bill and the Constitution (65th amendment) Bill. These are popularly referred to as Panchayati Raj and Nagarpalika bills.

Mr. Gandhi said:

"I now turn to questions of political propriety which appear to have agitated the feelings of our friends Opposite. We have been asked: how dare the Prime Minister interact directly with District Magistrates ?"

He continued:

"I answer; what call has the Prime Minister of a country like India to remain as Prime Minister unless he feels at home in the humblest hut of the remotest village of our vast and varied country? I toured hundreds of villages. I spoke to countless people. There, in their hearths and homes, I experienced the cruelty of an unresponsive administration, the oppression of an administration without a heart, the callous lack of compassion that most of our people find at the hands of much of our administration".

He added: ***"I then looked at the Administrators themselves - most of them dedicated young men and women, of extraordinarily high intelligence deeply concerned about the people placed in their charge and yet, apparently, incapable of converting their personal compassion into a responsive administration. I sought an answer to this riddle, a solution to this conundrum. That is how I decided to pose the question to the district magistrates themselves. How could this possibly be wrong ?"***

This question might well be in the mind of millions of citizens affected by lockdown and allied orders issued and enforced by DMs without caring holistically for their life and livelihood of the masses.

The Union Government should prepare a compendium of all the orders issued by DMs during the first and second wave(s). A comparative analysis would help identify the best and worst orders issued. This exercise should also cover orders issued by higher-tier IAS officials nestled in State capitals.

Such content analysis should be discussed at the next PM-DM interface that Mr. Modi would have in the near future.

There is a lot of scope to do comparative analysis of varied instructions and field reports prepared by DMs. The objective should be to learn from shared experience to serve the public better. Has anyone cared to read and compare inspection reports penned by them after their tours within the respective districts?

How often they embark on surprise inspections to check the progress or lack of progress in villages?

Another area that impacts district administration is the under-currents of tension between DMs and local MLAs, corporators and MPs. This bureaucrat-Politician tension, which at times boils into a major row, has been going on for decades.

It is here pertinent to recall what late P.V. Narasimha Rao as PM said at the Conference on 'Accelerating Socio-Economic Rural Development' on 7th December 1991.

Pitching for harmonious relationship between bureaucrats and politicians, Prime Minister PV Narasimha Rao stated **"I have seen Collectors going round collecting garlands at public meetings and telling 'Arai uskey pass kyon jatey ho, mere pass aao, main sub karke deekhaoonga'. I mean he is talking against the Member of Parliament, he is talking about the MLAs, he is talking against the Zila Parishad Chairman and the Zila Parishad Chairman says 'Main to iska tabadala karake rahunga'. So; that is the kind of cooperation you have today in some places. So, the thing has deteriorated. The work has deteriorated"**.

A report on public administration submitted by A.D. Gorwala, a reputed Indian Civil Service Officer, way back in 1951 gives a dual image of collectors.

It cites a specific case of MLA forcing a collector to do certain work by telephoning a minister from collector's office. The Report referred to circulars issued by different state Governments, advising bureaucrats to not submit to unwarranted pressure from politicians.

The Report noted:

"From the influenceability of ministers, there follows another danger, that of the slick officer who attempts to ingratiate himself with that is, his influence with the Ministry, for his own advancement. Of such too, in many places, examples are not lacking".

Mr. Modi knows this issue very well. A collector once touched his feet as Gujarat Chief Minister at an event held during May 2008. Another collector had likened him as different avatars of the God in different faiths. At a Garib Kalyan Mela organised in February 2010, Collector stated: **"Modi is Ram for Hindus, Rahim for Muslims and Jesus for Christians"**.

No wonder Mr. Modi derided bureaucrats in Parliament in February 2021. Defending private sector and privatisation, he posed: **"Will the Babus do everything? If one becomes IAS will he/she do everything like running fertiliser industries, chemical industries or flying a plane...what are we going achieve by handing over our country to Babus"**.

Notwithstanding such negativity, the fact remains that DM gets hands-on experiences of all facets of development, regulation and general administration while serving in districts. The Collector is not only jack of all trades but also master of all in the district.

As put by Dr. Manmohan Singh as PM at the Collectors' Conference held in May 2010,

"The Collector or the District Magistrate remains even today the linchpin of the administrative system in India".

He stated:

"The role of the Collector in our system has always been a most critical one. The Collector is an inter-sectoral functionary who is the source of strength of this institution, which stood the test of time. Over the years, the role of the Collector has dramatically changed adding on several development-related responsibilities that do complicate his or her basic regulatory functions".

One such additional responsibility flows from MP or MLA local area development (MPLAD / MLA-LAD) scheme introduced in the nineties. Under this, each MP / MLA gets certain annual allocation of funds with which he/she can facilitate certain projects in his/her constituency. The clearance of the project and its funds are routed through district collectorate. This scheme driven interface between elected representatives and DMs is taxing on time and energy of DM and his team.

It is apt to cite certain observations made by Committee on Civil Service Reforms that submitted its report to Union Government under chairmanship of P.C. Hota in July 2004.

According to the Report, the public perception is that

"District Magistrates and Collectors and Superintendents of Police are spending too much time in protocol and security duties. To ensure that District Magistrates and Collectors and other senior officers in field formation get time to interact with the common people and solve their problems, protocol and security duties of these officials must be reviewed to limit their ceremonial functions".

That apart, frequent transfer of DMs and SDMs due to political considerations affects district administration. Such issues call for radical reforms.

This brings us to the shelved or forgotten agenda for governance reforms mooted during UPA and earlier regimes.

The 2 nd ARC's 15th report deserves revisit by the Centre. It mooted convergence of urban and rural local governance bodies into district council. It suggested that this should serve as district government. It also recommended substantial changes in the responsibilities of Collector. UPA Government didn't accept these recommendations.

The Government should seriously consider the idea of district government even if it requires constitutional amendment. A district council can facilitate cohesive and wholesome development of district as well as resolution of its problems.

Simultaneously, the Government should consider segregating the role of DM, Collector and Deputy Commissioner into three separate offices. This would help DM to focus on conflict resolution in district to avoid law and order problems. This would also help Collector to concentrate on revenue mobilization efficiency. This would also enable Deputy Commissioner to focus on implementation and monitoring of schemes. The three officials should constitute the district executive council ably assisted by sub-divisional magistrates, block development officers etc. The senior-most IAS official among the three should be designated Chief Executive Officer of District.

This is a mere proposal. Better ideas would perhaps emerge if Modi Government issues a discussion paper on district administration/Collector. It should list all key points of numerous administrative reforms committee reports.

A report that deserves mention is the 1953 report captioned '

Public Administration in India - Report of a Survey by Paul H. Appleby, Consultant in Public Administration, The Ford Foundation'. Popularly known as Appleby report, it was commissioned by Prime Minister Jawaharlal Nehru. The report pitched for clarifying and consolidating the responsibilities of Collector.

As put by the Report,

"The collector is so broadly responsible and overburdened that one of his primary functions has suffered seriously... He is responsible to everybody for everything, though with varying degrees of clarity. No one can hold him responsible for anything in particular, and few facilities for checking his performance exist".