Restructuring the District Collector's Role

Why in news?

The Vidhi Centre for Legal Policy has brought out a book, "From Rule by law to the Rule of Law", with a sub-title "25 Reforms to Decolonise India's Legal System".

What does a District Collector (DC) or District Magistrate (DM) do?

> *The position of District Collector was created by Warren Hastings in 1772.*

- **Functions** - As per the 15th report of the Second Administrative Reforms Commission (ARC), a DC or DM has the following roles.
- **Revenue**
  - Chief revenue officer - Assessment, collection and recovery of land rent dues
  - Manager of land - Rent, acquisition, tenancy and tenure
  - Decides on revenue land disputes
- **Keeper of the peace**
  - District head of the executive magistracy
  - Overall supervision of law and order and security
  - Licensing and Regulatory Authority (such as Arms Act)
  - Conduct of elections
  - Disaster management
  - District Magistrate
  - Issue detention orders/custody warrants under special security or anticrime laws
  - Supervisory authority responsible for proper management of jails and remand/juvenile homes
  - Appointment of public Prosecutors
- **Development**
  - District Development Officer
  - Coordinates between all departments
  - Public service delivery
  - Chief Information and Grievance Redressal Officer
  - Coordination between political representatives in the district
- **Interface between the political and the executive**
  - Eyes and ears of the Government
  - Keeping balance between political groups
  - Interaction with civil society
  - Balance between PRI structure and MLA/MP structure
  - Called upon to arbitrate in matters of unrest and conflict
- **Article 50** of the Constitution states that the State shall take steps to separate the

judiciary from the executive in the public services of the State.
- Accordingly, DMs don't try criminal cases.
- The magisterial function is limited to the preventive and there is no longer any direct control over the police.

What is the need for restructuring the District Collector's role?

- **Evolution of PRIs and Municipal bodies** - With the constitutionally mandated establishment of panchayati raj institutions and municipal bodies, it has become necessary to re-examine and re-define the role of the district administration.
- **Devolution of power** - It is imperative that the devolution of decision-making to local levels should face no hurdles.
- **Effectiveness** - It is essential to effectively use the unique administrative experience, expertise and credibility of the office of the district collector built up over a period of two hundred years.
- **Police** - Though the recent amendments in the Police Acts by various States have removed the placement of police under the general control and direction of the district magistrate, the collector still continues to be recognised by people as the overall in-charge of law and order.
- **Nomenclature** - A district magistrate or district collector should be called development commissioner, because the name suggests the priority in the job function.

References

1. The Indian Express | Need to restructure the district collector's role
2. NCGG | Evolving Role of District Collector in Good Governance

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