Azim Premji University

The Historical Evolution of the District Officer

From early days to 1947

By **Dr CK Mathew**
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THE HISTORICAL EVOLUTION OF THE DISTRICT OFFICER*

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*A composite designation used for District Collector, District Magistrate and Deputy Commissioner

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TABLE OF CONTENTS

AN INTRODUCTION TO THE SERIES OF PAPERS ON THE DISTRICT OFFICER

This is the first of a five-volume series that shall attempt to capture the many faces of the District Officer, otherwise known as District Collector, District Magistrate or Deputy Commissioner. As the key administrator at the district level, often posted at an age younger than 30, he is the single reference point for virtually all problems and issues that may arise across all departments in his jurisdiction. While there are several books and papers defining and re-defining this crucial and key element in the bureaucratic structure of any state of India, this series of studies now proposed will examine five variegated aspects of the post.

It is well-known that India owes much of its legal and administrative structure to the legacy left behind by the British when they left the country in 1947. Many of their statutes continue to provide an excellent framework for the administration of justice and maintenance of law and order as also to detect or prevent crime: the Indian Penal Code, the Civil Procedure Code and the Criminal Procedure Code, the Indian Evidence Act, etc., are prime examples. Some others still assist in the collection of revenues for the country, such as the Registration of Property Act of 1882. However, the most visible and effective element of administration, extant in the country for the past 250 years in an unbroken line of historical evolution, is the institution of the District Collector (also known as the Deputy Commissioner in some states and, while encompassing the role of the District Magistrate, is ubiquitously translated as the District Officer). An office, invented in the days of the East India Company and strengthened when the British Parliament took over the reins of administration in 1858, has, over the years, grown into a crucial and indispensable element in

the country's bureaucratic and administrative hierarchy. It is one on which the government, at the levels of both the state and the Centre, is heavily dependent.

At present, there are 739 districts in the country(*Government of India Web Directory*, n.d.).[1] Each district is led by a District Officer. Unless the context demands otherwise, s/he shall be henceforth referred to as District Officer. He performs a multitude of functions and duties spanning all aspects of the district administration. He is not merely the representative of the state government. In many ways, he personifies the government itself. His many tasks include the maintenance of law and order (in which capacity he is referred to as the District Magistrate), the collection of land revenues (in the context of which he is addressed as the District Collector), the coordination between departments for development activities, the redressal of grievances of people and a host of other issues. Most importantly (though not over-emphasised), he plays the sensitive role of balancing conflicting political aspirations in the best interests of the district. He is also charged with the duties of implementing important schemes and programmes of the Union and state governments by providing leadership and guidance to the staff of the various administrative departments under him. As the eyes and ears of the government, it is also his job to ensure that critical information on all matters in his jurisdiction are promptly brought to the attention of the state government. In times of crisis, such as management of a natural disaster or a civil disturbance, his authority is unquestioned and his control is vast.

He is invariably a member of the Indian Administrative Service (IAS), officers of which are selected at a young age through a rigorous process of national competitive examinations. Some Collectors are also appointed by promotion from state

1 The number of districts is steadily increasing. The 2001 Census showed the figure as 593, which rose to 640 by the time the 2011 Census was completed.

administrative services or by nomination from other services.[2] A young IAS recruit, after undergoing training for two years, is posted in the field from where he begins his work. He learns on the job. When he is posted on a district assignment, he becomes the chief officer-in-charge of supervision of the general administration of the district, while also functioning as its senior-most executive magistrate, presiding over subordinate magistrates such as Additional District Magistrates, Sub-divisional Magistrates, etc.

The task undertaken herein is to write five analytical volumes on various and differing aspects of the District Officer's extraordinary work and role. These five aspects proposed to be studied are as below:

i. **Historical evolution** of the assignment, tracing the transformation from the District Officer being an agent of the British East India Company to occupying the position of the primary field officer at the district level duly empowered by the Raj and, now, to an all-purpose administrator in present-day India, functioning as the face of the government. While there is adequate material in this regard, this study shall attempt to consolidate the broad historical developments along with variations, if any, in different parts of the country. It shall also be informed by the present public perception of the job and the element of higher trust of the public in this office with particular reference to the findings of the recent study by Azim Premji University and the Centre for Studies in Developing Societies (*Politics and Society between Elections 2019*, 2019).

ii. **District Magistrate**: The second in this series shall deal with the District Officer's role in maintenance of law and order and the establishment of peace and tranquillity. The District Magistrate's duties include the conducting, and the superintendence of, executive magisterial courts presided over by himself as well as courts of Executive Magistrates

2 Normally 33.33% of the total IAS posts of the state are reserved for promotees from the state administrative services as well as for those who came in by way of special selection from non-state administrative services. The latter is restricted to 15% of the one-third thus reserved.

working under him, such as sub-divisional and *tehsil* level courts; conducting magisterial inquiries; hearing of cases under preventive sections of the Criminal Procedure Code, etc. As District Magistrate, maintenance of law and order, supervision of the police and jails, granting of arms and ammunition licences under the Arms Act, preparation of names for appointment of public prosecutors and additional public prosecutors in consultation with the sessions judge in district, etc. all fall under his authority. Often, he is expected to discharge the role of District Magistrate in matters related to disaster management during natural calamities such as floods, droughts or epidemics as well as crisis management during riots or external aggression. The role of the District Magistrate in ensuring peace and tranquillity is a sensitive and critical one. Tensions are especially palpable during communal conflicts, often resulting in riots and deaths of innocent people. The nature of his relationship with the Superintendent of Police, also an All India Service officer, can well determine the successful establishment, or breakdown, of peace.

iii. The third of the series shall explore the role of the **District Officer as manager of all land,** with reference to his revenue functions in the district, encompassing issues related to land revenue, the protection of common property resources, and complex issues related to urban land, etc. This will include management of revenue courts subordinate to him involving decisions on legal issues between contesting parties on revenue and land matters, all matters related to assessment and recovery of land revenue, including enforcement of collection of arrears, etc. He is also the arbitrator of land acquisition proceedings, where the compensation payable to affected oustees are determined. In many states, he is the District Registrar, overseeing the collection of stamp duty on transfer of properties, and the safe-keeping of property documents, sale deeds, power of attorneys, etc. (In some states, the

responsibilities of registration of land is assigned to separate and independent offices). He also supervises issuance of various kinds of statutory certificates, such as those related to SC/STs, OBCs and economically weaker sections as well as domicile certificates, nationality certificates, marriage registration certificates, etc. Although the quantum of revenues received from the head of land revenue is now but a small component of the total tax revenues, the significance of land management cannot be overstated as this is an essential feature of effective governance and stability. The depletion of common property resources, including encroachment on government and public land by predatory encroachers, is a common problem that he needs to handle firmly but with sensitivity. The role of the District Officer in land other than revenue land is also important, such as land for urban areas, forest development, etc. His advice is given due importance when all manner of land utilisation is considered by the government. The intrinsic inter-relationship of his role as landowner on behalf of the state and the functions he performs as District Magistrate is also required to be described in detail.

iv. The role of the **District Officer as a catalyst for development** is the fourth study we shall undertake. It shall examine his role in playing the coordinator between departments for the overall progress of the district, with a special focus on problem areas such as land occupied by tribal populations, issues relating to dalits, problems of drinking water, development of infrastructure, etc. It is said that, with the promulgation of the National Extension Services and Community Development Programme in 1952, the District Collector was formally entrusted with the additional responsibility of implementing the government's development programmes in the district. Although in many states, the office of the District Development Officer, separate from that of the District Collector has been put in place, to oversee all

district development activities, the continuing dominance of the role of the District Collector exerts considerable influence in development matters. In many matters he is expected to coordinate the workings of multiple departments and to act as a 'problem-solver' in the implementation of developmental works and projects. His role often requires him to break through departmental silos and arrive at solutions acceptable to the various executive departments working under his jurisdiction.

v. **The District Officer is also the interface between the executive and the political**. Problems related to the rising expectations of the elected representatives and encroachment of the latter into areas of the former, shall be examined in this last of the five-volume series. This study will also explore the need for balance and judgement on his part between opposing political and social viewpoints so as to maintain peace and ensure a sustained pace of development. A working relationship with the political representatives of the people can help him speed up developmental activities and avoid unnecessary friction and delays. There are frequent reports of clashes between the District Officer and political representatives on various public issues. Transfers of District Officers to innocuous assignments in the Secretariat when they do not toe the line, is often read about in newspapers and discussed in the media. Disputes between contesting political parties can find their way into the office of the District Officer even as the ubiquitous presence of the media complicates matters. Yet, despite these odds, most District Officers are able to balance the requirement of management and administration of the district with the aspirations of contesting political and social influences, while also engaging with civil society organisations and facing the scrutiny of an enlightened, or often irresponsible, press. An objective examination of these aspects of district administration is the need of the hour.

It is conceded that there is a pressing need to explain the rationale for writing this five-volume series, especially because there is ample material currently available on the subject. This series of five different aspects centering on the District Officer's role is occasioned by the perception that there are some gaps in the current literature on the subject we are dealing with here. Indeed, there is a plethora of material available on the general subject of the Indian Civil Service and its successor service, the Indian Administrative Service, that traces the history and evolution of these services. There are monographs and books as well about the role that the District Officer has played in the settlement of land revenues and the entitlements of tenancies for the cultivator of the land. The role of the District Officer, changing from time to time according to the needs of governance, have also been touched upon in several treatises. Of course, a wide array of books written by these administrators both British and Indian are available that record their personal memories in the form of autobiographies and memoirs.

What this series of papers attempts to do is to amalgamate many of these disparate aspects into a coherent unity, covering the complex and multifarious roles that this officer plays, even while placing him in the historical context. This series will especially focus on his role as an indispensable keystone in the architecture of modern governance in India. The days of the ICS District Officer, where he would be seen as the *mai-baap* doling out justice in an imperious manner, are certainly over. While there are many who complain that the District Officer is now but a shadow of his former self, the fact remains that both the Union government and the state governments continue to depend heavily on this office for the establishment of law and order. In its present-day avatar too, the District Officer is there to coordinate activities of the various departments in the district, to manage relief operations arising after natural and man-made disasters, to implement crucial developmental and social programmes of both the governments

and to act as representative of both the governments in all activities on the ground.

This series, therefore, after tracing his evolution over two-and-a-half centuries of an unbroken line, examines the role of a District Officer as a member of the All India Services appointed by the President of India, but serving the state governments with special reference to four other significant aspects of his responsibilities. They are: his complex functions related to the management of land; his responsibilities as Magistrate for maintenance of law and order; and his crucial role in coordinating the developmental activities in the district as head of the administration. The last will significantly touch upon his perilous position as the interface between the political and the administrative. He is the government's all-purpose man appointed to absorb and appreciate concerns from political and social interest groups, even as he manages contradictions and paradoxes to balance opposites. He ensures continued development on a consistent basis. There are often differences in the perception of the District Officer's role: the fact that he is a Union government appointee and yet has to abide by the directions of the state government often creates a confusion about the role he plays. These five studies will also seek to explore the perilous path he has to follow when there are contradictions or differences of opinion between the two governments. It is the contention of the author of these papers that the integration of all these different elements of district administration have perhaps never been attempted before in a consolidated and comprehensive manner.

In the writing of these papers, while making an appreciation and analysis of popular available material, an attempt has also been made to browse through the not-so-readily available published material that throws new light on the matter under discussion. In a few instances, the author has also accessed and presented some never-before-published material. All the materials referred to,

intermixed in an eclectic combination, makes the text of these papers a unique product of historical and contemporary relevance. A sprinkling of quotations taken from the lives and experiences of officers who have worked in the field, gives the required personal touch that, it is hoped, enhances the readability of the papers.

In its evaluation of pre-Independence administration, this series attempts to explore the vast space both physical and conceptual that existed between the District Officer struggling with everyday issues in the field, on one hand, and the massive instruments of governance on the other. These were the instruments of governance that had moved the sub-continent in the days of mercantile commercialism of the East India Company and later during the imperial ambitions of the Empire.

The first of the papers, 'The Historical Evolution of the District Officer', cites instances where it appears that the man on the spot had serious reservations about the policies adopted by the central authorities. An example is the quantum of revenues and the manner of its recovery from the *ryots*. The District Officer had always pleaded for reduction and moderation in the amounts demanded from the impoverished peasant and did not hesitate to recommend lower rates of settlement. Similarly, during times of confrontation with leaders demanding self-rule, it had been seen that many officers did not seek to repress the agitations, but preferred negotiation and discussion to soothe tempers and assuage feelings. The contrast between declared policy and actual practice, especially in favour of the citizen, endeared the District Officer to the people. So much so that in times of intense agitations and civil disobedience, the ire and wrath of the people was against the Viceroy at Delhi and not the District Officer situated nearer.

Although the intended audience for these papers are the students of public policy and governance, a serious attempt has been made to capture the imagination of the uninitiated as well. Even those who may not have had any direct interactions with the

administrative services will, it is hoped, find this an interesting read. It will also hope to address informed people who have an interest in the past, present and future of our country's growth and development and who wish to obtain a comprehensive understanding of crucial aspects of practical governance at the sub-national or sub-state level. At a broader level, the audience could also include the general citizenry interested in the trajectory of administration and governance of modern India as well as those who wish to expand their knowledge in this regard.

It is hoped that on the completion of this five-volume series, the complex and intricate role that the District Officer plays in the overall context of the administration of the state and the country will become more comprehensible to a student of public administration.

AUTHOR'S NOTE

The germ of the idea to write this series of volumes on the role of the District Officer had always been in my mind through the almost four decades I spent in the Indian Administrative Service. To have been born in a family which already had two members in the Service – my father of the 1952 batch in Kerala and my brother of the 1968 batch in Gujarat – was, I presume, an added advantage. Ever since my appointment in the Indian Administrative Service in 1977 and until my superannuation some six years ago, Rajasthan had remained my *karma bhoomi*: more dear to me, more intimate in my thoughts, than my own home state of Kerala. For a young lad just out of University, brought up on the staple of green rice fields and abundant rivers, my journey into the deserts of Rajasthan was a jolting and disconcerting experience. My unfamiliarity with Hindi was an added disadvantage. Yet, the state and its people accepted this stranger and gave him a measure of affection and warmth difficult to forget.

And within those 37 years of service in the dry western state of Rajasthan, I have spent about five years as District Officer, in two districts: first, in the desert tracts of Barmer and then in the fading industrial town of Bhilwara. Most, though not all, of my remaining service was at Jaipur, in independent departments and in the Secretariat, formulating policy and monitoring implementation. I spent about eight years in Finance, five in the Chief Minister's Office and my last two years of service as Chief Secretary of the state.

Yet, in all this time, the closest I was to ground zero was as District Officer. The days were filled with extensive touring, meeting people in far-flung villages, addressing law and order situations, trying to unravel knotty revenue issues and attempting to redress grievances, often with a deep sense of failure. These experiences bring a modicum of wisdom and understanding that

no books or training can offer. There is always a sense of how little things change, despite our best intentions and ideals. The hours are endless, the paper work frustrating, the challenge of political and administrative machinations exhausting. All this along with the dead weight of diurnal fatigue and the loss of faith. There is no time to exhale or take a deep breath. In the end, it is the momentum that keeps you going and the tiniest belief you hold within your cupped hands that each day spent honestly may help someone in need live a better life with dignity, because you are there for him.

What you choose to do on the chair is surprisingly substantial. In a state like Rajasthan, the District Officer is indeed the *mai-baap*. He is accepted by all as the head of district administration and is the first port of call in times of crisis. His demeanour and conduct can be oil on troubled waters. His leadership can make a difference between mediocrity and excellence. The example he sets can help take the district forward, even in a short tenure of two or three years. However, if you wish to just spend time with all the perks that the job offers the beacon-flaunting white cars, the orderlies, the police escort, the palatial residence, unctuous hangers on, the pomp and show, then too, you may pass with adequate honour. In Rajasthan, perhaps the District Officer has a status far beyond his actual worth. In the end, as in many things in life, what counts is the choices you make, your personal beliefs and your core values.

The District Officer's pre-eminence in the hierarchy of the state and as head of the district is a heady intoxicant to many young officers. It is easy to lose one's way quickly. It is a Service designed to the objective of good governance. Yet, as we know, there are many who have fallen by the way. Then again, there are many who will stretch themselves thin, spend sleepless nights over files and papers, suffer the drudgery of court work, travel to villages no one has earlier visited, lend a patient hearing and a shoulder to cry on, and dispense a rough and ready justice that brings succour to people on his watch. An effective and compassionate District

Officer can deliver a sense of reassurance to the unheard and unseen unfortunates that God is in his heaven and all's right with the world. And all this, with no avarice for reward or recognition.

As for this, the first of the five exhaustive studies, through the years of my career I indeed had a fairly good appreciation of the hoary traditions of the post of the District Officer. However, it was the study and intensive reading that I had to do for this report that rounded out my understanding of the history and the character of the District Officer. The British have been often vilified for crimes committed, and not committed, by them. Yet, in the creation of the office of the District Officer, they may have reached their highest pinnacle of governance with this unique invention of enduring worth. It still exists, two-and-half centuries after its creation, largely unchanged in role and duties, holding together the threads of governance of this vast and unpredictable land. We are ignorant if we do not understand the great significance of what the District Officer does.

This report is, therefore, dedicated to that unknown and nameless District Officer, doing his or her bit, because it has to be done, because it is the right thing to do.

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The text was perused by two former Chief Secretaries, Mr Salahuddin Ahmed (1976) from Rajasthan and Mr Bharath Bhushan (1979) from Kerala. I thank both of them for their comments and observations, which have been included at the end of the report.

HISTORICAL EVOLUTION OF THE DISTRICT OFFICER

I: INTRODUCTION

The District Officer Introduced

The District Officer, also referred to as District Collector or Deputy Commissioner - and in his role of upholding the peace as District Magistrate – sits at the apex of the district administration machinery, all through the length and breadth of the country. [3]Typically, he is a young and idealistic officer of the Indian Administrative Service, who is asked to take on the task of district administration quite early, often in the first decade of his career. Officers promoted from the state Civil Service also occupy this post, although after many years of service in the state administration.

> ***There is not, and never has been, an official like the Collector, anywhere else.***
>
> ***KK Das, report on reorganization of Collectorates, Lucknow, Government of Uttar Pradesh, 1956***

As the senior-most civil officer of his jurisdiction, he exercises the powers of an executive magistrate and is the overall head of general administration of the district. He performs multifarious range of tasks, the most important of which, historically, is the collection of land revenue and the maintenance of law and order. He functions as the eyes and ears of the government and is the man responsible for enforcing the fiat of the government on the ground as well as ensuring uninterrupted delivery of public goods and services to the population at large, along with a host of other

3 For a list of the nomenclature adopted in the different states, please see page 255

significant activities. It is under his watchful eyes that the state and national programmes are executed. On his shoulders fall the onerous task of coordinating all developmental activities in the district and ensuring optimum pace of progress of schemes and projects.

He maintains the balance between divergent groups, political, social, religious or otherwise and ensures that the grievances of the people are redressed to the best extent possible. According to the demands of the day, he has to necessarily interact with civil society organisations and a press that is often critical. His mandate includes the task of ensuring that the aspirations of the people, expressed through their legitimate elected representatives, are given due consideration in matters of development and economic growth. He conducts elections for the state and the nation and, in times of natural and manmade disasters, is the centre around which all relief activities revolve until normalcy is restored.

Currently, there are 739 districts, sprawled across the length and breadth of the country, covering all kinds of geographical terrain, social complexities and religious and linguistic diversity. Each District Collector has gone through the rigours of an intensely competitive national examinations before his selection, training and allotment to the states through a transparent process based on his/her rank in the examinations, the personal choice exercised and the requirements of the states. Along with the officers of the other two All India Services, the Indian Police Service and the Indian Forest Service, he is shielded by the provisions of the All India Services Act of 1951, which provides a measure of independence and freedom from interference from state vagaries of administration. Although the officers of the Indian Civil Service faced some ire when the British left in 1947, it was Sardar Vallabhbhai Patel's vision of an independent civil service of a national character that gave shape to the service. During the debates in the Constituent Assembly in 1949 while discussing the

provisions of Article 312, 313 and 314 of the Constitution, Sardar Patel's forceful advocacy of a national civil service ensured the continuance of an old administrative tradition in our context - the District Officer - that helped keep the country together through many trials and tribulations. The presence of the District Officer continues to demonstrate its unique position in the 'steel frame' of the structure of the administration and is a key element in the effective governance of our nation.

General description of the role of the Collector as seen today

Though the responsibilities assigned to him may vary from state to state, in general, the District Officer is entrusted with a wide range of duties in his jurisdiction. In terms of his functions as a magistrate, his duties include conduct of criminal courts of executive magistrates (both of his own and those of magistrates under him), maintenance of law and order, coordination with the police. It also includes supervision of subordinate executive magistracy and the conduct of magisterial inquiries, hearing cases under the preventive sections of the Criminal Procedure Code with the specific intention of maintenance of peace and tranquillity. The District Officer is entrusted with supervision of jails and certification of execution of capital sentences, authorisation of parole to jail inmates, granting of arms and ammunition licences under the Arms Act. S/he also prepares a panel of names for appointment of public prosecutors in consultation with the sessions judge in district. The District Officer plays a key part in disaster management during natural calamities such as floods, famines or epidemics. It is also his/her job to control and defuse riots or internal disturbances as well as provide relief and rehabilitation to those affected.

As District Collector he handles revenue matters in the revenue courts and supervises the work of sub-divisional officers and tehsildars. He is also the arbitrator of land acquisition as well as the chief revenue officer for assessment, collection and recovery of land revenue. He takes care of registration of property documents of sale deeds (though in some states, this work had been given to independent registration departments), power of attorneys and also handles issues related to various statutory certificates such as for the Scheduled Castes, Scheduled Tribes, Other Backward Classes, etc.

> ***...the head of the district administration appeared to preside over (the) people from a great height; only very occasionally appearing amongst them in the villages; he seemed to be concerned to ensure the maintenance of the rules yet he appeared not to be bound by them himself.***
>
> ***David C Potter, India's Political Administrators 1919-1983, Clarendon Press Oxford 1986***

As the focal point of all developmental activities of the district, it is his job to coordinate the work of all the heads of the departments working on routine tasks as well as new projects, both initiated by the state government as well as the national programmes. The district administration looks up to him to resolve contradictions, to ensure coordination, to keep the time line, all in consonance with the overall interests of the district. It is to him that the aggrieved and oppressed flock go to express grievances and protest the injustices done to them. The manner in which they are redressed, and their problems resolved, helps maintain the fiat of the government and enhances or diminishes the prestige and image of the state government.

What is intriguing is that the post of the District Officer, without any major change in the role and responsibility, has been in existence in the sub-continent since the mid-1700s. In fact, even earlier. They had started as commercial agents promoting the mercantile interests of the East India Company. Yet, within a century-and-a-half, these collectors of revenue had to leave behind all business concerns of trade and profit and transform themselves into independent, fearless and greatly respected officers within the permanent bureaucracy of the imperial British government. Until one day, the inexorable tide of affairs swept away the last vestiges of colonialism. Overnight, with the dawn of freedom in 1947, the Civil Service, especially the District Officer, had to transform itself into servants of the people of a free India.

> ***The position of the Collector has remained a classic example of unclassified, unconsolidated, diffused responsibility that seems to be one of the marked features of the Indian administrative system.***
>
> ***He was in earlier days and is now somewhat in theory or in most nostalgic yearning more or less responsible for everything done by the government within his geographical area.***
>
> ***Dwarka Das, Role of Higher Civil Service in India, Popular, Bombay, 1958***

Today, at district and at Secretariat levels, the members of the IAS perform a multitude of functions in accordance with the decisions of the government in power. In the bureaucratic ladder, the rung that the District Officer occupies is towards the bottom, amongst the younger officers who represent the government. The service, as a whole, performs a plethora of functions: articulation

of policy as pronounced by the political masters, its conveyance through the various levels of the hierarchy, monitoring of the execution of programmes and projects, a clear mapping of the outcomes desired along with corrective actions and so on. The clear distinction between staff and line, policy and action, is often blurred as members of the Service perform both the functions: taking feedback from the field to enable modification or correction of policy just as much as taking inputs from the top to enforce and strengthen implementation.

Yet, despite the variety of functions performed, it is the District Officer who is the real cutting edge of the government itself. Although political ideologies may change as elections unfold new combinations of social and political equations, it is the civil service, and particularly so its most well-known face, the District Officer, who strives to accommodate the change. At the same time, he ensures continuity of basic principles of justice and good governance. The nature of this 'constant change' and the manner in which the District Officer transmutes itself to the new reality, even while keeping foundational values intact, is one of the focal points of this paper. In fact, the burden of this paper is to examine this transformation, lasting well over 350 years as the District Officer and the Service adapted itself to the changing requirements of the times.

Even after seven decades of Independence, the District Officer remains a crucial and significant instrument of the government, offering the promise of impartial administration, fearless preservation of law and order, and being the patient and compassionate friend of the voiceless and impoverished. It is undisputed that the stature and gravitas of the post has suffered erosion from the old days when the sola-topeed Collector sahib, on his trustworthy steed, would ride into a village with his staff and paraphernalia, and settle into camp office, tirelessly dispensing rough and ready justice through day and night. With

unfettered powers, he soon came to be seen as a saviour of the poor, the destroyer of injustice and the protector of the oppressed. Those days are gone. The elite nature of the Service to which the District Officer belongs is being transformed so that the Service can represent more equitably the complex nature of our society. Those District Officers who hail from rural and disadvantaged backgrounds can perhaps understand with more compassion, the issues related to equity and social injustices, and find workable solutions to problems in the field that may have vexed and confounded others earlier.

And indeed, there are also increasing examples of officers who flout the law and misuse existing systems for their own benefits. It is often alleged that corruption levels in this elite service is also rising. There are allegations of collusion with political parties. Yet, it is also undisputed that the District Officer is, in many parts of the country, still seen as the mai-baap (mother and father) and anna datta (provider of grain). Study after study will demonstrate the innate sense of fair-play and compassion, dedication and drive that these young men and women display across the states of India. This is a testimony to the undying romance of the relationship the District Officer shares with the people, in whose jurisdiction he continues to command great respect and admiration, and is often seen as a role model for the aspirational youth of the country.

II: THOUGHTS ON COLONY AND EMPIRE – THE DISTRICT OFFICER'S ROLE IN THEORY

Perils in writing this paper

Writing a researched paper on the institution of the District Officer can be a task fraught with some dangers. In these times of strident nationalism, a study that throws favorable light on a British institution, which traces its origins to colonial mercantilism, can be an invitation for criticism. Extreme forms of nationalist identity decry all foreign influences in the course of the evolving history of a country. Things and concepts alien to the country's native soil do not find a favoured position among certain quarters who are continuously re-imagining the history of the sub-continent. There is, therefore, a certain sense of ambivalence in setting the objective of this paper and beginning the research.

> ***It seems to me that the maintenance of the position of the District Officer is absolutely essential to the maintenance of the British rule in India... Neither for the improvement of the administration of justice, nor for any other purpose, this position should be allowed to be weakened.***
>
> ***Sir James Fitzjames Stephen, Law Member of the Viceroy's council, in his minute on the Administration of justice in British India, 1872.***

As stated above, the *raison d'etre* of this paper is the study of the institution of the District Officer, not merely to assess and acknowledge the complex nature of the job and the personality of the officers who assume the office, but also to recall the admirable transformation of the elite Civil Service into effective servants of the people in post-Independence modern India. The fact that there was an effective British presence in the sub-continent, from the beginning of the 1600s to the final 'tryst with destiny', has left the thinking people of India caught in a cleft. Independent and contemplative historians cannot deny the hand of the British in consolidating the 'idea of India' in its role in establishing a political identity, in its building of legal structures and awareness and in significant institution-building processes. However, those steeped in the ancient culture and ethos of the sub-continent keep harkening back to the heady mix of history, myth and fable signifying the great civilisation that we once were. This dichotomy fractures all our memories of the British in India. From anglophiles to British baiters, there has been a curious love-hate relationship whenever one attempts to write about those three-and-a-half centuries.

In a way, this writer too feels the self-same contradictions. We cannot ignore the facts about the ruination of Indian businesses and enterprises, the divide and rule policy, the merciless suppression of legitimate aspirations, the annexation of native kingdoms on the slightest pretext, and the horrible man-made disaster of the Bengal famine. However, we also cannot brush away the institutionalisation of the administration of the land, based on principles of law and equality and respect for the individual embedded in its laws. Neither can we shun the creation of the idea of India by erasing the boundaries that had once splintered the sub-continent into almost 600 principalities and kingdoms.

It has to be stated – and this is an observation that the writer felt throughout the absorbing work that it entailed - that any attempt to narrate the story of the evolution of the District Officer cannot be divorced from the history of the Civil Service. And in doing this, the role of the East India Company and the British Crown,

of which it was an integral and perhaps a significant part, cannot be overlooked either. Therefore, the telling of the story of the District Officer necessary involves the history of the development of the Civil Service as much as it does the history of the East India Company and the British Empire. It may appear at certain points in this paper, that we are digressing from the specificities of the role of the District Officer, especially as we trace the history of the Service or contemplate some larger issues of empire and colony. By the very nature and extent of the role that the District Officer played, he cannot be separated from the larger history of the sub-continent itself, especially in the 18th and 19th centuries. Thus, if we wish to understand the singular role that the District Officer played, it is necessary to place him squarely in this framework against the greater historical and philosophical backdrop. This caveat is a necessary one as we begin our examination of this period and delve into the details of the historical evolution of the Indian Civil Service and the post of the District Officer.

A quick overview of Company, Empire and Nationhood

The Indian Civil Service, as embodied in the person of the District Officer, in the days before and after the Great Rebellion of 1857 or, as Veer Savarkar first insisted on calling it as the First War of Independence[4] (Savarkar, 2012, p. 6), looms large in the story of the day-to-day administration of the country under British

4 There is a debate as to who first applied the term 'The First Indian War of Independence' to the great conflagration of 1857: was it Savarkar or Marx and Engels? Karl Marx and Frederick Engels had written a host of dispatches for the New York Daily Tribune in the period 1857-59. However, a careful perusal of the articles written by them reveal that while they have used terms such as 'revolt' and 'insurrection', the actual use of the phrase of 'War of Independence' was not by them. Later, however, the Institute of Marxism-Leninism under the aegis of the Central Committee of the Communist Party of Soviet Union (CCCPSU) brought out a Russian compilation of these dispatches under the title of 'The First Indian War of Independence' in 1959. In such circumstances, the credit for the initial usage of the said phrase lies with Savarkar, whose tome referred to in the text above, was originally in Marathi and was translated and first published secretly (because of the ban by the British government) in English in May 1909. Several clandestine editions followed. After the lifting of the ban, it became freely available from 1947 onwards, about twelve years before the Russian compilation came out in 1959.

dominance. In the early days, as we shall see hereafter, agents of the Company (hereinafter, this term shall represent the Honourable East India Company) worked solely to ensure profits of their masters. They carried out their duties, very often shameful and extortionist, for the purposes of maximising profit. In those days, there was no parliamentary or monarchical oversight to ameliorate and temper avarice.

With time, as the doings of the Company filtered into Britain and caused anguish to men with conscience in the political sphere, the Parliament started to enact one statute after another, imposing curbs and restrictions on the hitherto unfettered mercantile ambitions of the Company. With time, men with education and training, sailed across the ocean and worked as representatives of the Company and started to understand the meaning of good government as a necessary pre-requisite for trade and commerce. The Supervisors and later the District Collectors, presented to the local populace this reforming face of civilization, an irresistible force that brooked no opposition and did not care about offending the entrenched self-interests of the oppressor, in the form of a petty local chieftain, or a powerful *zamindar*, who had hitherto resorted to extortion and exaction. Settling the life of peasants, providing tenancy rights to them and giving them an existence of dignity against the payment of a settled land revenue while ensuring maintenance of law and order, soon gained supremacy in the Company's day-to-day affairs.

Tall leaders like Governor Generals Warren Hastings and Cornwallis who ruled the sub-continent, left their unmistakable stamp on the quality of governance. With time, they started to understand the singular nature of the country and its genius that placed trust in a single authority with enormous powers - a kind of avatar of the kings they had once known. They demanded that wrongs be righted and stability be imposed so as to halt exploitation of the people in the hands of local tyrants and landlords. The

District Officer was the ideal instrument of the British Empire to impose order, good governance and to bring in the required civilisational change based on universal principles of fair play and justice.

With time, trade and commerce took a back seat as the Company's monopoly ended. Indeed, before it did, free trade had for a while unleashed its own exploitative market forces that saw native business and enterprises suffer in the name of the demands of an imperial empire. There was a severe famine, now recognised as avoidable, that decimated the population in the east of the country. Certain practices in the Army were rightfully deplored and alienated large swathes of the population. Reactive forces in society too opposed the spread of education and impartial law. The annexation of the kingdom of Oudh on the flimsiest of pretexts raised the ire of the people. All this added to the growing sense of resentment of the people.

The conflagration, when it came, engulfed large parts of the country. For a time, it seemed that British control was gone, with the tattered remnants of old Mughal power making a feeble attempt to take over the reins. However, imperial British supremacy would not be quelled. The reprisal was harsh and prolonged. Within a span of over six months the rebellion had been severely crushed. It was, however, clear that the Company could no longer hold sway over the destiny of the peoples of the sub-continent. Queen Victoria would now reign; British law would prevail; the Parliament would decide the fate of the Indian people. The Company's Civil Service was replaced by the British government's officers duly appointed through competition and selection. The District Officers, now working within the structure of the Indian Civil Service, proved equal to the challenges that were sweeping through the instruments of government. Their ethics were qualitatively different from that of the officers of the Company as they continued to handle the complex administrative work from their respective districts. They

displayed impartiality and a superior sense of service be it from London, Calcutta, Delhi, Madras or Bombay, even as policies were laid, legislations framed and British imperial governance rolled out across the country.

The Empire had consolidated itself in no uncertain terms. The romance of the intrepid Englishman with the wonder that was India was over. The country would now be guided by rule, law, statute and regulation, even as the need to protect imperial interests would reign paramount. The Criminal Procedure Code, the Indian Penal Code and the Indian Evidence Act were introduced in quick succession in 1861, 1862 and 1872 respectively, the very legal codes we follow even today. The rule of law was once more established and enforced.

Yet, in introspection, the mood for consolidation of Empire was but a temporary fervour. Within a few decades it was noticed that the English themselves were not unhappy to shed the cares and worries of running an alien country. In England too, there was a change of opinion. Not only was any political party now prepared to use force on a large scale to keep an unwilling partner who wanted to go, but they also did realise that the very concepts that their people had espoused - of freedom, liberty, equality and justice - would have to be applied to the colonies as well, if England were to gain respectability across the world.

Gandhiji's return from South Africa galvanised the political system and sped the country on an irreversible path towards self-rule. The two great World Wars too, lessened the appetite of the colonial masters for empire. And slowly, but surely, the fist that once had controlled a subcontinent was starting to loosen, not by a single royal fiat but by several deliberate acts, each of which conceded more than its predecessor. Through these momentous and troubled days, it was the officers of the Indian Civil Service, and particularly the District Officer, who kept the vast country

in order. They ensured that the routine administrative functions were running smoothly and kept the delicate balance between the people's hunger for freedom and a colonial government reluctant to loosen control. Yet, they too knew that the inevitable could not be avoided.

The District Officer: Justifying the ways of Man to God

Indeed, the British had always needed and looked for a cogent and rational political philosophy to justify their act of wilful colonialism. As Thomas Metcalfe writes, Britain had become, by the 19th century, a society shaped by the ideals of liberalism and, in time, of democracy. To them

> ***…the existence of an autocratic rule over India stood in sharp contrast with the presumption, ever more deeply embedded in the British constitution, that the people had the right to decide those who were to rule over them. By what right, the Victorian British had to ask themselves, could a liberal democracy assert a claim to imperial dominion based on conquest. So, as far as India was concerned, as they set out to make space for themselves as the rulers of India, they had to devise novel, and exceptional, theories of governance.***
>
> ***(T.R. Metcalf, 1997, vol. 3)***

Thus, many British leaders started to argue that Britain must secure the prosperity of India's people before seeking any gain itself. Under the leadership of men like Warren Hastings, Lord

Cornwallis, Thomas Munroe and a host of others, the British soon began 'laying the ordering principles for what was to become the most extensive empire since that of Rome.' In fact, they created a British identity that encouraged its peoples to see themselves as distinct, special and superior. So too did they start to emphasise their own pre-eminence as a 'modern' and 'civilised' European people under the influence of the ideals of the Enlightenment. To describe themselves as 'enlightened' meant that someone else had to be 'savage', 'primitive, or backward.' Thus, Oriental states became 'despotic', 'uncivilised', 'disorderly', and without 'civilisation.'

The role of the British was, therefore, to reform and to civilise. This sense of civilising a savage subject nation has been written about extensively. It has been argued that this, in essence, was the implicit justification of Britain's authoritarian rule over the subcontinent. The British, as India's rulers, in their mission of civilising their subject peoples, sought to create and impose a sense of 'public virtue', clearly opposed to the pervasive despotism they hoped to stave off from the areas under their dominion. In so doing, they were keenly aware that they had to tread carefully to ensure that existing customs and traditions were not destroyed, but guided properly with a sense of European justice and liberal values. The District Officer's role in pursuit of this lofty ideal was no mean one. He was the face of reform and order. He was the enemy of the status quo, the champion of change, the protector of the poor, the scourge of the unholy. To many, and indeed to the members of the Civil Service itself, he seemed to be the instrument that implemented the fiat of the Empire and stood as the first line of defence against the darker forces of an 'uncivilised' people.

Metcalf goes on to state that the efforts of the British to understand Indian society and religion led to the creation of an ideology that would help justify and sustain their rule. Initially, the British had to decide how far and in what ways the Company

should be involved in the governance of the subcontinent while also carrying on trade and commerce. They had to set in place principles that would enable them to justify their rule over India and establish enduring structures to order that governance. Of course, this had gained greater significance after Clive's victory in Plassey in 1757, when the question arose of whether this mercantile body should play a role in India apart from that of making money. After the passage of the Pitt's India Act, 1784, the Company while still retaining is trading privileges, transformed itself into a governing body with its servants no longer acting as traders but as magistrates and judges. The representative of this transformation, in principle and conduct, was none other than the District Officer himself, working at the farthest reaches of the vast subcontinent. Indeed, though they were also subject to the Company's Board of Control, the administrative affairs of the Company themselves were placed subordinate to the Parliament. Under the Company, and much before he became the servant of the Crown, the District Officer saw himself playing a more profound role. This was especially in terms of extending the principles of better governance and dispensation of justice along the British lines of rule of law and fair justice, including the principles of accountability.

Undoubtedly, Whig political philosophy lay at the roots of this thinking. The Whigs, who a century later metamorphosed into the Liberal party, considered themselves to be part of the Enlightenment and strived for a better understanding of the natives over whom they ruled. Thomas Munroe, John Malcolm, Mountstuart Elphinstone and Charles Metcalfe were those stalwarts of the Company who were anxious to conserve the enduring institutions of India's past. They endeavoured to preserve, rehabilitate and reclaim for the Raj the Indian tradition of personal government. Their aim was to 'take the peasant in all its simplicity, to secure him in the possession of his land, to rule him with a paternal and simple government, and so avoid all the artificialities of a sophisticated and European form of rule.' (Stokes, 1959, pp. 9–22). They sought to make the

District Officer, in place of Cornwallis's judge, the central figure of British administration. In their view, the Collector was to be the *mai-baap*, or compassionate mother and father, of the peasantry. As Burton Stein has written of Munroe, 'the play of Indian traditional forms had to be directed by men like himself, knowledgeable and sympathetic, with great and concentrated authority' (Stein, 1989). From 1800 onward, idealised as a kind of miniature, if benevolent, despot, the District Collector came to embody the British vision of enlightened Indian governance.

The Myth of a Superior Race

Yet, through this benevolent veil, it may be argued, also ran a streak of jingoistic pride, of superiority and condescension that, at times, characterised the District Officer as representative of a powerful corporation and later, after the ascension of Queen Victoria, of an Empire. The serving British officer, who saw himself as having brought civilisation to a savage land, often tended to treat the natives with this sense of superiority. The following words of Sir J. Strachey[5], in the context of the role of the District Officer, would typify this sense of dominance:

> ***In India, where an absolute Government is administered by a small body of foreigners, far more advanced in civilisation than the people of the country itself: the most essential condition of safety to the rulers, and of good government to the people, is that the authority should be strong, and authority cannot be strong unless it is concentrated.***

5 Sir John Strachey, GCSI CIE (1823 –1907) was an English civil servant in British India, who after joining the East India Company served in the North West Province,

The historian Professor Steely's [6] words once again resound in the same manner. He justifies imperial rule while at the same time emphasising the protection of indigenous genius.

> ***…the fundamental fact is that India had no jealousy of the foreigner, because there was no India, and therefore, properly speaking, no foreigner. It is a consequence of all this, that in every great Indian Province, the political sympathies of large sections of population towards men who, geographically speaking, are their own countrymen, are often as imperfect as they are towards their English masters. We have never destroyed in India a national government, no national sentiment has been wounded, no national pride has been humiliated; and this not through any design or merit of our own; but because no Indian nationalities have existed. They no more exist in the so-called native states than in our own territories, and the most important of these states are ruled by Princes who are almost as much foreigners to their subjects as we are ourselves (Strachey, 1898).***

And so too, these declamations from Viceroy of India in 1889, a few short years after the Crown had taken over the administration of the country

> ***Nor is it altogether undesirable that the English public, so sedulously occupied as they naturally are with their own domestic concerns, and the course of home and European politics, should be***

6 Sir John Robert Seeley, KCMG (1834 –1895) was an English Liberal historian and political essayist most known for his book The Expansion of England (1883) which has continued to influence the historical discourse about the the British Empire until the 21st century.

> ***occasionally reminded by a competent witness like myself that away beyond the Indian Ocean, under alien suns, with a trying climate, amid homes in which the laughter of children is never heard, a select body of fellow-countrymen are engaged in discharging duties of whose onerous nature people at home can have but a very imperfect conception, and in dealing with administrative and political problems, compared with which those of the most part occupying the attention of the House of Commons, are the merest child's play.***[7]

To a modern-day nationalist these words would appear galling. In fact, it has been argued that this overbearing condescension has rubbed off on the successors of the British Civil Service of imperial India, the officers of the Indian Administrative Service, as they continue to demonstrate behavioural characteristics of 'brown *sahibs*.'

Contesting Dogmas on Empire: The Trial of Hastings

These opposing viewpoints came to the fore in the epic impeachment trial of Warren Hastings. In order to clarify this further, we refer to Mukherjee (Mukherjee, 2009, pp. 1–7) who argued that British sovereignty in India was exercised not merely in

> ***…the pursuit of the exclusive interest of the colonizing nation, but rather in ensuring that colonial administration in India remained firmly grounded in 'native society' and prevented from exercising absolute and arbitrary power over it.***

7 the Extract from the speech of the Marquis of Dufferin, Viceroy of India, at the Mansion House, London 29th May, 1889.

Mukherjee adduces that Warren Hastings's trial demonstrated the schism in no uncertain terms.

In his arguments before the Parliament, Hastings attempted to demonstrate that the Company's colonial sovereignty was based on national interests and absolute power. He argued that the acceptance of the sovereignty of Bengal and the rights of revenue collection, conveyed through the grant of the *Diwani* by Shah Alam II the Mughal Emperor, meant that 'those rights must be such as are held, countenanced and established by the law, custom and usage of the Mughal Empire and not by the provisions of any British Act of Parliament hitherto enacted.' In fact, it is correct to state that Hastings, in his capacity as Governor-General in India, had always been a staunch opponent of the imposition of English common law on the people of India and was an enthusiastic patron of indigenous learning. As he argued, in India, where the population was in a permanently rebellious state, sovereignty in practice could mean nothing but despotism, such as he had inherited from the Mughals:

> ***…the Hindoos who never incorporated with their conquerors, were kept in order only by the strong hand of power…sovereignty in India implies nothing else…The whole history of Asia is nothing more than precedents to prove the invariable exercise of arbitrary power.***[8]

On the other hand, Edmund Burke in his impassioned accusation of Hastings, maintained that both Mughal and Hindu rulers had well-developed systems of law that precluded the exercise of arbitrary power by the sovereign. The Empire has to be based high principles of universal common law. He argued:

8 Speech in Opening the Impeachment of Warren Hastings, Esquire, Late Governor-General of Bengal, Second Day: Saturday, February 16, 1788 Edmund Burke, The Works of the Right Honourable Edmund Burke, Vol. 09 (of 12), 2005, 484 http://www.gutenberg.org/ebooks/13968.

> ***These gentlemen have formed a plan for geographical morality, by which the duties of men, in public and private situations, are not to be governed by their relative relation to the great Governor of the Universe, or by their relation to mankind, but by climates, by degrees of latitude, parallels not of life, but of latitudes; as if when you have crossed the equinoctial, all virtues die… Mr Hastings shall not screen himself under it;… the laws of morality are the same everywhere (Burke, 2005, pp. 447–449).***[9]

To Burke the higher purpose of British reign was the just reign of law over ignorant people. To Hastings, it was but a business opportunity provided by the Mughals. However, over the course of the seven years during which the trial lasted, while the arguments of Burke were closer to the moral centre of the British Empire, in the end the Parliament did not impeach Hastings. He was exonerated by majority vote and was indeed commended for the work he had performed in India.

The above explanation of the contesting dogmas in play during the trial of Hastings has been mentioned in some detail as this context is essential in understanding the role played by the District Officer. It may be said that he is, therefore, the personification of the intersection between colony and empire or in their adjectives, the colonial and the imperial. Today in retrospect, it seems that the arguments presented by Edmund Burke against his arch-rival Hastings bears more weight and reason. With the passage of time, and certainly after the Regulation Acts of the Parliament, curbs were placed on the corrupt practices of the Company. The District Officer came to be idealised as a miniature and benevolent despot, embodying the British vision of proper Indian governance. He was acting much beyond what was expected of him as an

9 Speech in Opening the Impeachment of Warren Hastings, Esquire, Late Governor-General of Bengal, Second Day: Saturday, February 16, 1788.

employee of the Company when he presided over the destinies of a people, often five to eight million in strength. Rather, he was administering justice, maintaining the peace and ensuring a stable society based on legal tenancy rights and revenue law which, it must be conceded, were not much cherished by the Mughals or local feudal lords and princes. At the initial stages of colonisation, a British officer considered himself to be the superior creation of a God who had entrusted him with the task of civilising the savages. Although he was, with time, disabused of this notion, he considered himself the agent and representative of a superior race that based itself on universal principles of humaneness and justice. The District Officer, in his quotidian tasks, was moved by these universal principles of the justice, applied equally on rich and poor alike, and based on statutes and principles evolved over centuries and implemented in British courts and common law.

The people desired a single, undiluted, authoritarian, yet munificent and just administrator who would be vested with powers to resolve all their problems. These problems could be of a personal nature or those to do with the community. The administrator, under the shield of law and order, would ensure peace and tranquillity while protecting the people from the depredations of local feudal chiefs and tyrants. And it was this role that the District Officer performed to the best of his abilities, exercising discretion based on justice and compassion, forever 'minutely just and inflexibly straight.'

In the next sections, after glancing over administrative systems extant before the British arrived, we shall see how the unique position of the District Officer carved out a niche for itself in the country. We shall also look at how it grew to symbolise the correct and impartial administration of British rule across the length and breadth of the sub-continent.

III: DISTRICT ADMINISTRATION BEFORE THE ADVENT OF THE BRITISH

Mauryan, Mughal and Sultanate Systems of District Administration

From times immemorial, there was always some rudimentary form of administration to ensure that law and order was maintained, the army was kept in full operational readiness and the people were provided with some measure of safety, food and sustenance. There are many available sources that recount the beginnings of this administrative process in our country: a brief history of the period has been summarised by S.K. Das (Das, 2013)in his overview of the Civil Services. He writes that in the Maurayan Empire, the emperor had *mantrins* (advisers) and *amatyas* (civil servants) to assist him. The *amatyas* were organised into three levels: highest, intermediate and lowest, based on their qualifications. Of the *amatyas*, the two key civil servants were the *samahartrs* (who kept accounts and prepared the budget) and *samnidhatr* (who kept record of the taxes and managed the stores). There were many departments in the administration, each managed by a senior civil servant: *panyadhyaksha* (who headed the trade and commerce department), *sitadhyaksha* (who looked after land and agriculture), the *rathadhyksha* (the head of the defence department), the *swarnadhyaksha* (who looked after the mineral reserves of the state including gold), the *vanyadhyaksha* (the head of forestry), the *bhardhyaksha* (the superintendent of weights), and the *sutradhyaksha* (the head of the textile department).

Geographically, the kingdom was split into four divisions under civil servants known as the *sthanikas*, below whom were the

gopas, each in charge of five to ten villages. At the village level was the *gramika*, the headman. These civil servants helped maintain the record of all agricultural holdings, held regular census and kept important records of the population such as details of professions, income, expenditure, etc. Such records helped the *samahartr* keep track of all the villages with the accounts of their wealth, income, expenditure, etc. The chief of the main town, Pataliputra, capital of the Maurayan Empire, was the *paur*. He had 30 civil servants under him, divided into six committees with five members. Each committee was entrusted with certain responsibilities such as industry and arts, registration of births and deaths, trade and commerce, welfare of foreigners, collection of taxes on goods sold, etc.

Civil servants were selected on the basis of their loyalty and integrity. The examinations prescribed for selection were to test the quality of these persons. Corruption amongst civil servants was punishable by severe penalties. Torture and death was the punishment for the most serious of offences. Their conduct was checked by secret agents reporting to the king known as *samstha* (agents located at a place) and the *sanchara* (who moved from place to place). They collected information on the character and work of the civil servants.

Das goes on to describe the system as existing during the period of the Delhi Sultanate, (1200-1256). (Das, 2013) The rulers established control over the territory by appointment of civil servants who were given land grants in lieu of maintaining a certain number of troops for the requirement of the ruler and a payment of a certain part of the land revenue collected. Such grant of land, instead of cash was known as *iqta,* and the civil servants in charge, exercised administrative control over the subjects of their areas, maintaining peace and order and settling disputes by discharging their judicial duties. Thus, these civil servants had political, judicial and administrative powers. Over time, the *iqtadars* started treating

their grants as hereditary. Alaudhin Khilji, the most powerful emperor of the Khalji dynasty that ruled the Delhi Sultanate, did try to put an end to this by canceling all earlier grants and issuing fresh grants. However, Firoz Shah Tuglug, one of his successors, restored the earlier system.

The *iqtadars* who had begun as personal servants of the Delhi Sultan were soon able to maintain a lifestyle of great luxury based on hereditary rights and income from the lands allotted to them. The head of the civil administration was the *wazir*, who supervised revenue collection, checking of accounts, regulation of expenditure, etc. The other three most important civil servants were: the head of the military, the head of inter-state relations and the chancellor who was in charge of spies and collection of intelligence.

During the Mughal period, the same land grant system was continued, but periodic transfers and making the land grants temporary kept the civil servants on their toes. The Mughal civil service was based on the *mansabdari* system, which was a pool of civil servants available for civil and military deployment. Every *mansabdar* was given a *mansab* (a rank or a command) which determined his position in the civil service. There were 33 categories of command, ranging from a commander of 10 to a *panch-haziri*, a commander of 5000. The *subahdar* would be the medieval equivalent of a District Officer. In Mughal times he was the head of the provincial administration. For the revenue system, Akbar's territory was divided into 15 *subahs*, which were further sub-divided into *mahals*, sometimes called *parganas*. Several *mahals* were grouped into *dasturs*, a unit between *mahal* and *sirkar* (Agnihotri, 2009, p. 249). The s*ubahdars* were normally appointed from the Mughal princes or the officers holding the highest *mansab*s (ranks). The *jagirdari* was a system of allotment of land revenue to civil servants in lieu of payment of salary, granted after presentation of his troops for inspection. The *jagirs* were granted only for the

lifetime of the *mansabdar* or the tenure of the *mansab*. Hence, the *mansabdar* could enjoy only as much as the money allowed. The *jagir* soon became an accepted way for the ruler to reward the loyalty of his civil servants.

The administrative structure consisted of several categories of civil servants. The *sipah salar*, the commander of the army who controlled the largest body of troops and managed provincial affairs and maintained law and order; the *faujdar*, who commanded the largest body of cavalry and controlled the cultivators and collection of land revenue; the *quazis,* who administered justice; the *kotwal*, the chief of the local urban matters, who also administered justice; and the *amal-guzar*, the chief financial officer at the sub-provincial level.

It is necessary to point out here that the nuts and bolts of the revenue system under the Mughals was actually put in place by Sher Shah Suri, who had taken control of the Mughal Empire after Humayun (and before Akbar) had laid the foundations of the revenue system upon which Akbar had raised the superstructure. Sher Shah carried out a systematic survey and measurement of all the cultivable land using a unit called the *Sikandari Gaj*. He also introduced the *Qabuliyat* system (a deed to formalise the agreement between the farmer and the government) as well as the *patta* system (which recorded the area of the holding, crops sown and revenue share). The revenue payable was standardised based on yields from good, average and low-quality lands. To prevent exploitation by middlemen, a direct system of remittances was introduced that would be given by the farmers to the government.

The Mughal emperors, over their 200 years of rule, kept watch over the activities of the civil servants by wide travel over the area and getting a feedback of their work. Civil servants were expected to visit the court of the emperor regularly. Their advancement was dependent on their attending court and the value of the gifts presented to the emperor.

It was at this stage of the development of revenue systems in the sub-continent that the British arrived.

IV: THE ARRIVAL OF THE BRITISH

The Charter of the Company

It is in this historical context, that we first see the presence of the British in India. O'Malley's brilliant history of the Indian Civil Service (O'Malley, 1965) presents a panoramic overview of the slow and steady growth of 'the general body of persons employed on non-combatant work connected with the administration of a State.' The term was 'first used to designate the servants of the East India Company who were engaged in mercantile work.' It took about one and three-quarters of a century (from 1601 to 1772) for the character of the Company to change. Its trading operations were first supplemented by territorial domination and eventually replaced by the responsibilities of government, its civil servants transforming themselves from 'traders to administrators.' It took another three quarters of a century for the Company to disintegrate (in 1858) and for the British monarch and the parliament to take full control of the country. It was not the only service, but surely it was the highest of the public services in India, a *corps d'elite* responsible for the higher branches of administration and filling judicial and well as executive offices. It was not merely an executive arm of the government. It helped formulate and direct policy, keeping imperial interests supreme and holding the vast colony together. We shall examine the events that took place in this fascinating tale of a private company transforming itself into imperial domination and then voluntarily leaving the country to its own destiny.

It was on 31 December 1600, the last day of the century, in the 43rd year of her reign, that Queen Elizabeth I granted a charter to a George, Earl of Cumberland, and a host of others who had banded themselves into a 'Body Corporate and Politick, in Deed and in Name, by the Name of The Governor and Company of Merchants

of London, Trading into the East-Indies.' (Scott & Somers, 1813) The charter was entered into for a period of 15 years for the purposes of

> ***Honour of our Nation, the Wealth of our People, and the Encouragement of them, and others of our loving Subjects in their good Enterprizes, for the Increase of our Navigation, and the Advancement of lawful Traffick, to the Benefit of our Common Wealth.***[10]

Thomas Smith, Alderman of London, was appointed the first Governor of the Company. The charter granted the Company far wider powers than expected British monopoly for 15 years over 'trade to the East Indies' that, in time, led to the enjoyment of semi-sovereign privileges to rule territories and raise armies. The Company officials took advantage of the wording of the EIC's charter that 'left open from the beginning, the possibility of it becoming an imperial power, exercising sovereignty and controlling people and territory' (Dalrymple, 2019, p. 9).

We have the record of individual travellers and men of fortune who visited India from England, such as the Jesuit Thomas Stephens and also John Mildenhall, who made himself the self-styled ambassador of the Company, although he was later disowned. His remains are still at the church in Agra. The Company then sent Sir Thomas Roe as its formal representative to seek favour of Emperor Jahangir to enter into trade. He became the favourite of the monarch with whom he stayed for about two years. However, he could not procure the desired permit before he fell out of favour and had to slip away.

10 Introduction to the Charter of the East India Company

It was Sir William Hawkins who first obtained the protection of the Mughal administration for the Company's factory at Surat in 1615 and the permission for England to trade with India. Although much is not known of him, he is thought to be the same person who, in 1607, commanded the East India Company's ship the Hector on a voyage to Surat and was charged with the task of meeting Emperor Jahangir to obtain formal permission for trade. On arriving in Surat, he proceeded to Agra and the court of the Emperor where he reached in April 1609, and where he remained for nearly three years. His favour with the Emperor enabled him to overcome all difficulties and he received the required license as well. It was the first distinct recognition of English commerce in the East.

In the next 50 years, the rudimentary foundations of regular trade and commerce between the Company and Indian merchants were established. And over the next 200, the Company would learn to operate skilfully within the Mughal system and to do so in the Mughal idiom. 'Indeed, much of the Company's success at this period was facilitated by its scrupulous regard for Mughal authority. Before long, the Company would begin portraying itself to the Mughals as "not a corporate entity, but instead an anthropomorphized one, an Indo-Persian creature called "*Kampani Bahadur*" (Alam & Subrahmanyam, 2013).

The eight or so ships that the Company sent every year during the first century of its existence concentrated initially on spices. Soon, by the second half of the seventeenth century, the Company had begun its work of transforming lifestyles and consumer habits, exporting a range of products from its three main coastal bases. The oldest and most southerly was Madras, established in 1639. On the western coast line was Bombay, acquired in 1661 as part of Catherine of Braganza's dowry. To the north-east was Calcutta, founded in 1690, to take advantage of Bengal's expert weavers and trade along the Ganges and Jumna rivers. 'By way of this magic

triangle, the East India Company became England's single biggest commercial enterprise and secured a greater share of India's export business than rivals Dutch, Danish, Portuguese and French trading companies.' (Colley, 2010)

There is ample material in the history of these three places that record the growth of the Company and the manner in which it gained gradual ascendency in the political and social realm of the sub-continent. However, they are not of immediate relevance to the emerging story of the District Officer. Hence, we pass on to matters related to the administration of the Company and the beginnings of governance.

V: INDIA UNDER THE EAST INDIA COMPANY

Tentative Beginnings of Administration

By 1675, the Company had established a hierarchy of posts required to expand its interests. As O'Malley notes, at the bottom of the scale were the apprentices, who after about seven years' service would rise to the next level of writers after they had bound themselves to the terms and conditions of a 'covenant', (a word that would gain much significance in the years to come, as we shall see). Thereafter, they would rise again to the post of a factor. Factors, meaning commercial agents, were sent to India in the early years to carry on the Company's trade. The trading stations in which they lived and worked, soon came to be known as factories. Those responsible for large factories were called agents. These Factors could rise to be merchants and then rise again to be senior merchants. Those appointed to the most important of the factories were dignified by the title of President and were assisted by a council of senior merchants. It is thought that this grading has been copied from the official hierarchy as extant in the Dutch East India Company. From 1694 onwards, the lowest level of the hierarchy became that of Writers.

By 1623, the British had, under the main establishment at Surat, factories at Broach, Ahmedabad, Agra, Masulipatnam and Burhanpur. Soon, the island of Bombay was handed over by Charles II to the Company and it attracted more trade than Surat because of the nature of its geography and the perceived safety of the island. Bombay soon had its own English government with a justiciary and a court of pleas to settle disputes.

In 1639, on the east coast, one Mr Francis Day obtained the grant for a six-miles-long-by-one-broad land from the dependents of the old Vijayanagar Rajas. On this strip of land, a core of English property of 400 yards by a 100 was constructed and within that soon grew a college for Factors, merchants and a house for the Governor. This was the White town and outside the walls but within the six-mile strip was the Black town. These together became Madras.

Meanwhile, with the ouster of the Portuguese from Calcutta, the English crept into the perilous vacancy and soon established a Bay Council at Hooghly. Job Charnock was established as Chief of Council in Bengal and founded a city that was to become one of the largest on the world map. Neither of noble birth nor well educated, Charnock's name sticks to memory for his silent obstinacy and for having 'reigned more absolutely than a Rajah' (Society, 2017, p. 319).

By now, the Company had gained some trading rights in all these three larger cities of Madras, Calcutta and Bombay. The expertise and ease with which these early English officers of the Company carried on trade encouraged local municipal governments and judicial systems to utilise their services in municipal management and judicial administration. In Calcutta, one of the Company's servants was entrusted with the management of the land of three villages and with jurisdiction over the Indian inhabitants. In 1700, one John Sheldon was designated as *jemidar* or *zamindar* 'to collect the rents and to keep the three Black towns in order.' He presided over his own court, both for civil and criminal cases, as well as matters related to land and revenue. It was the first example of the dual duties of land revenue collection and the maintenance of law and order being handed over to an Englishman (O'Malley, 1965, p. 5).

Although there were numerous instances of the British entering into discord and skirmishes with the Mughals in many parts of

the country, the main policy of the Company was to maintain a pacific attitude and resolve disputes with diplomacy and gifts. Salaries given to Company staff were paltry, but compensated by the profits of private trade that its servants carried on. The Company was ambivalent to this practice as, on an ethical level, it was detrimental to its interests. Yet private interests were so strong that the Company was obliged to recognise the right of private trade. The low salaries were regarded but as a kind of retainer for the Company's servants who were actually dependent for their living on the profits they made from their own private trade.

Sowing the Seeds of an Empire

The victory that Clive obtained in the Battle of Plassey against Siraj-ud-Daula in 1757 laid the foundations of the ascendency that the British would gain in the subcontinent. It was a revenge battle to settle scores with Nawab Siraj-ud-Daula for the defeat of the Company's forces at Fort William, where British forces had been soundly defeated. The charges against the British were three-fold: unauthorised fortifications set up around the Fort, abuse of trade privileges and harbouring of the Nawab's enemies. It was a brutal battle waged by Siraj-ud-Daula. The British were ousted from Fort William. Their men, women and children were left suffocating in the Black Hole of Calcutta.

Within a year, however, Clive had gathered a powerful force and engaged on his march against the Nawab. Won with superior European discipline and fire power, Clive's victory had a profound significance for the British. This was the beginning of the Empire, although only the perspicacious Clive could have seen that the seed had just been planted. In a letter he wrote in 1759, he exhorted the Company to 'keep up such a force as will enable them to embrace the first opportunity of further aggrandizing themselves' and that they might take 'the sovereignty of Bengal upon themselves' (Keay, 2010, p. 326). Such was the impact of Plassey on the history of

the sub-continent. By this single military enterprise, followed by the battle of Buxar fought in October 1764 between the forces under the command of the Company and the combined armies of the Mughals and the principalities of Bengal and Awadh, the British achieved a decisive victory for themselves. The war was brought to an end in 1765.

> ***The significance of Plassey is astonishing. An Indian of the time could not have understood the systems of checks on absolute power that existed in various stages of growth in England, and soon in America with all the radiance of conscious intention. To him power was indivisible and lodged in the sovereign, whose will was absolute. But here was a power that could put down one king and enthrone another. To every Indian the battle of Plassey made it clear where actual power lay (Mason, 1992)***

Image 1: Seeding of an Empire: The Mughal Emperor Shah Alam II Conveying the Grant of the Diwani to Lord Clive, 12th August 1765

Clive's chief administrative measure, in his signing of the agreement at Allahabad with the chastened Mughals on 12 August 1765, was what is called the assumption of the diwani. This meant that the Company assumed the control of revenue administration and received the revenue thereof. The formal powers of diwani were handed over to him by the Mughal Emperor Shah Alam II himself. The rest of administration was left to the Mughal Emperor's nawab and his ministers. In return for acquiring the rights to all the land revenues of Bengal, Bihar and Orissa, the Company agreed to pay an annual amount of £325,000 to Delhi. It also paid another £400,000 to buy London's acquiescence (Garrett, 2007). Thus, was laid the first pillar in the bulwark of British administration that would, in time, spread across the entire country. This was the seeding of an empire that would reveal itself in the days to come.

> ***It was a hugely significant moment: with one stroke of the pen…the Emperor agreed to recognise all of the Company's conquests made, hand over to it financial control of all north-eastern India. Henceforth, 250 East India Company clerks backed by the military force of 20,000 sepoys would now run the finances of India's three richest provinces, effectively ending independent government in Bengal for 200 years. For a stock-listed company with profit as its main raison d'etre, this was a transformative, revolutionary moment (Dalrymple, 2019, p. 208).***

The English had acquired dominion over the three provinces of Bengal, Orissa and Bihar and began by appointing their district officers. They had the powers now to make assessment and collection of revenue, administer justice and perform all functions of governance related to land, tenancy and agricultural matters.

> ***A trading corporation had become both colonial proprietor and corporate state, legally free, for the first time, to do all the things that governments do: control the law, administer justice, assess taxes, mint coins, provide protection, impose punishments, make peace and wage war (Dalrymple, 2019, p. 209).***

The Mughals and their local *nawabs* were reduced to titular heads, displayed for the ceremonial purposes of state. The attendant drain of wealth, social prestige and military power would reduce them to mere shadows. It would take several years for the full effects of this change of regime to become apparent.

When Clive left India after the Battle of Plassey, the Company's servants entered into a shameful period, free from oversight and responsibility, 'uncontrolled by either public opinion or legal liabilities' (Lyall, 1968). They made money by trading without payment of internal duties. Revenue officers were powerless to check the wholesale and rampant smuggling. Country folks were tyrannised by traders' agents who brought their goods at less than the market price.

As Clive remarked, 'the evil was contagious and spread among the civil and military down to the writer, the ensign and the free merchant.' There were serious allegations against Clive himself, especially in the context of having enriched himself by handsome tributes from the defeated armies and the ruling classes that had to now face the change in administration. Harry Verelst, who was colonial administrator under the Company, wrote in disgust:

> ***All who were disposed to plunder assumed the authority of our name, usurped the seats of justice, and carried on what they called trade by violence***

> ***and oppression…every illiterate mariner who could escape from a ship erected our flag and acted as lord of the district around him'***
>
> ***(O'Malley, 1965, p. 11).*** [11]

The ubiquitous presence of Indian brokers known as banias and employed by the Company, was an attendant evil that continued even when traders became administrators. The English were, in fact, 'a colony of merchants, governed and influenced by commercial principles, at the mercy of a Government which was ever ready to take advantage of their weakness.'(O'Malley, 1965) Within a short time, they acquired an ascendency which was the result of a series of events and circumstances and are not the outcome of any definite plan or policy.

Clive's return in 1765 to resume office as Governor was with the intention of cleaning the Augean stables. He fell heavily on the chief offenders and the men of senior standing. There were honourable exceptions, men such as Verelst[12] and Cartier.[13] However, the majority were motivated only by self-interest. The Company's orders that its servants should not accept presents and gifts from Indians, hitherto ignored, was now strictly enforced. Clive ordered and forced the members of the Council to sign the new covenant upon pain of instant dismissal. They did and the junior men followed suit. He proceeded to bring in fresh blood by inducting men from Madras, where he felt that standards were higher and that their presence in Bengal would help in restoring discretion and moderation. Further, the Company's servants were called in from far away trading stations where their activities could not be monitored. The European 'free merchants,' not bound by Company's laws and indulging in unregulated trade, were to be deported.

11 see footnote 12 and 14

12 Harry Verelst was a colonial administrator with the Company and Governor of Bengal from 1767 to 1769

13 John Cartier was a British colonial Governor in India and served as Governor of Bengal from 1769 to 1772.

He realised that the emoluments given by the Company to its employees were meagre, a fact that was used to encourage private profit informally. His solution was to permit the profits from inland trade of salt, betel and tobacco to be divided among the Company's servants. However, such benefits flowed down only to the level of the factors, leaving officers of the lower ranks with only their regular pittances allowed by the Company. This made the position of the younger staff untenable, forcing them into debt received from the *banias*. The Select Committee of the Company, overseeing policy matters, was forced to accept this reality and recommended that a competent subsistence should be given to save them. This, too, was the early beginnings of the salaried civil servant, whose earnings were assured by the fact that he performed a duty and was not dependent on the vagaries of trade or profit earned.

Clive himself was not immune from serious allegations of corruption and the acquisition of a personal fortune which made him one of the richest men in England. After his return home, he spent the rest of his life defending himself against these charges in the parliamentary enquiry instituted against him. Ultimately, the pressure was too much. He lost his health and his mental balance. Finally, in November 1774, at the age of only 49, he committed suicide by stabbing himself with a penknife. A fictional biography of Clive, written by Alex Rutherford and published by Hachette, named *Fortune's Soldier* is the most popular account of this man of many contradictions who laid the foundations of the Empire in India, but could not save himself from his own demons.

VI: THE EVOLUTION OF REVENUE ADMINISTRATION

Revenue Collection – The Hub in the Administrative Wheel

To understand the role that the British played in managing the land of the peasant and thereby using it as an instrument to ensure peace and tranquillity along with social order, we need to go into some detail of the entire history of revenue administration as well as the process by which land revenue assumed great significance in this period. Sarkar describes (Sarkar, 2009) this process as she captures the important milestones of this particular phase of our history. Prior to the stunning victory of Clive at the Battle of Plassey in 1757, the East India Company was managing the revenue affairs of only 41 villages, collectively called Calcutta. Later, the *zamindari* of 24 Parganas was obtained as part of the treaty with Mir Zafar. The Company decided to obtain revenue in this area by putting up revenue collection rights for public auction for a period of three years, thereby functioning as a 'corporate *zamindar*' under the Nawab of Bengal. Two British officers, the Resident of Murshidabad and the Chief of Patna, exercised the control of revenue administration, the first revenue officers of the British Raj. In time, by 1769, two councils were formed.

> ***…one at Moorshedabad for the Bengal provinces, and one at Patna, for the province of Behar; it was recorded that "Mahomed Reza Khan, a native of rank, who had been employed under successive subahdars, as a fit person to be appointed Naib Dewan, or the Company's deputy for Bengal and Shitab Roy for Bahar" (The Asiatic journal and monthly miscellany. Ser. 2 v. 34 (1841)., n.d.).***

Experience gained in the task impressed the local native principalities as the British were attaining a credible standard and ensuring peace and prosperity. In September 1760, Mir Kasim Ali Khan, who had been appointed as Nawab of Bengal, ceded three 'districts' of Bengal - Burdwan, Midnapore and Chittagong - to the British, free of all revenue, to enable the Company to meet the expenses of maintaining their army. As a precursor to the sprawling empire that it would once become, the civil administration of the three districts were taken over by the Company. One Richard Becher in 1769, reported that

> ***...[allowing] the English gentleman to superintend the collections and the administration of justice has occasioned the province to flourish, when the countries adjacent to it under the government of the Ministers are in a very declining state.***
>
> ***(Ramsay Muir, 1917)***

Even until this point of time, the Company insisted that their business was only trade and that it was not their intention to be encumbered with large territory. To encourage this fiction, revenue rights and revenue lands were considered as part of 'business' and not as territorial responsibility.

At the risk of repetition, we may say that this fiction soon turned to fact when the Mughal Emperor Shah Alam II who, after the debacle of Plassey was gradually losing his control on Bengal, personally proposed, the first time in 1758 and again in 1761, that the Company should be appointed as *divan* so as to assure the prompt and regular collection and payment of revenue due to him from Bengal. The Company dithered on this proposal which was not firmed up until after the Battle of Buxar, when the defeated Mughal emperor finally granted the *sanad* (official permission) of

the *Divani* of Bengal, Bihar and Orissa to the Company. This was the official recognition of the increasing political and military clout of the Company in matters related to the governance of the country, the thin wedge that, with time, would broaden into the powerful machine of British dominance over the colony in the subcontinent. The last step would come later, when the Nawab of Bengal, who had continued to exercise the powers of *nazim*, i.e. of general and criminal administration, would hand over these authorities and responsibilities also to the Company.

Experiments in Revenue Administration

As we have seen, even before the grant of *Divani*, the Company had to first employ one Mohammad Reza Khan, a former officer of the Nawab as its *Naib Divan* (deputy), knowing full well that without assistance from those who had been administering until recently, they would gain no success in their new ventures. Reza Khan, in turn, appointed his deputies and a host of local loyalists as *tehsildars* and revenue officials for the collection of revenue. To keep a check on the new activities, the Company appointed a Resident at Murshidabad. The *Naib Divan* Reza Khan's functions were supervised by a Select Committee appointed by the Company in Calcutta with Verelst[14] as its President. The *Divani* arrangement that the Company had entered into with the Mughal emperor stipulated that a sum of Rs 26 lakhs would be paid to the Mughal emperor and an additional amount of Rs 53 lakhs would be the annual share of the Nazim for his personal expenses and for the upkeep of the *Nizamat*. The revenue collected above this sum, totalling Rs 79 lakh, would be the Company's profit.

Careful scrutiny by the Company's Select Committee proceedings reveals that this system was not satisfactory and that much of the Company's profits were being pocketed by the *Naib Dewan* and his staff. Indeed, the collection of revenue was not

14 Harry Verelst (11 February 1734 – 24 October 1785) was a colonial administrator with the British East India Company and the Governor of Bengal from 1767 to 1769.

without its inherent perils. Collectors of revenue on the ground were known to be corrupt Indians and agents who, without proper supervision and control, colluded with those who had to pay. The peasant was oppressed and plundered without respite. The Company did not have sufficient numbers of servants to administer the provinces and with the existing system it would have been impossible for the Company to take the collection and administration of revenue into its own hands. In despair, the Select Committee of the Company concluded that the only possible remedy was to associate some selected English officers more directly with it by placing one in charge of each district under the name of Supervisor (its archaic form being *Supravisor*), so as to oversee the proceedings of the Indian officials.

Early Principles of Governance

O'Malley writes of the historic moment when this post, the direct precedent of the Collector was conceived, with these words: 'High hopes were entertained of the outcome of this experiment.' The supervisors would be able to detect and correct any abuses of official power. A succession of able and vigorous administrators would be thus secured. The instructions given to the supervisors were inspired by high ideals. Indeed, they would be a suitable model at any time for those engaged in Government in India. It would be worthwhile to quote at length from Harry Verelst's detailed directions (Verelst & Pre-1801 Imprint Collection [Library of Congress] DLC, 1772) to the new supervisors, principles of which are relevant to this day in modern India.

> ***Amongst the chief effects which are hoped for from your residence in that province, and which ought to employ and never wander from your attention, are to convince the Ryot that you will stand between him and the hand of oppression;***

that you will be his refuge and the redresser of his wrongs, that honest and direct applications to you will never fail producing speedy and equitable decisions; and that after supplying the legal due of Government, he may be secure in the enjoyment of the remainder; and finally to teach him a veneration and affection for the humane maxims of our Government.

The exploring and eradicating numberless oppressions which are as grievous to the poor as they are injurious to the Government; the displaying of these national principles of honour, faith, rectitude and humanity which should ever characterise the name of an Englishman; the impressing the lowest individual with these ideas, and raising the heart of the Ryot from oppression and despondency to joy, are the valuable benefits which must result to our nation from a prudent and wise behaviour.

Versed as you are in the language, depend on none where you yourself can possibly hear and determine. Let access to you be easy, and be careful of the conduct of your dependents. Aim at no undue influence yourself, and check it in all others. Great share of integrity, disinterestedness, assiduity and watchfulness is necessary not only for your guidance, but as an example to all others; for your activity and advice will be in vain unless confirmed by example. Carefully avoid all interested views by commerce or otherwise in the province whilst on service… for though ever so fair and honest, it will awaken the attention of the designing…You have before a large field to establish a national and private character.

The tone and intent are unmistakeable. This may the first example of directions issued to field officers, enunciating the tenets of public service. They would be referred to over and over again by several generations of District Officers in the days ahead. Even today, two-and-a-half centuries later, these words ring true for the young administrators of a modern India.

Thus, it was that in 1769 that the Company appointed the first British officers, the supervisors in the districts, functioning not independently but under the Councils of Revenue established at Patna and Murshidabad in 1770. The supervisors too, overburdened as they were with their duties as antiquarians, historians, rural statisticians, etc., did not prove efficient and failed to improve revenue collection. They could not effectively check the rampant leakages and corruption. The deciding factor was the famine of 1770, which killed at least a third of the population finally proving the ineptitude of the *Naib Divan*'s corrupt administration and the incompetence of the British supervisors. Seized with the import of this dilemma, in 1772, the Company revoked the *Naib Divani* of Reza Khan and instead sent out a Committee of Circuit to the districts led by the incomparable Governor Warren Hastings, for settling and rationalising the land revenue for a period of five years, in many cases with the existing rajas of *zamindars*.

The District Officer is Born

In the same year, the supervisors were replaced (or rather, re-designated with grant of some additional powers) by the Collectors. The designation of the supervisor had been changed to that of Collector by an official order of Warren Hastings in 1772. In Volume I of the Memoirs of the Life of Warren Hastings, the author G.R. Gleig reproduces the words of Hastings, reflecting the thought processes that led to the change in the nomenclature. A careful reading also hints at the doubts Hastings had of two aspects of the working of the Company the perquisites attached to the

post that enabled the Collectors to enter into private trade and the evil of nepotism that enabled the directors to directly appoint their family members as members of the growing civil service in India. Both practices brought much shame to the office of the Collector and the East India Company and led to a series of reforms to establish neutrality and high ethics. This, in time, finally came to epitomise the work ethics of the officers of the Indian Civil Service. Hence, it is quoted at length.

> ***Do not laugh at the formality with which we have made a law to change their name from supervisor to collectors. You know full well how much the world's opinion is governed by names. They were originally what the word supervisor imports, simply lookers-on, without trust or authority. They became collectors and ceased to be lookers-on; yet I found to my astonishment, that they were known to the Court of Directors only in their original character. It was necessary to undeceive the Company; and to that end we have called these officers by a title that will convey the true idea of the nature of their office. It was once intended to withdraw the Collectors entirely. They monopolise the trade of the country, and of course prevent the return of specie by trade, since they trade with the amount of their perquisite. These perquisites I believe to be an obstruction of the revenue. They are most of them the agents of their own banyans (Banias) and they are devils. And as the collectorships are more lucrative than any posts in the service (the government itself not excepted – whatever it may prove hereafter), we cannot get a man of abilities to conduct the official business***

> ***of the presidency without violence; for who would rest satisfied with a handsome salary of three or four thousand rupees a-year to maintain him in Calcutta, who could get a lac or three lacs, which I believe have been acquired in that space, and live at no expense, in the districts? But whatever motives we had for recalling these officers, it appeared that there were among them so many sons, cousins, or eleves of directors, and intimates of the members of the Council, that it was better to let them remain than provoke an army of opponents against every act of administration by depriving them of their emoluments. They continue, but their power is retrenched; and the way is paved for their gradual removal; and the Court of Directors have sufficient arguments furnished them to order their recall immediately (Gleig, 2019).***

While a beginning had been made, this Collector of 1772 had almost no role in settling the land revenue and was under the overall control of others superior to him. It appears that the Company was yet to decide the contours of the job and the exact role and responsibilities of the new Collectors. Even the formal revenue settlement of those days, as the Collectors soon realised, was an excessive assessment that burdened the farmer and also put a strain on agriculture and other parts of the economy. There is now sufficient reason to state that one of the reasons for the Bengal famine was the imposition of high taxes on the peasantry.

> ***The junior civil servants of the Company have a noble field before them. No men in the world have more powerful motives for studying with***

> ***diligence, for there are none who have a prospect of a greater reward and whose success depends entirely on themselves…language is but the means, the good government of the people is the great end.***
>
> ***Our sovereignty should be prolonged to the remotest possible period…whenever we are obliged to resign it, we should leave the natives so far improved from their connection with us, as to be capable of maintaining a free, or at least a regular, government amongst themselves.***
>
> ***Quoted from the letters and correspondence of Munore from 'The Life of Sir Thomas Munroe, Governor of Madras' by George Robert Gleig***

In fact, the horrific experience of the famine had alerted the young and idealistic new District Collectors of the requirement to keep land revenue reasonable. Their letters to their superiors reveal the sorry state of affairs and they made valuable suggestions to alleviating the distress among the cultivators. Despite the most determined passive resistance made against the enquiries of the Collectors by local officials, *zamindars* and *quanongos*, 'it was the Collectors who enabled the voice of the *ryot* to reach the headquarters of the government.'(*The Cambridge History of India*, 1858) However, 'the superior officers refused to believe the district officers and added to the trouble by peremptory orders for the collection of deficits. This was done with undoubted harshness, for the collectors had no option but to carry out their orders.' It was only in the *divani adalats* chaired by the Collector that the cultivators found real protection and assistance, although they received scanty acknowledgement of their yeoman work.

Ambivalence About the Role of District Officer

Yet, the directors distrusted their junior officers and, in April 1773, sent orders to the Governor and the Council to adopt other measures for collecting revenues. The reluctance of the Company to invest the Collectors with adequate authority and control, combined with vested interests of some senior Company officials, led to a conflict between the Collectors and the Court of Directors. The result was a recall of the Collectors from the districts and a complete centralisation of revenue administration.

It was a step backwards, ordered by men on the Board of the Company who did not understand the real situation on the ground. The Board drew up a temporary plan to give effect to the Directors' fiat as follows (*The Cambridge History of India*, 1858) :

a. At the presidency level, a committee to supervise revenue collections was formed with two members of the Board and three senior Company servants who would meet every day to transact business assisted by a *rai ran* (local adviser)

b. The three provinces were divided into divisions, each under a provincial council chaired by a chief with four senior servants of the Company. They were headquartered at Calcutta, Murshidabad, Burdwan, Dinajpur and Dacca

c. In each district, the Collector was replaced by an Indian revenue officer (*diwan*), except where the district had been entirely let out to a *zamindar*, who was empowered to act as *diwan*

d. Inspections were carried out by commissioners known for their knowledge of Persian

e. The Collectors were directed to make their accounts and hand them over to the Indian deputies empowered to hold the court of *diwani adalats*.

While the Collector was checked, there was little restraint on the other English officers of Calcutta and Murshidabad, who started the evil practice of *benami* transactions through their native *banias*, assistants in their offices. The replacement of Collectors and the favouring of new contractors over the age-old Zamindari System led to more bewilderment, accompanied by a deterioration of revenue administration and increase in general distress.

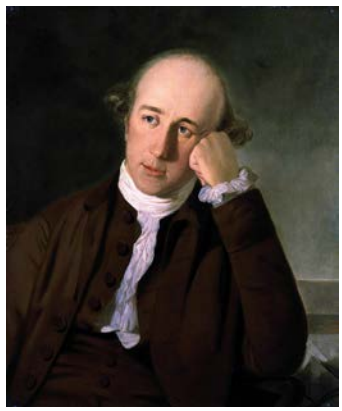


Image 2: Warren Hastings

Warren Hastings was made Governor of Bengal Presidency in 1772, and later, after the Regulating Act of 1773, and until 1785, the Governor-General of India. He was to set in motion the process of establishment of governance practices that would last for over two-and-a-half centuries. He realised that the recall of traditional *zamindars* could possibly improve collection instead of ad hoc mercenary settlements. In December 1776, when the quinquennial Settlement of1772 had expired, the Governor-General appointed a Special Committee with native *Amins* in all districts to enquire into the resources of each estate. The Amini Commission of 1776, headed by Anderson,[15] Bogle[16] and Crofte[17]

15 David Anderson, covenanted officer of the East India Company (1751 -1825)

16 George Bogle, worked in the East India Company and was Private Secretary to Warren Hastings

17 Crofte, Accountant General under the East India Company

made valuable suggestions on the basis of which annual settlements were begun, essentially with hereditary *zamindars*. (Incidentally, it was this same Commission that examined the role of the traditional panchayat to mediate and settle disputes related to the collection of land revenue at the field level). As could have been expected, these measures also did not provide sufficiently favourable results that would ensure a reasonable revenue collection without causing distress to the farmer, while also eliminating rent seeking and extortion by vested interests.

Reforms of Hastings

Drastic reforms were yet again now instituted. Provincial Councils were abolished and in February 1781, the institution of the Collector was once again appointed in the various districts. The re-institutionalisation of the post of Collectors may appear to suggest an idea of decentralisation. Yet, that was not the case. The Collector was once more denied powers to intervene in the new settlement of revenue. Other 'special officers' were assigned for this task as directed by the Committee for Revenue. Annual settlements were concluded for the years 1784 to 1786 by 'special officers' deputed by the Committee. Even as the chief revenue collection agency, the local District Collectors were not trusted. Separate orders were issued to encourage *zamindars* to pay revenue directly into the exchequer at Calcutta. Rural *qanungos,* a form of accountants, were re-appointed to assist the Collectors, but administratively they were under the control of the *sadar qanungos* who themselves reported to the Committee of Revenue. The settlement of 1781 was made principally with the *zamindars* in different districts for varying periods, not exceeding three years. It showed a large increase on the previous annual settlement, but arrears continued to accrue. Although figures showed a gradual increase over the settlement of 1781, the defects of this new system soon became apparent.

O'Malley describes Warren Hastings tenure as experimental in the matter of setting up the fundamentals of governance, including the reorganisation of revenue administration, remodelling of the judicial system and freeing trade from its abuses. He was keenly aware of the many flaws in the Company's regime and wrote:

> ***To hold vast possessions, and yet to act on the level of mere merchants, making immediate gain our first principle, to receive an immense revenue without possessing protective power over the people who pay it…[these] are paradoxes not to be reconciled, highly injurious to our national character…and bordering on inhumanity (Dalrymple, 2019, p. 237)***

It was on his watch, as we have seen, that the first steps were taken to institutionalise the process of revenue and general administration.

Indian officers, attached to the Collector, now known also as *divans,* were put under severe curbs so as to free the system from their depredations. The administrative capital of revenue administration was shifted from Murshidabad to Calcutta. For a brief period, from 1774 to 1781, the dominant role of the Collectors was diminished and functions transferred to Indian administrative officers known as *amils*, who worked under six Provincial Councils comprising the Company's officers. However, the direct role of the Collectors in the day-to-day management of field realities was missed soon enough and their role was re-instituted, although under a Committee of Revenue that received no perquisites and were remunerated by a commission of 1% on the net collections. Revenue and the judicial administration were entrusted to English officers. It was the start of a nucleus of

> ***a civil service with the systematisation and specialisation of functions which are essential to such a service, e.g., the separation of customs from the revenue department and of revenue from judicial functions (O'Malley, 1965, pp. 28–29).***

Despite this ebb and flow in the Collector's role, there was the beginning of trust and confidence in the office of the Collector, especially in the rural areas. The District Officer was coming into his own. He realised that his role was the dispensation of justice to the poor peasants in his areas and to ensure that the oppression they experienced from myriad sources, be ended. To him, the British sense of justice and compassion was of prime importance. And this, in turn, led him to be adoringly referred to as the *mai-baap* by the rural population. Roberdeau, a Company officer who served as Collector, had this to say in his sketch of the District Officer:

> ***Generosity is a feature in the Character… bring distress before his eyes and he bestows with a liberality that is nowhere surpassed… in the Public Character, whatever calumny and Detraction may say to the contrary, he is minutely just, inflexibly upright and I believe no public Service in the whole world can evince more integrity (Mason, 1992, pp. 77–78).***

We have already seen that the designation of supervisors had been formally replaced by that of the Collector in keeping with his duties and responsibilities. This was the beginning made to that extensive system that would, one day and even today, be the paradigm of district administration in the country. Yet, these

officers had little knowledge of the local language and customs and had to rely on the ubiquitous *bania*, forcing Warren Hastings himself to comment: 'The *Banyan* is, in fact, the lord of every Supervisorship. All the business of the district passes through the hands of the *Banyan* to his master.' Much later, Burke, in his speech impeaching Hastings in Parliament, would add to the fears when he said: British power is 'nothing but the inferior tools and miserable instruments of the tyranny which the lower part of the natives exercise.' The root cause of the prevalent abuses was the obstinate refusal of the directors to pay their employees a decent salary. In the absence of any positive orders, the officers too were allowed the rights of private trade.

On this subject, Sir Charles Lucas writes:(Lucas, 1913):

> ***It seems transparently obvious that if employers are to be honestly served, they must pay good wages; yet the history of colonial administration shows that no lesson has been so imperfectly learnt and so constantly forgotten. Have few officers, work them hard, pay them well, hold them responsible, and trust them – this is the only way to secure capable and honest administrators. In the latter part of the seventeenth and throughout the eighteenth century no government acted on these lines and companies could hardly be expected to do so. Their business was not to train just and wise rulers, but to buy the services of their staff as cheaply as possible. They paid salaries on which men could hardly live, and the subject races had to make good the deficiency.***

As for trade, custom duties were rationalised and made the same for all. Unauthorised exactions were stopped and abuses repressed. The first sign of the Parliament intervening directly in

Company matters came with The Regulating Act of 1773, which prohibited Collectors and all persons engaged in revenue and judicial administration from participating in trade, thus delinking administration from commerce.

Judicial Reforms

Warren Hastings's broom also swept the judicial system clean, by the establishment of civil and criminal courts for every district with appellate courts in Calcutta. The non-formal systems of courts presided over by the local *zamindars* was ended. The district courts were presided over by Indians, but under the supervision of the Collectors. In 1781, revenue work and justice were separated from civil jurisdiction and the authority of the District Collectors. These were placed under English judges, who were also invested with executive powers of arrest (though not trial) of criminals. All law related to revenue administration was codified. Hastings also codified the prevalent Hindu law and drew up a code of regulations for the courts. This embodied real reform and eliminated arbitrary and whimsical procedures.

Sircar(Sircar, 1988) details the developments. In the period between the battle of Plassey and the arrival of Warren Hastings, the Company experimented with various systems of judicial administration. The *Divani* rights carried with them only civil jurisdiction. However, *nizamat*, the Persian term for the management of criminal administration and judicature, still lay with the Nawab of Bengal as before. Even matters related to civil disputes were exercised by the native *Naib Dewan*, although under the supervision of European Resident. This system was found unsatisfactory and Hastings was given the task of removing the defects of Robert Clive's Dual Government.

Hastings had noticed that in the township of Calcutta there were some systematic rules of justice. Beyond its precincts in the *mufassil* areas of Bengal, the situation was most unsatisfactory. In

fact, excluding the Company settlements and its premises, judicial authority was exercised by the Nawab only in bigger urban areas. The Nawab's deputy and his *fauzdar* dispensed justice in cases of minor quarrels and frays, while the *mohtsib* punished drunkenness and the selling of spirituous liquors. The *kotwal* became the peace officer of the night. These systems prodded Hastings to make some changes.

In 1769, the Company had stationed its supervisors in districts throughout the country 'with directions to enquire into the proceedings of the courts of justice, to restrain iniquitous proceedings, to abolish the *chout*[18] and where a total charge should appear desirable, to apply to government for the requisite powers,' as also to supervise the native courts. The position was not encouraging. Generally speaking, 'the courts of justice in India were instruments by which the powerful performed oppression, at their pleasure, on the weak' (Mill, 1817, p. 469)

Plans for the reform of this system started with the appointment of a Council of Control in 1770. While the ancient and established plan would be conformed to, the Council of Control

> ***should interpose as they perceived occasion; every judicial proceeding which concerned the government should come under their review; the trials should be transmitted to them in all criminal cases, and execution suspended till their opinion is known; all causes relative to the revenue and to property in land should in the first instance be tried in the native courts, but the Council should revise the proceedings of these courts and have the power of final determination (Mill, 1817, p. 470).***

18 'chout' means basically 1/4th i.e 25% of gross revenue or produce to be paid to jagirdars of Maratha empire from hostile or alien states.

Fortified by the success of these measures, in 1772-73, Hastings started executing his plan of establishing a regular system of courts of justice. James Mill[19] describes in detail the developments that took place in this regard. On the criminal side, *fauzdari adalats* (headed by a *kazi* with a *mufti* and two *maulavis*) were appointed in the districts. A *sadar nazamut adalat* at Murshidabad acted as the appellate and superior criminal court with a *daroga* appointed by the *Nazim* at its head, assisted by the Chief *Kazi*, Chief *Mufti* and three *maulavis*. The President and Council, however, had not much say over this *adalat*. The English Collectors were desired to attend the proceedings of the district *fauzdari adalats* to ensure that British legal procedures were adopted. But they did not have direct control over these courts as the District Magistrate would have in the years to come (Sircar, 1988).

On the civil side, Hastings appointed, in 1772, the *muffasil dewani adalats* which were actually Provincial Councils set up in the six towns of Calcutta, Burdwan, Dacca, Murshidabad, Dinajpur and Patna, supervised by the collectors of revenue to try civil suits. These *cutcherry* courts were divested from the Collectors within three years from the year 1775 and the Collectors were advised to concentrate on revenue collection while *aumils* were appointed for the administration of civil justice in these courts. Over the six *muffasil dewani adalats* was the *sadar dewani adalat*, presided over by the President of the Council in Calcutta and assisted by the Dewan of the Khalsa (exchequer) and certain other officers of the *cutcherry*. Consequent upon the promulgation of the Regulation Act of 1773, a Supreme Court of Judicature, consisting of the Chief Justice and three other Judges (all English barristers) was set up in Calcutta in March 1774. The court was to have power to exercise all civil, criminal, admiralty, ecclesiastical jurisdiction. By 1781, the *dewani adalats* were made independent of the six Provincial Councils and placed under separate covenanted servants whereupon they started functioning as district *dewani adalats*. In that year, the number was also raised from six to 18 and the civil-

19 Sir James Mill's classic The History of British India (1817) is required reading for students of this period of Indian history.

judicial functions separated from the fiscal powers of the revenue collectors. There were intermittent changes due to frequent shifts of policy and the different experiments of the Governor-Generals. In 1787, Cornwallis united the offices of the judge-magistrate and Collector and they were given considerably wide powers. This experiment, too, did not prove to be successful as over-concentration of powers and functions made the Collector-cum-Magistrate-cum-Judge unduly burdened.

In passing, we may also mention that the establishment of the judicial system led to the drawing up of an admirable code of procedure prepared up by Sir Elijah Impey after he was appointed Chief Judge of the *sadar diwani adalat*, the first form of the Supreme Court that could decide appeals and even revise the proceedings of the lower courts.

Thus, between 1790 and 1793, the functions of the judge-magistrate were withdrawn from the Collector. Simultaneously, Courts of Circuit were established at various cities. Judicial separation was finally achieved in 1793 with the setting up of *zilla* courts. Indian judicial officers were appointed with a fixed pecuniary jurisdiction in the beginning. Over the years, however, as Indians became more associated with the judicial process, this amount was raised. Subsequently, the Governor-General and Council were replaced for judicial matters by three judges. The judiciary, thus, continued to grow, independent of the revenue administration. The district judge, however, continued to be the District Magistrate as well except for a brief period between 1931 and 1937. Only after the bitter experience of the Revolt of 1857, would a series of reforms and new enactments follow the Crown's takeover of the Indian administration. And one of the first steps was to grant magisterial powers to the Collectors, who would henceforth be known as District Magistrate and Collector. The district judge, bereft of his magisterial duties, would henceforth known as the district and sessions judge.

> ***There were thus two chief administrators in each district, the Collector, whose duties were confined to the collection of public dues, and the Judge-Magistrate, who united in his person the powers of Civil Judge and magistrate and also controlled the police. Of the two, the Judge-Magistrate had the higher rank and station, Cornwallis having proclaimed that Judgeships were to be considered the first appointments in importance in the service (O'Malley, 1965, p. 38).***

Of particular interest to this paper would be the set of instructions issued by Hastings to the Collectors and other officers of the government. They were directed to grant easy access to the people and to set apart some time for hearing and deciding all complaints brought before him. He laid down the practice of a box to be placed at the door of each *cutcherry*, or court house, of which only he had the key. He was expected to read all complaints thus received at the end of each day. This admirable attention to details by Hastings ensured that the people could be granted access to justice without passing through the corrupt channel of subordinates.

It is essential to understand the enormous changes that Hastings and the East India Company started making in the Indian subcontinent. Kaye's summation on the state of affairs after Hastings left is significant:

The Company's servants had everything to learn as administrators, and those great lessons were not to be learnt in a day. But considering the strangeness of the duties which then devolved upon them, the magnitude of the labour imposed, and the extreme difficulty of acquiring competent knowledge of the language, the institutions, the usages, and the character of the people, in all their multiform social aspects. A people whom before

they had only known in the one relation of trader, the wonder is not that they advanced so little towards good government, but that they advanced so much (Kaye, 1853)

Genesis of Districts Amid New Experiments

With the departure of Warren Hastings, experiments on the other extreme began. Officers like Shore[20], Anderson[21], Crofte[22], Grant[23] and others, well versed in land revenue administration of India, embarked upon a scheme of complete decentralisation. The Committee of Revenue at headquarters (renamed Board of Revenue) was to retain only a general power of supervision and sanction. The native divans were abolished and under a re-organised scheme, the Department of Qanungo was overhauled and placed under a chief officer called the serishtadar, who was to be the keeper of land revenue records.

The basis of the new system, emanating from the instructions of April 7, 1786 to the Committee of Revenue, saw the formation of 'districts' or 'collectorships.' This was a significant step. Earlier the units of revenue administration were, in fact, fiscal divisions (like *parganas* or *zamindaries*) and not defined as geographical areas. The various offices earlier appearing in the nomenclature of revenue administration since 1772, such as supervisors, Provincial Councils or Collectors, had not had their authority precisely defined over these fiscal divisions. The result was that *parganas* and other fiscal divisions morphed into the geographical administrative units known, since then and now extant, as districts. The district, as we now know it, was taking shape.

20 John Shore, 1st Baron Teignmouth (5 October 1751 – 14 February 1834) was a British official of the East India Company who served as Governor-General of from 1793 to 1797.

21 Anderson David 1750-1828 East India Company Official.

22 See footnote 17

23 Charles Grant (16 April 1746 – 31 October 1823), was a British politician influential in Indian and domestic affairs who served as Chairman of the East India Company.

Then there were 35 new districts, with an approximate revenue return of 8 lakh rupees each. Shore's advice of March 1787 was accepted and the number of these districts was reduced to 23 so as to make them administratively compact. The Collector was now formally installed as the chief administrator of his district a role and responsibility he continues to hold even today, more than 230 later. It was to him that the *zamindars* would have to look for a fair and reasonable assessment of revenue. The *qanungo's* office, now placed above the influence of *zamindars,* was also reformed and maintained as an office of information and registry for the Collectors.

The reformed system introduced in 1787 placed the Collector on a 'permanent footing.' Further, all three functions required for effective district administration - of Collector, civil judge and magistrate - were found united in the same person. 'In proposing this union of different authorities in the same person, the Court of Directors were influenced', reports Firminger 'by the consideration of its having tendency to simplicity, energy, justice and economy.'[24] This deliberate concentration of authority in the district officer made him an immensely powerful and effective local authority within his jurisdiction. Besides, in the absence of proper communications, the new District Magistrate and Collector could exercise almost unfettered powers within his own domain. In fact, as an English commentator remarked: 'The District Officer was a semi-absolute monarch, ruling over a territory as extensive in area and population as some of the smaller countries of Europe'(Sircar, 1988)

24 Walter Kelly Firminger (28 September 1870 - 1940) was archdeacon of Calcutta and a historian of India who was the first editor of Bengal, Past & Present, the journal of Calcutta Historical Society.

Image 3: Lord Cornwallis

Lord Cornwallis took over as Governor-General of India (1786-93 and 1805). To him, the concentration of power in the hands of one man at the district level was an arrangement that was not only distasteful but also incompatible with his political ideas. Montesquieu's political philosophy and the anti-authority spirit engendered by the French Revolution was flourishing through Europe. On his directions, the combined and centralised office of the Collector-Magistrate-Judge was curtailed in 1793. The Collector was once again relegated to duties associated only with revenue functions. By contrast, the control over general administration, police, civil and criminal matters were vested in the judge-magistrate of the district. The Collector was even made answerable before the ordinary courts for acts done by him or his subordinates, even in their official capacities. This arrangement, known as the Cornwallis model, perhaps did not suit the particular genius of the administration of rural India which demanded a father figure, a *mai-baap*, invested with vast and discretionary powers, exercised with an iron hand, but fair and objective in its execution.

Yet, despite these positive steps towards responsible governance, many of the Company's servants were intent on sordid money-making. When Cornwallis assumed office in 1786, he wrote in some personal correspondence (Cornwallis & Ross, 1859).

> ***I have every reason to believe that at present all the Collectors are under the name of some relative or friend deeply engaged in commerce, and by their influence…[have] become the most dangerous enemies of the Company's interests.***[25]

The remedy he urged was simple. If the Company wanted men of experience, ability and character to serve, it must pay them properly. They must have enough to live in a decent and comfortable manner and make savings to provide for their life after employment. The false economy of the Company denied adequate salaries to the Collectors, but this encouraged them to make money by irregular means. Eventually, the Directors of the Company agreed to pay the Collectors partly by salary and partly by way of commission at the rate of 1% of the collections. This was a small victory in the path towards good governance, but much more had to be done.

> ***The ideal government was where the magistrate would decide cases either sitting on horseback in the village gateway, or under a tree outside the village walls, and write his decision on his knee ..and be off to repeat the process in the next village***
>
> ***John Beames, Memoirs of a Bengal Civilian (London, 1961)***

25 This is a quote from his Fifth Report of the Select Committee on the affairs of the East India Company, 1917, Vol. I.

> Simultaneously, Cornwallis undertook sweeping changes in criminal justice administration. As we have seen, criminal justice continued to be dispensed by officers reporting directly to the Nawab. Cornwallis was convinced that no reform would be possible until Indian officers constituted the judiciary. The arbitrary and shocking punishments of mutilation dispensed in the courts under Muhammedan laws, the spirit of corruption prevailing as well as the unchecked state of crimes finally led him to announce by 1790 the setting up of criminal courts. Within a decade, the new judicial system was a success and the poor started to look to the laws, and not the patronage of the powerful, for protection.

It is now clear that the ideas of Cornwallis for separation between the judge and the Collector did not find favour among other senior officers of the Company like Munro[26], Elphinstone[27], Malcolm[28] and Metcalfe[29] in the Madras and Bombay presidencies. This school of district administration, which came to be known as the Munro School, differed from the Cornwallis system primarily on the question of separation or union of judicial and executive powers at the district level. Advocates of this school believed that for the Collector or Magistrate to carry out his duty efficiently, his authority had to be concentrated in a single office at the district level. They believed that in order to carry out the

26 Sir Thomas Munro, (27 May 1761 – 6 July 1827) was a Scottish soldier and colonial administrator. He was an East India Company Army Officer and statesman and Governor of Madras

27 The Hon. William Fullerton Elphinstone (13 September 1740 – 3 May 1834) was a Scottish ship's captain for the East India Company who became a Director of the company several times between 1786 and 1824, and who served both as Deputy Chairman and Chairman of the company

28 Sir John Malcolm (2 May 1769 – 30 May 1833) was a Scottish soldier, East India Company administrator and historian.

29 Sir Thomas Theophilus Metcalfe, (2 January 1795 – 3 November 1853) was an East India Company civil servant and agent in the office of the Governor-General of India at the imperial court of the Mughal Emperor Bahadur Shah Zafar.

rule of law, manage collection of revenues and all matters related to governance, he had to be made the unchallenged leader of the district.

We may summarise these fluctuations in the matter of the merger of revenue and magisterial powers in the person of the District Collector can be summarised as follows: during the first century of British rule in India, from the battle of Plassey in 1757 to the Crown's take over 1858, the Company had thought it best that their collectors of revenue should concentrate more on revenue functions rather than getting involved in judicial matters. There were two brief experiments in uniting the posts of Collector and Magistrate, the first between 1787 and 1793 and the second between 1831 and 1837. The final merger of the two offices took place in 1859. The broad pattern of administration established in 1859, with the combination of the offices of the Collector and the District Magistrate (with the district and sessions judge remaining separate), continues almost unchanged till today. Apart from this general pattern of the Bengal Presidency, other arrangements prevailed under the Munro system in the districts of Bombay and Madras presidencies and under the system of Commissioners and Deputy Commissioners in the Non-Regulation (annexed) provinces (explained hereafter).

Gilmour explains this in a simple manner:

> ***The early history of the administration of law in British India is a confusion, a narrative of constant changes in the nature of courts, their functions, the law they administered and the officials who administered them. But for the work of the Victorian ICS [District Officer], there are two crucial moments. The first is 1831 when the division of powers in the in the districts of the Bengal presidency was fixed: the Judge became the District and Sessions Judge, but his***

> ***magisterial functions - and control of the police – were transferred to the Collector or District Officer.The second is the period between 1859 and 1861 during which two separate judicial systems – hitherto administered by the Company and the Crown – were merged under the Indian High Courts Act. At the same time Muslim criminal law was replaced by Macaulay's Penal Code, and the Codes of Civil and Criminal Procedure were put in place***
>
> ***(Gilmour, 2007, p. 123)***

Lord Wellesley was another Governor-General whose period in India (1798-1805) was marked by rapid territorial expansion and British ascendency. He defeated Tipu Sultan in the Battle of Mysore and ensured the eclipse of French forces in India. While Wellesley's contribution to the institution of the District Officer is not of particular significance, the expansion of British authority across the country led to a commensurate increase in the role of the District Officer as representative of an imperial government.

With time, it was not Cornwallis's view that prevailed. The frequent experimentation with the powers of the District Officer were finally settled after the Rebellion. Thus, it was that the offices of the Collector and Magistrate were united once again in 1859. This fundamental change was uniformly applied across the country, as a result of the Government of India Act 1858, promulgated soon after the Rebellion had been crushed.

The Regulation and Non-Regulation Districts

An extreme extension of this principle of unified system of administration could be seen in the office of the chief commissioner and deputy commissioners in non-regulation districts. A brief word of explanation for the term 'non-regulation' would be in order. The fully developed judicial system under the High Court existed in the three presidencies of Madras, Bombay and Calcutta and later, the North-Western province. These provinces were called Regulation Provinces because up until the Charter Act of 1833, whatever laws were enforced, had been issued as regulations by governors of the respective presidencies or, in larger matters, by the Governor-General in Council. These areas were known as the 'regulation' areas.

However, this system was unsuitable for new annexations and difficult to implement until the areas had fully settled down. The first districts to be known as non-regulation were the Saugor and Narmada territories, which had been annexed in 1818. The name and the form of administration were thereafter applied to every new area under annexation until it settled down and was gradually brought under the aegis of the higher type of administration governed by laws and regulations. The deputy commissioner at the head of each such district single-handedly held all authority and power - executive, judicial, revenue, police, excise and customs, public works and even education. This variation to the Cornwallis school (or the Bengal type of district administration) has been referred to only to explain the differences in the character and powers of the head of the district that existed in different parts of British India.

The British Raj began with the idea of the presidencies as the centres of government. Until 1834, when a General Legislative Council was formed, each presidency under its governor and

Council was empowered to enact a code of so-called 'regulations' for its government. Therefore, any territory or province that was added by conquest or treaty to a presidency came under the existing regulations of the corresponding presidency. However, in the case of provinces that were acquired but were not annexed to any of the three presidencies, their official staff could be provided as the Governor-General pleased and was not governed by the existing regulations of the presidencies. Such provinces were known as 'Non-Regulation area or provinces' and up to 1833 no provision for a legislative power existed in such places. The same two kinds of management applied for districts as well. ("Presidencies and provinces of British India," 2019)

Indeed, British India grew up by gradual accumulation from various points. The logic employed for non-regulation districts can be explained in this manner. A district on annexation would be more or less unsettled. Its administration, perforce, and as demanded by the extant circumstances, would be of a semi-military character, managed by trusted and energetic officers, armed with discretionary powers, who would have to make decisions quickly so as to maintain order and enforce a rough and ready kind of justice. Local practices, customs and traditions had also to be respected so long as they were not against basic principles of humanity or public policy. Out of these obvious needs arose, as we have seen, the non-regulation form of administration, headed by the chief commissioner and the deputy commissioner in actual charge of the day-to-day work of the district.

In such areas military men too performed their selfless duties along with the civilians, although the 1793 Charter Act had reserved the posts only for the civil service. These soldiers were known as military civilians, the most distinguished of whom was Sir Thomas Munroe, who came from a line of soldier-statesmen with whose name is associated the revenue work of Madras presidency, that is the *ryotwari* settlement for adjusting the payments due to the

state by peasant proprietors. In the Sindh, Sir Charles Napier got rid of many civilians and replaced them by men with a military background. At times the appointment of soldiers to civilian posts was a matter of grievance for the civilian officers. Yet, some of the greatest names in civil administration in the history of British India are those of soldiers: Sir Henry Lawrence, Sir Mark Cubbon, Sir William Henry Sleeman, Sir Henry Ramsay, etc.

Indeed, experience had shown that the areas newly annexed were handled more efficiently by the military officers. In such areas, the introduction of ordinary law and more elaborate procedures were considered inadvisable and were thus excluded from the operation and the Regulation and Acts in force elsewhere in British India. The laws here were promulgated by the Governor-General in Council through executive orders, although they were tempered by the advice that they should ordinarily conform to the principle and spirit of the Regulations. An example should suffice. Lord Bentinck prohibited the practice of *sati* by a Regulation in 1829, whereas the same practice was put down in Sindh by an executive order by Sir Charles Napier.

Punjab is an excellent example of the success achieved in a Non-Regulation province. It did not mean the exclusion of civilians, but that primacy was given to the military men of high standing. Punjab was half managed by experienced military men, exemplified by Henry Lawrence, and the other represented by John Lawrence, the civilian. Henry Lawrence's advice to young Collectors lays down the guiding principle of non-regulation administration:

> ***'In a new country, especially a wild one, promptness, accessibility, brevity and kindliness are the best engines of government. Have as few forms as possible and as are consistent with a***

> ***brief record of proceedings. Be considerate and kind, not expecting too much from ignorant people…'***
>
> ***(Sir Peter S. Lumsden, 1900, p. 75)***

This sort of flexibility permitted innovation guided by the expectations of the people and the needs of the area. The three cardinal points in the philosophy of John Lawrence, a civilian who administered Punjab, a non-regulation area were: first, concentration of authority and responsibility in the District Officer, who was Magistrate, Collector and judge, so as to maximise the impact of administration of civil justice and revenue. Second, small-sized districts to enable the Collector to gain a complete knowledge of the area and its people. And third, simple laws and rules which respected Indian institutions.(Sir Charles Aitchison M.a., 1897, pp. 60–61)

Punjab was the last area established by the British in 1849, from territories captured in the First and Second Anglo-Sikh wars. When the time came for the British to leave, the Sikhs begged them to stay. It was decided that a council of the Regency would be set up with a British resident to guide the kingdom. In fact, it was Henry Lawrence who was the titan who first reigned as Resident. His assistant Herbert Edwardes established law and order and wrote the legal code for the area, translated it into Persian and administered it single-handedly. 'The Political Advisor became judge as well as financier, tax-gatherer, commander-in-chief, engineer and legislator – Moses as well as Napoleon.'(Mason, 1992) In Jullunder, John Lawrence, Henry's brother, carried out a summary and lenient assessment of land revenue that, in effect, increased farmers' income by 15-20%.

This is not to say that in the regulation areas, Indian systems and social organisation were not respected. The inconsistencies

brought about by the Permanent Settlement in Bengal, where District Officers were divorced from direct contact with the people in the important area of revenue matters (because the local landlords were empowered with the collection of revenue), were soon rectified. No attempts were made to impose uniformity. In the Madras province, the opposite was true, as Thomas Munroe established the indigenous revenue system, the *ryotwari,* thus granting legal sanctity and security to the existing local system of revenue administration. So, too, did Governor Elphinstone in Bombay who advocated that the existing system of revenue administration be continued with no new taxes and admonished his officers to make no innovations. In the North-West provinces the fragile village system was preserved by a settlement based on regular survey and investigation of tenures and rights, as well as local customs. Between Holt Mackenzie[30] and Robert Bird[31], the land was settled with a high degree of competence.

In this context, it would be good to understand the administrative arrangements put in place by the British in North Eastern India, which accounted for 8% of the of the country's total area. As a region marked by ethnic, religious, linguistic and cultural diversities, it did not lend itself to centralised control from a distant seat of power. This was another large area of the country that fell under the definition of non-regulation areas.

Yet, the colonial period saw the entire region, with all its diversities, administratively unified and controlled by the British from Shillong. The colonial government established its regular

30 Holt MacKenzie, the Bengal secretary whose memorandum of 1819 set in place the recognition and record of village rights for the whole of the north-western provinces (as later revised and codified) which marked the end of the Bengal system of permanent revenue settlement.

31 As a judicial officer, Bird had acquired insight into land ownership in India, and the impact on it of the legal framework. As Revenue Commissioner revenue he was chosen by Lord William Bentinck to revise the settlement of the land revenue of the North-Western provinces, He took sole charge of the settlement operations, which he brought to completion by the end of 1841.

> ***administration in the north east, then known as north eastern frontier of Bengal or Assam. While a Commissioner who also had the duties of Agent to the Governor General, North-East Frontier headed the civil, criminal and revenue administration of the region, Principal Assistants, later re-designated as Deputy Commissioner in 1861, were appointed in the newly created revenue districts of Kamrup (1831), Nowgong (1833), Sibsagar (1839), Lakhimpur (1839), Cachar (1832) and Darrang (1833) with civil, criminal and revenue powers as delegated to them in their respective jurisdictions. (Barua, n.d.)***[32]

The District Officer and Basic Principles of Governance

The foundations of a modern civil service were gradually being established. The 1793 Charter Act had already provided that vacancies in all the civil offices in India should be filled from among civil servants of the Company belonging to the presidency in which they occurred. The general principle was that all posts in the civil administration were to be reserved for the Civil Service, thus preventing outsiders who tried to enter through some kind of patronage. Further, promotion was to go by seniority. The duties of different departments were defined. Fixed salaries proportionate to responsibility were attached to specific appointments. Perquisites and allowances were done away with. A civil auditor to check all civil expenditure was appointed. More significantly, in 1793, it was laid down that

32 Barua, Jishnu, IAS, Additional Chief Secretary, Assam. (Unpublished paper, made available to me by the author).

all officers of Government were amenable to the Courts for acts done in their official capacities, while Government itself agreed to submit its rights to be tried by them in cases in which it was a party with its subjects in matters of property

(Keith, 1922).

Civil servants were being grown in the administration of the land. Kaye describes the process as this:

> *…there was gradually springing up a race of trained administrators around whom the old commercial traditions did not cling, who had not graduated in chicanery, or grown grey in fraud and corruption, and who brought to their work not only a sounder intelligence but purer moral perceptions and a higher sense of what they owed to the people of the soil.*
>
> ***(Kaye, 1853, p. 88).***

At the height of its ascendency, Gilmour states that:

> *British India was divided into 250 districts. These were themselves divided into three or four sub-divisions, which were sometimes split again into a couple of tehsils. They were also multiplied, a group between four and seven districts forming a division headed by a Commissioner, which was in turned joined to other divisions to form a province.*

> ***Bengal consisted of forty-eight districts divided into eight divisions. But the key administrative unit was the district.***
>
> ***(Gilmour, 2007, p. 89).***

Financial principles of revenue and expenditure to manage the vast land were also established. Gilmour further adds:

> ***Land revenue which had been the main source of funds for the Mughal Empire, provided the Government of India with about 40 percent of its annual income. At the end of the nineteenth century it produced some 210 million rupees, while Customs, Excise and Stamps brought in 140 million, the Salt Tax yielded 75 million and the sale of opium 40 million. The chief items of expenditure were the Army, which accounted for nearly half the total (244 million rupees), followed by the administration (140 million) and public works (68 million).***
>
> ***(Gilmour, 2007, p. 109).***

The system also permitted exceptional officers to bring out the best principles of governance into play in their respective areas. Sterling examples of individuals from the Civil Service, providing yeoman and selfless service to the people of the soil, started gaining ground. Jonathan Duncan was one of the first. He had persuaded the people of Jaunpur to give up female infanticide. When he died in 1811, on his tombstone were engraved the following words: 'He was a good man and just.' Tilman Henckell, Collector of Jessore was another, for whom it has been written:

…the idea of his administration was that it was the duty of government to procure the peace and comfort of the mass of inhabitants…to guard the then almost helpless natives from the oppressions to which they were subjected by the commercial officers of the Company as well as by their own zamindars.

(James Westland, 1871).

VII: THE DISTRICT OFFICER AT THE INTERSECTION BETWEEN EMPIRE, LAND AND CITIZEN

Land Rights as Foundation of Society

This may be the appropriate time to discuss the intrinsic relationship between the three fundamental concepts of state, land and the citizen. In this particular context, by citizen we mean the farmer, often referred to in those days as the *ryot* or the peasant. The state has always been the supreme owner of all land. Even in the pre-Mughal days, the state, as manifested in the persona of the monarch and acting through his designated representatives, exerted control over the peasant by appropriating to itself a share in the value of the produce from the fields. In exchange for this payment, the monarch assured personal protection from marauders and other disturbances, through the presence of his troops, often indentured men of local *zamindars* or proprietary landowners owing allegiance to the throne. Although the payment was often arbitrary and extortionate, the peasant was not in a position to argue and, in fact, did not because of the protection that the state accorded him.

Land policy has always played a central role in the history of India. In the early days of Company rule, subsequent to the conveying of the *Divani* by the Mughal Emperor, we have seen that a significant portion of the revenues of the Government of India came from land revenue. To collect these revenues, it was necessary to record and define the rights in land of the various classes of society. During the Mughal era, too, there was some form of rudimentary record keeping put into place by Raja Todar Mal, the finance minister of Akbar. (Todar Mal himself had borrowed the essentials of the

system from Sher Shah Suri's impeccable accounting systems, to which we have referred earlier). The history of the times indicates that in places where the Mughal administration was in a position to survey and record details of the land, Todar Mal had carried out a careful survey of crop yields and prices cultivated over a 10-year period between 1570-1580. On this basis, revenue payable by the *ryot* was determined on each crop and was to be paid in cash. Each province was divided into similar land revenue circles with their own schedule of revenue for each individual crop. However, this largely fair and just system was discarded when Todar Mal was sent for some military operations in the Deccan.

It became clear to the British that the reasonable imposition of a tax on the produce of the land, (the key word is the reasonability of the tax) that would ensure the satisfaction of the peasant, could be the basis of a re-ordering of the rural society. This re-ordering ensured that the peasant remained contented with his rights over the land being fully established through a title granted by the state. It was a sure way to ensure tranquillity in the vast lands of the country. This tax, uniformly applied (though with some variations both in concept and across regions) helped, in course of time, to shape the structure of Indian rural society.

> ***…for as they bestowed the rights and privileges at their disposal on one class or another, they could virtually ensure the dominance of that class. Indeed, land policy, through its influence on the distribution of power within Indian society, was perhaps the only really effective organ of social change open to the British in the nineteenth society.***
>
> ***(Thomas R. Metcalf, 2005)***

Philip Mason's admirable work *The Men Who Ruled India* attempts to examine the knotty question of settlement of revenue in the overall context of the governance of the areas falling under British suzerainty. He points out that there were two questions to be answered. The first concerned the *zamindars* and the second, the actual tiller of the soil. In the Mughal days, the *zamindar's* authority over the peasant had accrued in different ways. Some of them were descendants of senior officials of the court to whom the monarch had, in the place of a regular salary, formally assigned the absolute rights to collect the king's revenues. Some others were those who had received the title as a pension. Yet others were independent offspring of chieftains who had separately been assigned these rights by the Marathas even before the Mughals came into the picture. There were also those who held these rights sub-infeudated or sub-contracted by the *zamindars*. Below them, on several rungs of the ladder, were other grades too. Right at the bottom of the hierarchy, 'naked and despoiled, lay the tiller of the soil' (Mason, 1992).

If in the remotest corner of a district, there occurred a cow-riot or an affray, or a murder, or a big burglary, the DC would be on the spot. If cholera broke out, every affected village had to be visited. No remission of revenue was ever granted without a personal inspection of the land and crop. Nothing that affected the welfare of the district or the contentment of the people was too insignificant for personal attention. It was an unwritten law that the civil officers should see things with their own eyes, do things with their own hands, and enquire into things for themselves. Thus, they came to know the people, the people learned to know them.

Sir Charles Aitchison, Lieutenant Governor of Punjab, reflecting in 1982 on his days as a District Officer.

The tiller's case was also not uniform in the country. Some were descendants of those who had once constituted the old community brotherhood, from whom revenue was being collected by a nominated representative of the monarch. Then there were other villages where the *zamindar* had developed infertile land which were then allotted to local *ryots*. His revenue collection from the *ryots* was to recoup the capital he had invested for improvement of land productivity. The rights held by the tenants were complicated and of differing nature. The share of a single *ryot* could go into fractions as they were often held jointly. Alternatively, the tenant's holdings may be made up from many plots of land. It required historical research to ascertain who the original *zamindar* was and who the current tenant. To find out what the tiller was due to pay and what he actually paid was even more torturous. While Sher Shah Suri and Akbar (through Todar Mal) had, for a brief while, taken the trouble to fix a fair share, yet, middlemen and agents extracted more than what was due. The tiller, who feared both the distant crown and nearby *zamindar,* acquiesced. The only check as a namesake was the *qanungo*, who recorded all the collections in his jurisdiction. He had once been appointed as the watchdog of the King but, with time, the post became hereditary. Temptations soon made him the ally of the *zamindar*.

These arbitrary and capricious collection of revenues soon led to the crying need for reforms. Reports sent by the Collectors from the field were already screaming of injustices being faced by the hapless peasant and displayed a sense of deep compassion and responsibility. Most of them sought directions and guidance from the Company's advisory Council. Vansittart[33] wrote of how he had prohibited new taxes on the tillers of the land. District Officers from various areas wrote impassioned letters to their governor, pleading for reason and compassion in the recovery of land revenues. A few examples would suffice. Middleton argued strongly for reducing rents so as to benefit the poor, since he

33 Henry Vansittart (3 June 1732 – 1770) was the English Governor of Bengal from 1759 to 1764.

knew that the existing system was oppressing the *ryots* which 'in the end prove destruction to the Company's revenues.' PR Dacres wrote of the plight of Jessore district where the 'peasants are taxed beyond what they can afford.' His radical remedy was: 'Grant the *ryots* a total remission of the taxes which have been accumulating on their payments for these last fifteen or twenty years past: let a settlement then be made with the zamindars, fixing the rent to perpetuity.' Ducarel, Collector of Purnea, also pleaded for a permanent settlement based on a reasonable valuation. Hunt from Patna wrote that the revenue demanded was exorbitant, while Harwood from Dinajpur complained of the oppressions of junior revenue officers in the field. Bateman from Chittagong repeats the same story and stated that 'the injured find it easier to suffer than to complain.'

These early Collectors of the Company were already realising the complexity of governing a country with such diversity and extremes, erratically overlaid with arbitrary systems of local governance, and subject to the whims and fancies of the local lords and *zamindars*. Their feedback and extensive reports about actual field conditions to the Company would, in time, became inputs for a complete reformation of land revenue structures that brought in some element of fairness in the tax along with stability and contentment of the oppressed farmers. The District Officer, thus, become the most significant instrument of change for the rural economy of the subcontinent, making way for some peace and tranquillity.

Permanent Settlement of Cornwallis

We have seen how the principles governing land revenue and the administration of India, on the back of revenue administration, was a significant part of British governance. It had become the very foundation of district administration and is so right down to this day. Land revenue systems tended to match the geography of the

area governed. In the dry Deccan uplands of Madras and Bombay were found scattered villages and hamlets of extensive agriculture. In lush Bengal with its fertile riverine soil, settlement was dense. In the great open plains of the Ganges valley with their moderate rainfall, true cavalry country, the movement of conquering clans led to settlement patterns dictated by the needs of defence (Hunt & Harrison, 1980).

In 1789, Cornwallis announced the Permanent Settlement of Bengal and answered the question of who was the *zamindar*. Most district officers welcomed the settlement, although Shore believed that instead of a permanent settlement of revenues in perpetuity, a settlement for 10, 20 or 30 years would have given equal confidence. A word about the modalities of Permanent Settlement may be in order here. Lord Cornwallis was imbued with the idea of enlightened peasant landlords who would collect the taxes for the Company from the simple peasants, in return for which they were expected to see to their general welfare and betterment.

> ***At this time the prevailing attitude towards landed property among British policy-makers was what may be called 'the Whig view'. According to this, the system of land law which held out the best prospect of social stability and economic progress was one in which substantial landlords gave long leases of medium to large farms to improving tenants-not surprisingly, just that system which existed in England (Black, 1968).***

It is this same Whig view of the proper form that landed property relations should take, that emerged in the Permanent Settlement of Bengal carried out by Cornwallis in 1793.

Cornwallis went a step further in extending the 10-year revenue settlement arrived at in 1790 into a perpetual one, in the belief that this would provide the *zamindars* with a powerful incentive to improve productivity of agriculture and the lives of their tenants.

These former landholders were given formal proprietary responsibilities with regard to the plot they held. The areas under their jurisdiction were subjected to a revenue tax that was fixed in perpetuity. It was hoped this form of incentives would bring in improvements in the land and related activities such as drainage, irrigation projects, building of roads and such infrastructure that Bengal did not have. A permanently settled land tax also ensured there would be no additional tax burdens imposed by the British. Cornwallis made the motivation quite clear by declaring that 'when the demand of government is fixed, an opportunity is afforded to the landholder of increasing his profits, by the improvement of his lands.' He also hoped that this landed class would be loyal to the British for the great favours granted to them. This was the Permanent Settlement.

We also see a variation of the Permanent Settlement in certain places in the Ganges valley which recognised the joint power of the clan brotherhoods and settled revenues payable by them or their representatives.

The East India Company had inherited the Mughal *zamindari* system of Bengal and Bihar after their territorial expansion and had retained it for want of experience and manpower and any better improvements.

> ***The most desirable death for us to die of should be the improvement of the native reaching such as pitch as would render it impossible for a foreign nation to retain the government, but this seems at an immeasurable distance … A time of***

> ***separation must come; and it is for our interest to have an early separation from a civilized people, rather than a rupture with a barbarous nation, in which it is probable that all our settlers and even our commerce would perish, along with all the institutions we have introduced into the country.***
>
> ***Lord Elphinstone, 1819***

Lord Cornwallis had hoped the *zamindars*, taking inspiration from the Whig model of the benevolent British lord, would turn out to be progressive landlords. He had, as we have seen, entered into the Permanent Settlement arrangement of land revenue with them Lord Cornwallis had rested his hopes on the Whig model of the benevolent British lord in his manor, where the *zamindars* would transform themselves into progressive landlords. Under this settlement,

> ***…the amount of land revenue to be paid to the Government by the zamindar (mistakenly identified at the time as equivalent to land holders in England and Scotland) was fixed for all time and the zamindars given a free hand to collect what they could from the cultivators within their own areas, accounting to Government for a fixed portion of their takings.***
>
> ***(Hunt & Harrison, 1980, p. 46).***[34]

Although the name of Lord Cornwallis is forever linked to the Permanent Settlement, these reforms were

34 I.H. Macdonald (Bihar and Orissa 1938-47)

actually evolved by Shore (Hunt & Harrison, 1980)[35] whose Minutes furnish the actual details of the later Decennial Settlement, which was subsequently converted into the Permanent Settlement. Lord Cornwallis (who took over as Governor-General in 1786) had specific instructions from the Court of Directors of the East India Company to consider a system of permanent revenue after reviewing the assessment and actual collection of former years. As Cornwallis felt that sufficient information was not available, he commenced upon further investigation while permitting annual settlements of revenue to be made by the Collectors in 1787 and 1788. Their findings also aided in Cornwallis' investigation and in the winter of 1789-90, Regulations were issued for the decennial settlements of Bengal and Bihar, which in 1793 were declared Permanent.

The period 1789-93 was marked by hectic debates and controversies between Cornwallis and his deputies, all of which reveal the depth of study and application of mind of the Company's administrators while assessing affairs of Indian revenue administration before taking any final decision. The objects of the Permanent Settlement were:

1. To place the revenue-paying agency (*zamindars* and independent *talukdars*) on a firm footing, and to expedite and assure the payment of the revenue.
2. To ensure a minimum revenue to the government.
3. To free the up officials from the onerous revenue collection duties and enable them to attend to other spheres of administration.
4. To promote extension of cultivation. (Sircar, 1988)

35 John Shore, 1st Baron Teignmouth (5 October 1751 – 14 February 1834) was a British official of the East India Company who served as Governor-General of from 1793 to 1797.

And while this 'ensured an almost automatic collection of revenue and creation of a landed aristocracy which could not but be loyal to the British Crown'(Hunt & Harrison, 1980, p. 47)[36], it led the *zamindars* to rack-rent. The government was often forced to intervene to protect the interests of the landed tenants against those of the *zamindars* so as to prevent tensions in the rural areas that threatened stability of the British rule.

As Campbell writes:

> ***When after many trials and much vexation and difficulty the Government of Lord Cornwallis, abandoning the attempt to manage the land revenues in a more direct fashion, made them over to zemindars, who were bound to pay their quotas into the Collector's treasury under penalty of sale of the estates confided to them, it became unnecessary to maintain the tehsildars, or native collectors and establishments subordinate to them, who in all other parts of India collect the revenue in sub-divisions of the districts presided over by European collectors. These native collectors have since become much more than mere tax collectors, being in fact their degree administrators for very many purposes, just as the District Collector is an administrator in his superior degree. In some respects, indeed the tehsil establishments are the very backbone of our administration in most provinces. But they are to this day entirely absent in Bengal, and the circumstance has much detracted from our knowledge and means, and causes the want of an important link in the connection between the Government and the people. Many things done by***

36 S. Rahamatullah, Bengal 1937-47 Assistant Collector Bankura, SDO Narayanganj, District Collector, Howrah, Murshidabad and Midnapore.

> ***tehsildars in other parts of India are not done by them at all, and many things which we should know through them we do not know. For many things which must be done, there is a constant deputation of temporary Deputy Collectors and surveyors, and other occasional establishments, under a system which is very inconvenient and unsatisfactory in many respects.***
>
> ***(G. Campbell, 1893, p. 226).***

The champions of Permanent Settlement took the view of 'the recognition of property as the basic principle of government.' It may be said that the policy signified 'the transition from mercantilism to free trade.' However, what succeeded in England, did not work in India. 'The farmers had no abiding interest in the lands settled with them; their leases were far too short to permit this; and all that was achieved in this process was the expropriation of *zamindars* of long standing' (Guha, 1982).

We can deduce that while the Permanent Settlement of Cornwallis relieved the Company of much of its day-to-day labour, it did not suit the purpose for which it was installed in the first place. It may be mentioned here that there was also a variation of this model. In some places, the Collector or Deputy Commissioner preferred to settle revenue at pre-determined and periodical intervals with the village as a whole collectively, rather than permanently with *zamindars* or other intermediaries. This was known as the Mahalwari system practised in many parts of north India.

The Ryotwari System

Indeed, there was much divergence in the views on the subject, variously expressed in the policies of Lord Cornwallis as

opposed to those of Sir Thomas Munro, Mountstuart Elphinstone and others. In the Deccan, however, the Permanent Settlement of this kind was not feasible as *zamindars* were nowhere to be found in the Deccan plateau. By now, Company officials were more numerous and experienced and the surrender of future profits implicit in the Permanent Settlement was already being adversely noted. Therefore, the Ryotwari system of direct collection from the individual *ryots* or peasant farmers, without the interposition of any intermediaries was introduced. This was probably the fairest in its distribution of the revenue burden, but it required intensive administration. Here, they followed a system of direct revenue settlement along with grant of tenancy directly with the cultivator. Thomas Munro initiated this system in Madras, whereby each cultivator or *ryot* made a personal agreement with the Collector year to year. From 1835, the Bombay Presidency too accepted this system. While studying the revenue systems and the role of the Collector in India today, it is expedient to bear in mind these dissimilarities, so that the present day variations in approaches to land revenue, land records, tenancy rights and land reforms that exist in different parts of India are better understood (Hunt & Harrison, 1980). In fact, the *ryotwari* system implied a closer relationship of the District Officer with the common people under his jurisdiction. As Bonarjee puts it: 'The work of the District Officer as Collector involved a knowledge of village life, the deeper the better, of the various land tenures and of the general outlook of the rural areas" (Hunt & Harrison, 1980, p. 47).[37]

In the south of the country, however, men like Munro were motivated by a paternalist sentiment which desired to protect the peasant by securing him his land as a proprietor with a fixed revenue assessment. They considered Cornwallis' landlords as 'parasitic rent receivers, who should be set aside by a government dealing as a universal landlord directly with the peasants' (Thomas R. Metcalf, 2005, pp. 26–27)examines the structure and working of the British Raj in India during the first half of Crown Rule

37 N.B. Bonarjee, United Provinces (1925-50) Collector Meerut, Commissioner Benares.

(1858-1914 In fact, before the 1857 rebellion, the British land policy was dominated by the ideal of peasant proprietorship and to enhance the position and independence of the peasant cultivator. According to Metcalfe, this was demonstrated by the fact that from 1812 onwards, the House of Commons gave its approval to Munro's ryotwari settlements in Madras as also to John Lawrence's Punjab village settlements.

There were some unexpected consequences later. One example should suffice. When Oudh was annexed and Governor-General Lord Dalhousie instituted the permanent settlement there in 1856 after shunting aside the aristocratic landed *taluqdars*, it had its backlash during the 1857 uprising, when village peasants, mutinying soldiers and aggrieved *taluqdars* joined hands against the British. In the disquieting times thereafter, the *taluqdars* resumed the villages that were once under their control. Lord Canning was forced to comment:

> ***The villagers relapsed into their former subjection to the talookdar, and obeyed his authority as if he had been the lawful suzerain. The endeavour to neutralise the usurped and largely abused powers of the talookdars, by recognising the supposed proprietary rights of the people, and thus arousing their feelings of self-interest and evoking their gratitude failed utterly.***
>
> ***(Thomas R. Metcalf, 2005, p. 287)***[38]

However, with time, and in general across the subcontinent, the principle of investing the tiller of the land with proprietary rights held ground and it saw him emerge as a dignified citizen of the country. In fact, post-Independence, legislation passed in all the

38 Quoting Lord Canning's letter to the Secret Committee, 17th June, 1858, Parliamentary Papers, (1859), xviii.

states of the fledgling country, saw the abolition of the landlord and the empowerment of the tiller of the land with inalienable rights under the new landowner, the state. This upheld the principles the British had set in place a 150 years ago.

The collection of revenue became the bedrock of the British architecture of governance. Soon it had to be strengthened by other requirements such as a formal judicial process to settle disputes of possession and tenancy, and all other revenue matters such as issues related to succession, partition, sale of land, etc. There also had to be appellate courts to arbitrate on the decisions of the lower revenue courts so that the chain of litigation reached its logical conclusions. Thus, the framework of revenue administration came to be established, providing impartial arbitration and settlement of contentious issues. It was fundamentally different from the arbitrary and whimsical processes of settling disputes that had existed in earlier days.

District Officer Comes into His Own

The position of the district officer was not assured for many years as administrative systems were evolving and were being adapted in fits and starts. Finally, it was in 1786, after Pitt's India Bill of 1784, that the District Officer came into his own. He was now fully in charge of fixing the revenues of his district and was also charged with the responsibility of its collection. He had the power of the magistrate to arrest and imprison but not try a criminal, the jurisdiction for which still lay with the officials appointed by the King. He could, however, with the approval of the King, settle revenue suits, thus combining British ideas of justice with procedure extant in India. The position of the District Officer, the respect he engendered as well as his sense of responsibility towards the people under his watch in the district can be best described in the words of Thomas Pattle. Pattle, Director of the Company between 1787 to 1794, wrote in his personal memoirs:

> ***My ryots reckon an easy and uninterrupted access to justice as one of the greatest blessings they enjoy. I shall always feel a degree of partiality, and I trust there is no impropriety in the avowal.***

The period 1793 to 1858, when the Crown took over the administration of India, saw the expansion of the British empire in an unprecedented fashion.

> ***The Company had become the master of an empire, and its servants, though bearing old commercial designations, were… no longer to be considered as agents of a commercial concern but, in fact, the ministers and officers of a powerful sovereign, required to discharge the functions of magistrates, judges, ambassadors and governors of provinces, and carrying out duties which were those of statesmen in other parts of the world' (O'Malley, 1965, p. 48).***

The Civil Service continued to maintain its standard of integrity and efficiency due to its mature exercise of responsibility and following fixing of better emoluments. Abbe Dubois (Dubois, 2007), after spending three decades in South India, wrote:

> ***For uprightness of character, education and ability it would be hard to find a body of public servants better capable of filling with zeal and distinction the offices, more or less important, that are entrusted to them.***

VIII: DISTRICT ADMINISTRATION AND GROUND REALITIES

From Revenue …

Whatever be the ill effects or the advantages of the system, from the historical point of view, the office of the Collector was established on firm ground. The developed revenue system, whether *ryotwari* or *zamindari*, depended on an in-depth knowledge of agriculture and society of every district and of relationships between the landlords and the tenants. This was why such stress was laid upon regular touring of the country side.

> ***The district officer, travelling about on foot, bicycle or elephant, by launch or car, was not just a tourist or amateur anthropologist: good administration depended upon the deepest possible knowledge on his part of his countryside and the people in it.***
>
> ***(Hunt & Harrison, 1980).***[39]

To understand this office better, its development has to be studied along with the growth and development of the judicial or magisterial administration. Indeed, the Permanent Settlement had its own share of issues as the following years would reveal. Cornwallis had hoped to set in place the kind of system he had seen in England, where the benevolent landlord would care for the welfare and betterment of the farmers in his area helping them in times of need, very much as a father figure. However, that was not the case in India. The *zamindars* came to see the system as an endorsement of their personal lifestyles, built on the sweat and

39 F.O. Bell OBE Bengal (1930-47) SDO Siliguri, Settlement Officer, Collector Bhakarganj, Midnapore, Dacca and 24 Parganas

labour of the *ryots* but where there was no sense of reciprocity towards the improvement of their life. Many became absentee landlords, preferring to spend their days in Calcutta, leaving the peasants to their own fate. There was a multitude of civil and revenue cases that were not being properly attended to as these *zamindars* had no cause to be unduly worried so long as their revenues were assured and of a permanent nature.

The assessment and collection of land revenue was, thus, one of the main responsibilities of the Collector. Invariably and compulsorily it can be regarded as the fiscal side of a much wider land administration system. The basis of the *ryotwari* system was, as we have seen, the periodic district revenue settlement. Every 30 years or so, each district in the province was surveyed, field by field. Titles to land, tenures and occupations were all checked, soils were classified and government revenue demand was re-assessed, the normal yield being between 25% and 40% of the net output of the land. In permanently settled areas, there was no revision of demand. Settlement was confined to preparing a record of the various rights in land.

This 'taxing' and laborious work was carried out by ICS officers, designated for this work, and known as Settlement Officers.

> ***Settlement work with its daily inspection on the villages and constant dialogue with the villagers themselves, since the whole process was a very public one, was generally regarded in the service as a unique opportunity not only of gaining a practical knowledge of agriculture economics, but also of getting to know the people themselves by moving among them continually for long periods (Hunt & Harrison, 1980, p. 48).***

A better insight into the actual field activities of the settlement can be gained from Bell's account where he goes on to describe the measurement of individual plots by running straight lines across the village fields with a standard 22-yard chain of 100 links. Bell also takes offsets along this line of advance with the aid of a 'right angle' square. This he does after referring to the first stage of settlement work, i.e., the position of the village being tied into the all-India cadastral survey by a local traverse survey.

> ***With this simple equipment, we practised making our maps, showing all plot boundaries, by marking the points where the chain line crossed a plot boundary, and the points where the offset established a plot junction or change in the plot boundary. The classes of land, appropriate to the district were determined by the Settlement Officer after careful local enquiry. Stage two of the work was the 'khanapuri', or the filling up of the columns. This was the first stage of preparing the record of rights, as distinct from the map. Here the 'amin' wrote up the name of the person or persons in occupation of each plot, showing on the front of the 'khatian' the names of the possessors with their shares in the interest concerned. On the back was the number allotted to each plot of the land, and the class of land Not only were we making a record of rights, but we were getting information about the country and its people, and one met the locals with a long series of questions, directed to find out trade movements, wages and prices… (Hunt & Harrison, 1980, p. 50).***

…to Magisterial Work

On the other side of the structure of administration, the District Collector's role as Magistrate is equally relevant. For, with his civil powers, it gave him the power of the stick to enforce law and order and establish public tranquillity where required. He was, at the beginning of his career, invested with powers of a third-class magistrate and after his first round of departmental examinations, was raised to the level of a magistrate with second class powers. Again, after the second round of examinations, he was invested with first class powers. The volume of work was heavy with each officer expected to spend five or six hours a day for five days a week to dispose of these cases. He had to depend on local Indian clerks whose character was often found to be questionable. He was aware that evidence was being manufactured and the poor were often being taken advantage of.

Azim Hussain writes:

> ***The Magistrate must strike the golden mean. If the story of the police is disbelieved and the public is favoured, there is grave danger of undermining the authority of the police, which in the long run may have bad effects. On the other hand, if the police are favoured, they may begin to tyrannize over the public which is equally undesirable. The object is to keep the authority of the police intact and at the same time to treat the police on terms of perfect equality with the litigants whether they are the complainants or the accused. Before a court of justice, the accused and the Crown must come begging for justice and not favours (Hunt & Harrison, 1980, p. 63).***[40]

40 M.A. Husain (Punjab 1937-70) Assistant Commissioner and Under Secretary in Punjab, and Deputy Secretary Government of India.

Officers like Martin in Dinapur sub-division of Patna District observed that he

> ***was inclined to become cynical about the blessings that the introduction of a British system of justice was often claimed to have bestowed upon the Indian people. Crime was in some areas wide-spread and the relatively small police force overtaxed in its efforts to contain it.***

He knew that 'to bring offenders to court with a reasonable hope of their being convicted under a judicial system which required a high standard of proof, led understandably often to a judicious cooking of the evidence.' He was aware that the witnesses were 'imbued by a number of motives, not least by the, to them, moral necessity of assisting their relatives to the utmost of their powers of imagination and loquacity'(Hunt & Harrison, 1980, p. 64).[41]

However, the Magistrate's duties were not confined to trying cases in court. Fairs, festivals commotions and riots all demanded his presence as the man primarily responsible for maintaining law and order. Though the police had the task of physically keeping order, the magistrate would be answerable if things got out of hand. It was from the multifarious activities that he performed, with the union of the various functions he exercised, that flowed the dominance of the District Officer in the structure of the government and in the imagination of the people.

The Establishment of the Office of the Collector

Of course, he did not work single-handedly. Below the district was a series of subordinate offices, the sub-division, the tehsil, the

41 H.B. Martin MBE (Bihar 1939-47)SDO Hajipur and Sasaram

village, each with its own officers. At the district headquarters itself there were several experienced hands. Swann (Hunt & Harrison, 1980, p. 77) wryly notes:

> ***…my immediately subordinate staff, though small in number, were of high calibre, thanks to the good selection and training of the Madras tradition…the clerical staff were extremely competent: many of them were Madrasi Brahmins with an extraordinary capacity for visual memory, and what advantage they took - as I dare say they did of my ignorance of Madras procedures - I shall never know.***[42]

A list of such subordinate posts reveals the complexity of the district administration, covering all sections of the Collector's *cutchery* head clerk, judicial assistant, revenue assistant, records keeper, copying clerks, payment clerk, receipt clerk, pension clerk, personal ledger clerk, special clerk, money tester, readers (or *peshkars*), judicial *ahlmad* (superintendent), etc. The stamp vendor sold revenue stamps invariably used on petitions as a form of fee. The money tester checked the silver coinage in which most payments were received. The copiers served as human duplicating machines. On the records side there were record keepers, arrangers, bundle lifters (who took down and put back the *bastas* of files from the shelves) and 'weeders' (who weeded out records of short-term importance). Also attached to the office were peons and orderlies, *bhistis* (water carriers) and sweepers.

> ***Nothing can pass in the district of which it is not his duty to keep himself informed, and to***

42 R. S.Swann, MBE (Bihar and Orissa 1939-47) SDO Khurda and Behrampur, Secretary to the Governor of Orissa.

> ***watch the operation. The vicissitudes of trade, the state of the currency, the administration of civil justice, the progress of public works, must all affect most materially the interests of the classes of whom he is the constituted guardian. Officious interference in matters beyond his immediate control must be avoided, but temperate and intelligent remonstrance against anything which he seems to be wrong, is one of his most important duties.***

Shukla (Hunt & Harrison, 1980, p. 78) observed with some melancholy:

> ***…those days governmental activity was limited; administration did not touch the life of the ordinary citizen at many pints. Many people could do without ever seeing or meeting a government official; they did not need his permission for undertaking so many activities. The reason was that during the Raj, the State never developed into a full-fledged welfare state, economic development was left to private enterprise and social justice was expected to be secured through the process of law.***[43]

Appointment below the level of the ICS to various administrative posts varied from place to place. It was a mix of examination and nomination. A central public service commission was established in Delhi for appointments to the central government. Madras followed with a commission for the provincial government. The

43 J. D.Shukla, D. Phil (United Provinces 1939-73) Served in Aligarh and Sultanpur districts and then as Collector Sultanpur and Buduan.

rapid expansion of university education in Calcutta, Madras and Bombay enabled better qualified persons to be appointed to government jobs. Hindus and Muslims vied with each other for such jobs even as reservation for the Scheduled Castes was put in place to ensure that they 'were not to be kept in a state of perpetual subjection by the more politically astute and entrenched Hindus' (Hunt & Harrison, 1980, p. 79)[44]

Indian administration has been described as *khagazi* raj or rule by paper. Paperwork proliferated as the administration grew more complex, more statistical information was called for, more figures, more reports. From the days of the Company, the government had been one of record and report. By the 1930s, *khagazi* raj was in full swing. File sorting, use of coloured flags, filing system, the method of recording papers as P.U.D (Paper Under Disposal) etc., were experiments tried out in those days. Watson's (Hunt & Harrison, 1980, p. 80) tongue-in-cheek account of his Collector McLenaghan's style of work makes interesting reading.

> ***Mr McL. sorted the files out very carefully, according to the colours of the flags. Yellow meant immediate, and received his attention quite soon. Red meant urgent, and took a little longer. Green was not urgent, and took about two months. Often the application was for stay for some proceedings; he would stay them, pending orders, and call for a report with papers, and then reject the application after two months, and of course not retrospectively. This was often in substance the best thing to do, though a funny way of doing it.*** [45]

44 P.D. Martyn, CIE, CBE (Bengal 1927-47) SDO Kalimpong, District magistrate in Faridpur, Midnapore, Jessore.

45 G.L. Watson (Central Provinces 1932-46) DC Betul, Balaghat, Amraoti and Nagpur

British officers were often compelled to rely on their senior subordinates as they lacked sufficient facility in the written vernacular. They could pronounce their orders only after the details of each case were read out to them. Yet, the office provided continuity and the most monotonous and routine works were handled by the senior staff, leaving the Collector to carry out supervision and inspection. The office superintendents and clerks stayed in place while the officers came and went with some regularity every three years. They were repositories of experience and local knowledge. In the notes of the Collectors there is always high praise for their staff. Some corruption was always there, but happily there was also considerable efficiency. Woodford's (Hunt & Harrison, 1980, p. 82) comment about his staff in Bengal could stand for all: 'Competent and reliable in their own spheres, a few lazy, debilitated or dishonest, and a few treasures of dependability, initiative and loyalty.'[46]

> ***The lot of the District Officer, like that of the comic opera policeman is not a happy one. He is expected to see that nothing goes wrong in the district but he has little power outside the field to see that the things go right. He can cajole and persuade: he cannot compel. He is regarded as stimulating the activities of officers of other departments but he has no real control over them, and while they are under obligation to keep him informed of their activities, the extent to which this obligation is discharged depends upon most cases on the personal factor.***
>
> ***Report of the Bengal Administration Enquiry Committee (1944-45)***

46 G.P. Woodford (Bengal 1940-48) SDO Diamond Harbor.

Below the Collector was the Sub-divisional Officer whose work varied from province to province. Where Permanent Settlement had been carried out, his work was more of a magisterial nature. And, in the other provinces, there was much concern with revenue records, court cases, etc. However, the SDO was omnipotent within his own area, exercising magisterial, revenue and executive powers. To back him up there was considerable and hard-worked clerical staff. 'The main donkey-work of the administration was carried out by about 25 clerks, peshkars and babus of various kinds and grades,' noted Flack (Hunt & Harrison, 1980, p. 83).[47]

Below the SDO was the *tehsil, taluk* or township, of which there could be one or two per sub-division, each containing several hundred villages. The officer in charge, known as *tehsildar* or *mamlatdar*, had a trinity of powers and functions. Revenue, as it was in his office that actual revenue collection took place; Magisterial, in order to keep the peace; Executive, comprising touring and inspections, checking the crops, arbitrating on petty disputes, etc. He had considerable staff to help him in his duties.

Finally, below the *tehsil* was the village presided over by the *patwaris* or *karnams*, or village accountants and record keepers and the headmen or *lambardars* or *patels*. It was at this level that the records were maintained and constantly updated:

> ***…they kept up three main records: the khasra, an annual register, field by numbered field, showing the proprietors and tenants with the revenue and rent they paid and the crops being grown, irrigated or rain fed, with the areas under fallow; the khewat, a record of proprietors' rights in the village and the revenue they paid; and the khatauni or jamabandi or record of tenants' rights, with the field each tenant cultivated and***

47 A. W. Flack (Bihar 1937-47), SDO Kishanganj and Dalbhaum.

> ***the rent payable… the official who was master of all this detail affecting the livelihood of so many people, was quite a power in the land, an essential instrument in the hands of the district officer. (Hunt & Harrison, 1980, p. 84).***

These were the instruments through which the District Officer worked. 'They and the system they operated were the product of the Mughal idea of ordered bureaucratic authority the 'rule of rule' which had standardised the norms applicable to the complexities of the administration and had induced a habit of work and built up a host of traditions' (Hunt & Harrison, 1980, p. 93).[48] The *kaghazi* raj demanded high standards, better training and supervision. Every District Officer had to report on the performance of the officers under him, with each level in the hierarchy reporting to the one above and being supervised by him. It was up to the District Officer to ensure punctuality since it was never considered a virtue in the office. There were a set number of officers for each level to inspect. The rigour deployed in such inspections varied, from the scrupulously correct to the lackadaisical. Standing orders ensured that there was a strong framework provided for action.

> ***But it ought also to be said that it was this very meticulousness, this precise direction which made it possible for a small handful of district officers to keep in steady motion the vast subordinate machine. The corollary of running it cheaply, with men of sometimes low level of education, had always been to ensure that all levels had been foreseen and that answers were ready in advance. (Hunt & Harrison, 1980, p. 88).***

48 C.S. Venkatachar (United Provinces and Indian Political Service 1922-60). Later, Diwan of Jodhpur and Jaipur.

The District Officer's touring was, of course, legendary. It enabled the government to keep a finger on the pulse of the country side. At every point in the touring there would be mulaqtis (or visitors to receive). This was in the interest of the District Officer, for he was expected to remain well-informed of the conditions in his district. While the *mulaqatis* showed complete confidence in the District Officer, the cultivators too 'had unreserved faith in him to help them in times of distress and to protect them from the oppression of the strong. They took for granted the Collector's sympathy when they called him *"gharib parwar"* (protector of the poor)' (Hunt & Harrison, 1980, p. 90).[49]

Experienced Collectors also depended on a small army of non-official collaborators, including principal landlords, professional men and merchants. Their time and cooperation was necessary to the functioning of the administration. As British India could not afford an expansive bureaucracy, it took advantage of the demand for social status which could be conferred in return for voluntary services. Time was reserved for these people when the District Officer was at the headquarters. He would meet them freely when on tour. Thus, titles such as *rai* or *sardar* or *khan sahib* were conferred on them for their services by way of cooperation and information.

> ***Upon his energy and personal character depends ultimately the efficiency of our Indian Government. His own special duties are so numerous and so various as to bewilder the outsider; and the work of his subordinates, European and native, largely depends on the stimulus of his personal example. His position has been compared to that of the French Prefet, but such a comparison is unjust in many ways to the Indian District Officer. He is not a mere subordinate of a central bureau, who***

49 J.D. Shukla, D.Phil (United Provinces 1939-73)

takes his colour from his chief and represents the political parties, or the permanent officialism of the capital.

From the writings of Sir William Wilson Hunter (1840-1900) a member of the Indian Civil known for the Imperial Gazetteer of India, eventually published as a twenty-six-volume set after his death.

Conversely, it was possible for the government to wield the stick of disapproval and loss of status and favour. Raza (Hunt & Harrison, 1980, p. 91) [50] notes: 'Every Collector keeps a book containing his remarks about the prominent personalities of the district, listing their virtues as well as their vices.' Rewards went to the one, but loss of fire-arms licence or of darbari status went to the other. One sequence in the Larkhana's book illustrates what might happen to *zamindars* on the wrong side of the administration: 'This zamindar is a scoundrel. He needs to be crushed.' The second remark recorded five years later read, 'I have crushed him.' The third remark written another five years later still contained these inimitable words: 'Found him crushed' (Hunt & Harrison, 1980, p. 91).[51]

The prestige and influence of the District Officer emanated from two features of district organisation. One, the intimate control which he exercised through the network of subordinate officials from *tehsildar* down to village servant, and through those non-officials whose interest in stability coincided with that of government and whose social ambitions could be provided for from government patronage. The other, his leadership of all the departmental services. Masterman (Hunt & Harrison, 1980, p. 91) writes about this second feature:

50 S.H. Raza (Bombay and Sind 1934-47), Collector Larkana and Tharparkar

51 C.H. Sir Christopher Masterman, CSI, CIE (madras 1914-1947), Collector in many districts, later Secretary to Government of Madras and Chief Secretary to the Governor

The District Officer (certainly in Madras) is essentially head of the district. He is not only responsible for the collection of land revenue, by far, the largest source of provincial revenue, nor only the chief magistrate who, though he may not try many cases himself, has to review the judgements and sentences of all the subordinate magistrates in the district, but he is also head of all the other district administrative departments. The District Officer, in fact with the jurisdiction greater both in area and population than the larger English counties, does the work undertaken in England by the Chief Constable and by the County and District Councils in addition to his revenue and magisterial work.

(Hunt & Harrison, 1980, p. 91)

IX: THE INDIAN CIVIL SERVICE AND THE ROLE OF THE DISTRICT OFFICER

The Structure of Imperial Government

While we discuss aspects related to the administration of the subcontinent, this would be the right time to reflect on the meaning and import of the term 'bureaucracy.' While many often believe that officialdom and bureaucracy are synonymous, in its true sense it is a body of trained administrators necessary for the conduct of governance in a modern state.

The overall structure of governance under the Civil Service that evolved and was in existence at the time of handing over the administration of the country to Queen Victoria may be defined as follows. The Executive Council of the Government of India consisted of five members, the commander-in-chief, the legislative member, and three ordinary members belonging to the Company's services (two civilians and one military). The secretariats of the Regulation provinces had a chief secretary, with two or three secretaries, selected exclusively from the Civil Service supported by a deputy secretary. Revenue administration was under the Boards of Revenue in Madras, Bengal and the North-West provinces, whereas Bombay had only revenue commissioners working directly under the government. In the former three, commissioners held charge over a group of districts, supervising the work of District Officers. They performed supervisory administrative functions as well as acted as appellate authorities over the decisions of the District Officers. In 1831, the magisterial functions of the judges were transferred to the Collectors, thus making them the chief executive officer in each district of the Regulation provinces.

The District Officer as the Keystone of Governance

By 1859, all District Officers filled the offices of both District Magistrate and Collector, an arrangement that continues to this date. They were appointed to the ICS under Section XXXII (32) of the Government of India Act, 1858, and carried the weight of their authority under the provisions of the Act.

> ***'The arrangement by which the local executive authority is concentrated in one man has worked well and is well suited to the needs and predilections of the people. They appreciate undivided responsibility and are accustomed to look to one man as the representative of the Government…they understand and appreciate there being one man who can hear their complaints, who can give orders to the local staff, and who can see that they are carried out' (O'Malley, 1965).***

Administrative provisions for salary and pension were also established in those days. Promotion was on the basis of seniority, a principle that prevented favouritism and unfairness. Officers were allowed to retire on pensions of £1000 a year after 25 years of service. All civil servants had to contribute to this pension fund. They also subscribed to family pension. Widows received £300 a year, sons of deceased civil servants £100 a year and daughters the same amount until their marriage.

By this time, the District Officer was the pivot of administration, combining revenue, magisterial and general administrative duties. He took a more active role in suppressing crime with the assistance

of the District Superintendent of Police. He also did then much of what is done by the local bodies in matters such as maintenance of roads, sanitation, drainage, promotion of education, medical relief and measures of public health. It may be said that much more was done by executive action in those days than is now possible under a highly organised government with a more comprehensive legislation. Yet, it was not a simple form of autocracy. Government officials, across all seniority levels, were subject to checks be it legal, administrative, judicial or police. Financial control was close and rigid. Regulations, and after 1833, Acts controlled official action. All expenditure required prior sanction. Executive action was subject to judicial proceedings. The government was highly centralised with a clear hierarchy where each officer worked in subordination to higher officers.

Campbell wrote:

> ***It is the great principle of all grades of the Indian administration that each official grade is always kept constantly cognizant of all that is done by that below, by means of an infinite variety of statements submitted periodically, showing in every possible form every kind of business and devised to include everything in every shape. The Governments receive abstracts of correspondence and annual statements and reports from the Boards, Boards monthly statements and reports from the executive officers of the districts, and executive officers' daily reports and figured statements from their native subordinates…In India all business is conducted in writing to an extent quite beyond anything known in this country, even in our most important courts of records. There is more***

> ***official writing and recording in a case of petty theft in an Indian police court than in the gravest case of Westminster Hall. All petitions, statements, applications of every description, are filed in writing; all evidence is recorded in writing, and all orders and instructions of every kind are formally written and signed.*** ***(S. G. Campbell, 1852).***

One other characteristic of the conditions of service is required to be mentioned, as the dilemma is prevalent even today Frequent transfers of officers was part and parcel of the administrative service. Lord Curzon, it is said, once remarked: 'One cannot have good administration without continuity and intelligent administration without local knowledge.'(*Lord Curzon in India Being a Selection from His Speeches as Viceroy & Governor-General of India. 1898-1905.*, 2013) This was a grouse before 1857 and remains so even today.

While we are not describing the horrific events of the Rebellion of 1857 here, we make but brief mention of the common belief that this conflagration arose because of the conduct of the government. The flood of complaints against the mercenary activities of the Company had been growing for a while and it was in 1833 that Parliament finally acted. As we know, they passed the East India Company Charter Bill that removed the Company's right to trade and so turned it into a sort of governing corporation. The Company, which had once presided over a vast empire of business, entered its final phase devoted exclusively to the business of Empire. When the mutiny that erupted in May 1857 was put down, Parliament finally removed the Company from power altogether.

> ***The Victorian state, alerted to the dangers posed by corporate greed and incompetence, successfully tamed history's most voracious corporation. The Company's navy was disbanded and its army passed to the Crown. In 1859, it was within the walls of the Allahabad fort – the same space where Clive had first turned the Company into an imperial power by signing the Diwani – that the Governor General Lord Canning, formally announced that the Company's Indian possessions would be nationalised and pass to the control of the British Crown. Queen Victoria, rather than the Directors of the EIC, would henceforth be ruler of India (Dalrymple, 2019, p. 391).***

While civilian District Officers met the fury of the rebels with courage and fortitude, many of them lost their lives in the incidents even after peace had been restored. There were attacks on the Indian Civil Service officers, mainly for being distant from the people and for not working for the good of the Indians that they governed. Many urged that the government and the governed should be united by appointing Indians to positions of responsibility and power. Of course, the officers had no role in this decision as it was the directors of the Company that decided on the policy. The Civil Service was criticised as it had exclusive monopoly over the higher offices in India as against other British subjects.

Again, it is O'Malley who dwells at length on the singular features of the bureaucracy as seen in British India. The complexity of administration can be grasped only by the professional who has had a long apprenticeship and specialised training. In British India, the ICS differs from the English Civil Service in that while some members of the Service have functioned in purely executive service as District Officers and Commissioners, others have

worked as governors of provinces, members of Legislative and Executive Councils with a clear role in directing policy. Some worked independently under the direct control of the Secretary of State, while others worked under the control of elected ministers under this principle of diarchy.

The District Officer in Times of War and Peace

The work of the Service steadily increased in volume and complexity. Centralisation was a natural corollary of the expansion of the work under the Crown. While it could have promoted uniformity, it may not have been conducive to the vast differences in the manner in which governance was carried out in the different provinces. District Officers got some relief when the system of local administration was introduced for management of activities of small urban areas such as towns and municipal bodies through chairmen locally elected . Lord Ripon, who introduced the concept in 1882, desired that these local bodies be freed from the overwhelming presence of the District Officer and be allowed to manage their own affairs. Yet, in effect, the general trust and confidence that local people had for the District Officer ensured that most of the work continued to remain with him.

The First World War (1914-1919) was a period of great stress and tension for the District Officer. There was an initial undercurrent that seemed to suggest the prevalent mood in India that England's danger was the nationalist's opportunity. Yet, this did not last, although some attempts were made to break the peace. The District Officers carried out the task of ordinary routine administrative work and undertook many duties consequent on the war, despite the shortages of staff and resources. One of their main responsibilities was to collect finances and contributions to the War Fund. The other was to encourage enlistment in the armed forces.

New duties meant the creation of new posts such as Controller of Prices, Food Commissioner, Wheat Commissioner, Controller of Indents, etc. The Viceroy Lord Chelmsford expressed his gratitude to the Indian Civil Service in his speech to the Imperial Legislative Council in February 1919, stating that he was 'proud and glad to acknowledge on behalf of my Government the part which they have played in keeping India contented and helping to win the war.'

The end of war meant that the Empire had to confront the forces of nationalism that had been muted for a few years now. For this, it promulgated the Anarchical and Revolutionary Crimes Act of 1919, otherwise known as the Rowlatt Act or the Black Act, indefinitely extending the emergency measures of preventive indefinite detention, incarceration without trial and judicial review. It was an extension of provisions of the Defence of India Act (DIRA) of 1915, issued when the First World War was beginning. It had been enacted in the light of a perceived threat from revolutionary nationalists who, it was felt, would engage in conspiracies, as they once had. It was feared that the lapse of the DIRA regulations would result in a similar situation again. Even after peace had been declared, it was used to effectively authorise the government to imprison any person suspected of terrorism living in India for up to two years without trial and gave the imperial authorities power to deal with all revolutionary activities.

The uproar it generated gave an opportunity for the nationalists under Mahatma Gandhi to try to unite the Hindus and the Muslims in a common cause. The weapon used was passive resistance or 'non-violent non-cooperation' but which, in practice, often became violent. Mass scale riots and disturbances took place, immediately exploding across the country after the massacre of Jallianwalla Bagh on 13 April 1919 under the orders of General Dyer. In Punjab, the administration of martial law was in the hands of military authorities and not under civil supervision, resulting in the unfortunate consequences of the massacre. The second

conflagration, known as the Moplah riots, took place in the Malabar area where ghastly outrages were perpetrated on the Hindus and it took the British government about two years to quell it by deploying harsh and repressive tactics. The visit of the Prince of Wales to Bombay in 1921, saw a riot where more than 50 persons were killed and over 400 wounded. In 1922, at the Chauri Chaura police station, 30 men were massacred by a violent mob. Gandhi called off the resistance movement, unable to capitalise on the popular sentiment against the British.

> ***I can see no period when they (the Indians) can dispense with the guidance and the assistance of this small nucleus of the British Civil Service, of British officials in India…they are the steel frame of the whole structure. I do not care what you build on it – if you take the steel frame out, the fabric will collapse…it is essential they should be strengthened, but whatever you do in the strengthening of it, there is one institutions that we will not interfere with, there is one institution that we will not cripple, there is one institution that we will not deprive of its functions or of its privileges, and that is that institution that built up the British Raj – the British Civil Service in India.***
>
> ***Prime Minister Lloyd C George in a parliamentary debate in 1922 Parliame***

The task of administration in these trying times was difficult. The activists advocated non-payment of taxes, closure of liquor shops and boycott of British goods. It was left to the officers of the

Indian Civil Service to uphold the law. On the District Officers fell the brunt of defence of authority and protection of law and order. During this period, civil disturbance as well as communal strife took the lives of more 450 persons, leaving over 5,000 people injured. While the police did its job in quelling riots, it was the duty of the District Officer to prevent them, using all measures at his disposal. In fact, communal strife enabled the Civil Service to retain the old confidence of the people by their neutral stance and apolitical firmness. There was an understanding even among political parties that an impartial officer could restore order while doing his best to maintain the routine task of administration and redressal of people's grievances. When the movement had run its course and an uneasy peace was restored in 1928, the Governor of Bengal, Lord Ronaldshay, had this to say:

> ***... the members of the ICS fought their lone battle away in the districts, a small handful, cut off from the society and support of their own people; physically wearied in a land where the enervating climate drained a man of his vitality; mentally a prey to that brooding atmosphere of hostility and unreasoning hate which dried up the very springs of a man's joy in living. The conditions of life and service were often hard; but they had won through and had the satisfaction of knowing that their toil had not been in vain. (O'Malley, 1965, p. 140).***

Concessions were made to the resistance movement to satisfy the sentiments of the Indian people at large. As a result of the Round Table Conference in January 1931, the British government accepted the proposal that the central government should be an all-India federation comprising both British India and the Indian states. The principle of responsibility of the executive to the legislature was accepted. The governors' provinces would be

constituted on the basis of full responsibility with the ministers taken from provincial legislatures. The governors would retain only a minimum of special powers necessary to secure tranquillity and maintain public services.

The role of the District Officers in ensuring the success of these reforms was recognised even by the Simon Commission:

> ***…the results at present are due in no small measure to the continuing influence and assistance of officers who have gained their experience under the previous system.***[52]

It goes on to say,

> ***…the existence of a highly efficient administrative machine, and the resource and energy which these two services (Indian Civil Service and the Indian Police Service) brought to bear upon the difficult problems to which the Reforms gave rise, have contributed greatly to the large measure of success which has attended the working of the reformed Governments in the last ten years. (O'Malley, 1965, p. 145).***

Yet, with time, it was clear that the mission of personal rule over vast geographical domains vested with the civilian District Officer was suffering gradual erosion. Immediately after Queen Victoria took over of the reigns of administration in 1890, the role of the Indian Civil Service officer had been articulated by Sir Walter Lawrence:

52 Though popularly known as the Simon Commission after the Chairman Sir John Allsebrook Simon, the formal name of the body was the Indian Statutory Commission. The above is a quote from the report of the Commission, Vol I, Part IV, Chapter 2, page 290

> ***Their mission was clear: it was to secure the welfare of the millions, to prevent corruption and tyranny, to prevent and to fight famine, plague and pestilence, and to ensure that every Indian should have the free right to enjoy unmolested the rites and the rules of his religion, his caste and his tribe. (O'Malley, 1965, p. 153).***[53]

It was the District Officers who enabled the electoral machinery to be accepted by the people, who prepared the electoral rolls, who received nominations, conducted the polls and declared the results. Many of them were appointed as governors in provincial governments and as members of the Council advising the Governor, combining parliamentary with executive functions and acquitting themselves well. Yet, those pristine days, when duty was clearly understood, were fast fading.

A Metamorphosis in District Officer's Role

The Indian Civil Service itself went through radical changes in the post First World war period. Its character was altered as Indians were admitted into the Service by 1939, making it a half British and a half Indian Service. The officers of the provincial service started joining the posts that were earlier reserved for only the ICS. Simultaneously, at the centre and the provinces, their strength increased. The burden on the District Officers also started to increase owing to the demands of the government for material for replies to questions raised in the councils. Permission was now granted to Service men to retire on a pension proportionate to the length of their service rather than the mandatory 25 years of service that had been the rule. Many exercised these provisions, partly

53 Sir Walter Roper Lawrence, (9 February 1857 – 25 May 1940) was a member of the British Council and an English author who served in the ICS in British India.

due to the perception that the administrative and political changes that the reforms which brought in elected political executives, had weakened or diluted the image and stature of the ICS.

> ***The [governing] system was sometimes referred to in the 1920's and the 1930's as a steel frame. But it was really more like a weaver bird's nest than a steel frame. All kinds of odd fragments were woven into the fabric, things found on the spot and made use of because they worked.***
>
> ***Philip Mason, from The Men who Ruled India.***

There was a feeling that good administration was being sacrificed at the altar of political expediency. The Reforms Scheme in effect meant that the civilian would be substituted by the elected politician. The Service was to now play a dual role of an executive agency and that of assisting in political education of the people. A very different idea was expressed by Prime Minister Lloyd George while speaking in the House of Commons in August 1922, referring to the Service as being 'the steel frame' of the whole structure, a phrase now famously referred to in most writings about the Civil Service. The Indian politicians were annoyed with this description, looking forward to a system when the officers would be entirely responsible to them. Indeed, the position of the District Officer was still protected by the strength of tradition among the conservative people who turned to them as natural protectors.

The withdrawal of most of the District Officers from their additional functions as municipal administrators - after being displaced by elected politicians - was also viewed with suspicion by the common people. There was a general perception that

they were more capable of looking after public facilities such as hospitals and schools, drains and sanitation, better than their political counterparts. Indeed, in broader terms their position was changed for the worse. The complete transfer of responsibilities in the sphere of self-government had, to some extent, replaced his idealism by an attitude of half-cynical criticism.

We know that the present Civil Services of India are almost entirely based on the pattern of the former Civil Service of British India. We have seen how, much before the formal creation of the Indian Civil Service through the instrument of the Government of India Act of 1858, Warren Hastings had already laid the foundation of a Civil Service (named thus to distinguish it from military service). With time, the Service was reformed, modernised and rationalised by Cornwallis. Hence, Charles Cornwallis is known as 'the father of Civil Service in India.' While the British were mainly after trade, they had soon learnt the intricate diplomacy of India and were becoming administrators in a small way. As Mason writes:

> ***...they had learned to close ranks when faced by the Moghuls or the Portuguese and had started to display qualities that put the empire in their hands: a stubborn fidelity to each other and an obstinate tenacity of purpose; discipline; a preference on the whole for keeping their word. Above all, there is among them a fair number of that rare sub-species of man through whose character shines the sharp blade of decision, the steel of leadership.***
> ***(Mason, 1992)***

Cornwallis had introduced two divisions of the Indian Civil Service covenanted and non-covenanted. The covenanted Civil Service consisted of only Europeans (i.e., British personnel),

occupying the higher posts in the government. The non-covenanted civil service was solely introduced to facilitate the entry of Indians at the lower rung of the administration.

The Recruitment Processes

In this section, we cast a backward glance at the processes and traditions involved in the selection and training of young men engaged first by the Company for its trade, and then by the British Government for governance. While this may seem to be a digression, it is necessary to understand the overall context in which the District Officer functioned. At all times, be it in the days of the Company or under the Crown, there were well-prescribed rules and regulations that determined the conduct and manner of functioning of the District Officer. He was not expected to take action outside this perimeter. This framework of rules and guidelines, though continuously evolving, regulated his life and his work to an extraordinary extent. And if the actions of a District Officer were often based on discretion, it was the discretion granted to him by the powers that be in order to promote the interests of stability and good governance. In places far from the centre of administration, it would not have been possible for him to seek instructions on every unexpected situation. However, the general principles of the Company, in the first instance, and the Empire in the second, ensured that he acted in accordance with broad general principles of good governance.

We have already had a glimpse of the early bureaucratic hierarchy of the Company. A newcomer began as a Writer on £10 a year and rose to be a Factor on £20 in three or four years. He was permitted to undertake private trade in India and was permitted free food and lodging. Governors and agents were appointed directly. After the grant of *divani* powers over revenue matters,

the Company became a *zamindar*, collecting revenues and acting as judge for matters civil and criminal, with powers of punishment and imprisonment.

O'Malley describes this process at length. The appointment of apprentices, mostly from Christ's Hospital, began in 1669. The name of the institution is deceptive. In fact, writers and apprentices were youths who had received good education at the said hospital along with some form of commercial training and who had promised to become useful servants by industry and morals.(Bruce, 1810). Even as early as 1694, the lowest grade in the Company's service was that of Writers, between the ages of 15 and 19 (later enhanced to 22), who had to have a knowledge of keeping merchant's accounts. They were appointed through the nomination of a Director, were expected to execute a bond with two securities and had to sign a covenant for the faithful performance of their duties.

In the early days of the Company, corrupt practices had filled the purses of these officers. There were many wrongs; merchants entrusted with empire enriched themselves. It was an age in England when boroughs, votes and constituencies were regarded as property, when political society was corrupt. However, within a span of 20 years thereafter, there developed in Bengal a body of true public servants. These were men who in ability, industry and a sense of duty were far ahead of those in Whitehall and who exercised from early age a responsibility that never could fall to any public servant in England. They came out young. Henry Vansittart was only 13 when he became a Writer with the Company and grew to be the first Governor of Bengal after Clive. Harry Verelst was but 16 when he came to Bengal in 1750 and in 10 years was a member of the Council. He was responsible for extending the system of collection of revenues once given to the Company for the provinces of Burdhwan, Midnapore and Chittagong to larger areas of Bengal, Bihar and Orissa. If there is any one point at which the Indian Civil Service may be said to have begun, it was now. (Mason, 1992)

The Covenant

Officers of the higher services in the Company, who later worked under the British imperial government had to sign an indenture of covenant. It only stipulated the firm and full commitment of the officer to the government. It read as follows:

> ***This Indenture made the day of in the year of our Lord ---- between ----herein after called the Covenantor, of the one part and the Secretary of State of the other part.***
>
> ***Whereas the Secretary of State has appointed the Covenantor to serve His Majesty as a Member of the Civil Service of India, in the Presidency of --- in the East Indies with the option to serve the Government of India at any time, and from time to time, to require him to serve elsewhere in India, such service to continue during the pleasure of His Majesty, His Heirs and Successors, to be signified under the hand of the Secretary of State for India, but with liberty for the said Covenantor to resign the said service, with the previous permission of the Secretary of State or of the Government under which he may for the time being be serving (Gilmour, 2007).***[54]

The probationers considered it a somewhat archaic document which was in vogue from the end of the eighteenth century which, in return for a substantial salary, made the Company's new civil servants promise not to trade on their own account in India, nor 'accept corrupt presents or make corrupt bargains' (Gilmour, 2007, p. 41). This was the single distinction between the covenanted and non-covenanted cadres of officers of the British Civil Service, a

54 (K.M. Rajagopalan vs State Of Madras And Anr. On 30 March, 1954, n.d.) Quoted in para 3

practice that continued even after the Company had wound up its activities in the country. There are other provisions too, binding them to subscribe to pension funds, not to accept presents and various other codes of conduct and service rules, etc. The covenant could be defined as a bond, a promise and the officers who signed the covenant were known as covenanted officers, as different from the non-covenanted officers who occupied lower posts in the hierarchy.

Preparing for Service in India's Districts

On reaching India's shores, they were set to learn the local vernacular. With time, when the requirements of the job entailed administrative duties, Lord Wellesley, in his letter to the directors of the Company in 1800, insisted on the establishment at Calcutta:

> ***…a collegiate institution for the purpose of enabling the servants of the Company to perfect themselves in those acquirements which form the necessary qualifications for the different lines of service in which they may choose to engage (Martin, 1836, p. 323).***

The three-year course prescribed ethics, civil jurisprudence, international law and general history. The history of India, the customs and manners of its people, Hindu and Mohammedan laws, etc. were included along with the principles on which the Regulations and laws of British India were based. These subjects were considered essential for young officers who were soon to preside over the destinies of vast numbers of people over large swathes of land. The training institution was set up at Fort William in Calcutta. Although the institution was not approved by the

directors because of its cost and was functional only for about three years, it was allowed to be maintained only for the study of Oriental languages. It survives to this day with a modern front and is known as Writers' Building.

The requirement for professional training could not be ignored. By 1809, the directors of the Company agreed to set up the Haileybury College with the intention of providing 'a supply of persons duly qualified to discharge the various and important duties required from civil servants of the Company in administering the Government in India.' Through the India Act of 1833, the principle of competition was introduced which provided that at least four candidates for every vacancy be nominated and the best be selected through examination.

After the students had passed all their examinations at Haileybury, their one remaining task was to sign the covenant to which we had referred earlier.

The Haileybury men took an honourable pride in the Service and displayed a strong *espirit de corps* that lasted for all their service in India and even later. Lord Salisbury recognised this when as Secretary of State, he observed that the great advantage of Haileybury had been 'the close friendships former there, which softened the rivalries after life, and secured devoted instead of perfunctory cooperation' (Gilmour, 2007, p. 42).

Mason describes the evolution in his inimitable style. There was to be a supervisor for each province or district 39 altogether. He was in the first place to collect and trace a summary history of the province. Next, he was to prepare a rent roll, with the areas in each district and 'the method in which they were laid out and appropriated… the next task was to fix the ancient boundaries and divisions.' All titles to land were to be investigated and the different types of land were distinguished. The various amounts of revenues and cesses were carefully set down, the commerce

regulated and justice administered.

The need for a permanent bureaucracy was already being felt. A quick summary of the events through which the Civil Service came to be established in British India would help in our understanding of its evolution. Hunt and Harrison[55] describe the process thus: As the Company moved from trade to conquest of India, it faced the task of administering its acquisitions. It learned valuable lessons from its Mughal predecessors whose empire had been divided into provinces and further sub-divided into *sarkars* or districts the key geographical units through which the vast areas were brought by conquest or treaties came to be administered. Over the years, the Company set out to change its servants in India from clerks and merchants to administrators and rulers. Initially, the Court of Directors exercised discretion in selecting merchants and factors, who were bound by covenants to loyal service, so as to promote their trade in India. They learnt at an early age the required commercial skills in the corporate life of the factories.

However, when the Company turned to the business of governance, new strategies were put in place. The selection of officers of the Company was hitherto through a process of patronage that was exercised by the directors of the Company in favour of relatives and friends: this did not receive the approbation of those who mattered in the higher echelons of the government in London. A committee chaired by Lord Macaulay, despite internal opposition, recommended in 1855, that

> ***...an appointment of the civil service of the Company will not be a matter of favour but a matter of right. He who obtains such an appointment will owe it solely to his own abilities and industry. It is undoubtedly desirable that the civil servants of the Company***

55 The book is a unique experiment to collate the experiences of ICS officers which originated in 1974 by three former ICS officers, John Christie, Dick Slater and Roland Hunt under the auspices of the India Office Library and Records.

> ***should have received the best the most finished education that the native country affords. (O'Malley, 1965, p. 243)*** [56]

It further insisted that the civil servants of the Company should have taken the first degree in arts at Oxford or Cambridge universities. The Haileybury College was closed in December 1857. The Macaulay Committee recommended that high standards be set and candidates be selected with thorough, not superficial, knowledge. The new recruits were given the 'hybrid and somewhat derisory name of Competition *Wallah*' (O'Malley, 1965, p. 243). The adoption of open competition widened the field for the middle-class youth of British public schools, but also opened the door in principle for Indian aspirants. Accordingly, the students of the universities of Calcutta, Madras and Bombay were also made eligible for this. This was enforced by the Act of Parliament of 1853, along with the final renewal of the Company's charter.

The limits of the age of candidates were changed many times thereafter, although the Macaulay Committee had recommended the minimum and maximum age be 18 and 23, respectively. It was felt that they should receive the best, the most liberal and the most finished education that Great Britain could afforded. On successful passing of the examinations, there was to be a two-year probation period with annual examinations in law, Indian history, political economy, Indian languages, etc. These studies were carried out in an English university. Those who cleared the exams were formally recruited into the Indian Civil Service. On arrival in India, the officers were kept at the Presidency towns until they cleared examinations in regional languages of the provinces to which they had been appointed. As we have seen, there were three methods of appointment to the Service: annual competitive exams in England, similar exams in India and direct appointments by nomination in India.

56 Lord Macauley's report of the Select Committee presented in 1855.

The question of remuneration to the officers of the Service was also a matter of much debate, especially as men of the commercial wing of the Company earned much more and there was an urgent need to restore the contentment of the officer charged with the administration of the country. In this regard, certain number of passages to and from England at fixed periods, paid for by the government, was allowed. The government assumed full responsibility for the payment of pensions after superannuation.

On Arrival in India

Since the period of specialised training for an officer of the ICS was small, it may be argued that he had had only a highly trained intelligence and a general knowledge of broad principles of governance. Initially, his knowledge of the language of the province was inadequate. His book knowledge was, at least after the installation of the British Government in 1858, at best of the Indian Penal Code, the Law of Evidence and the Code of Criminal Procedure. The real training of the District Officer began in India with practical work in different branches of administration. On arrival, he was appointed as an Assistant Magistrate. He had to qualify in the 'departmental examinations' in the language of his province in criminal law and revenue law, before being made a Sub-Divisional Magistrate, a Joint Magistrate and then a District Magistrate. In the meantime, he gained experience and knowledge by conducting trials in the court and in different departments of the Collectorate and in enquiries. 'More is learnt by the exercise of responsibility than in the grove of Academe, and latent powers are called out when men are thrown on their own resources in early manhood '(O'Malley, 1965, p. 256).

On being appointed formally to the Service, and after his joining at the district level and completing his mandatory probationary period,

> ***…an Assistant Magistrate with enhanced powers was usually posted to the headquarters of another district, where he adopted the District Officers routine of cutcherry in the hot weather and tours of inspection in the winter months. If he was made a Sub-Divisional Officer, he became the chief civil authority in an area of several hundred square miles. In Bombay and North-Western Provinces, he covered his sub-division while residing at district headquarters. But at Madras and Bengal he was given his own 'capital' in which he acted not only as resident magistrate and revenue officer but also as Sub-Judge, Sub-Jailor, Sub-Registrar and Sub-Treasury Officer. Such independence and authority at the age of 25 could be exhilarating, and it was sometimes claimed that the sub-divisional system produced the best officers. (Gilmour, 2007, p. 83).***

Sir George Trevelyan says the real education of an Indian Civil Servant

> ***…consists in the responsibility that devolves upon him at an early age, which brings out whatever good there is in a man; the obligation to do nothing can reflect dishonour on the Service; the varied and attractive character of his duties; and the example and precept of his superiors, who regard him rather as a younger brother than as a subordinate official. (Trevelyan, 1895)***

Image 4: Satyendranath Tagore (brother of the poet Rabindranath Tagore) was the first Indian ICS officer, who resigned and later chaired the Indian National Congress in its 18th session.

In 1862, Satyendranath Tagore (brother of poet and Nobel laureate Rabindranath Tagore) was the first Indian ICS officer, followed by three more Bengalis in 1868 and then there were a steady stream of Indian officers. It was, however, clear that only the privileged Indians could gain access to the Service, as the costs of the required education was high, along with other social and economic costs. 'Indian entry by way of an examination conducted in a foreign language in the subjects of an alien culture and held in London was necessarily slow; even by 1909 there were only sixty Indians in a total cadre of 1,142 members of the ICS. (Hunt & Harrison, 1980)

The ICS Loses its Sheen for theBritish

However, the First World War materially altered this position. British losses thinned the ranks from which recruits were traditionally drawn. The constitutional changes in India with more and more Indians joining government service at the lower levels, was making the outlook for the British entrants less appealing. It

became politically expedient to appoint Indians to top positions so as to make the varied range of governmental decisions, including taxation decisions, more palatable to the nationalists. Inroads were being made into the exclusive positions enjoyed by the ICS. Indians were thereafter appointed even to the Councils of the Governor-General and the Secretary of State, even as elected Indian members joined the legislative councils. The Minto-Morley Reforms and the Montague Chelmsford Reforms gave more space to the Indians in the slow-moving push for self-rule. Under the diarchy system, departmental subjects were transferred to provincial councils where ICS officers, though they were still responsible to the Secretary of State, found themselves working under Indian ministers for practical, day-to-day purposes.

Attracting British talent into the ICS was becoming a problem and, in 1922, a committee was sought to be formed to enquire into the situation and to re-state the moral value of an Indian career. As we have seen, it was Prime Minister Lloyd George who coined the immortal phrase of 'the steel frame', in his address in Parliament as he stressed the continuing and crucial role of the ICS. The phrase is now used extensively with reference to the IAS, both in earnestness and in ridicule.

> ***Their every word is a command, every sentence a decree, accepted by the people, accepted willingly with trust in their judgment and fairness, which might be the pride of our race. I can see no period when the Indians can dispense with the guidance and assistance of the small nucleus of the British Civil Service officials in India - this twelve hundred in a population of three hundred and fifteen million. They are the steel frame of the whole structure. I do not care what you build on it – if you take that steel frame out, the fabric***

> ***will collapse. There is an institution which we will not cripple; there is an institution which we will not deprive of its freedom and privileges – and that is the institution which built up the British Raj in India – the British Civil Service in India.***[57]

The English civil servant can be defined as a servant of the Crown who was not a holder of a political or judicial office and who was employed in a civil capacity. Thus defined, in the mid twentieth century there would have been in Britain about 700,000 civil servants (including industrial workers). In the Indian Civil Service, as listed in January 1930, there were but a little over 1,000 members. They were not divided into superior or lower services. All of them belonged to one service, working in the three main domains political (here, the term political refers to diplomatic work done in the Indian princely states and foreign work beyond the borders), judicial and executive. The fact that they worked in a judicial capacity itself makes them different from their English counterparts. They have the option to move to the executive side after a certain number of years. And, as we have seen, the executive includes officers working in the secretariats of the provincial and central governments. Of course, this also includes the subject matter of our study, the District Officers working in different places in the interior.

Praise for the District Officer

It is in this capacity that the District Officer's administrative work must be seen. We may quote O'Malley from his *History of the Indian Civil Service* at some length here:

57 Prime Minister Lloyd C George in a parliamentary debate in 1922. Parliamentary Debates, HC, 157(1922), columns 1513, 1517

He is in charge of a district…four and a half times the size of an English administrative county, and he is both District Magistrate and Collector. As District Magistrate he is responsible for the maintenance of law and order, for the prevention of disorder as well as its suppression- one test of a good officer is his capacity for keeping things quiet- for the proper working both of the local police and of the jails…he has control over the administration of criminal justice by the subordinate magistracy, and he has appellate powers in minor cases and may himself try a case if it be of special importance or if there are any reasons why the accused should not be tried by a subordinate magistrate. As Collector, he is responsible for the collection of land revenue and other revenues, some of which correspond to what is called inland revenue in Great Britain; and he has to a greater or less extent to supervise the work of the different executive departments of the civil government in his district. Authority is concentrated in him, but he is not a super-man and does not therefor deal with the minutiae of administration, which he leaves to the officers under him; his part is that of a controlling and directing authority, seeing that others do their duty as well as doing his own… he is the man to whom fall all sorts of miscellaneous jobs, such as the taking of census, preparing an electoral roll for his district…he has not only to discharge the everyday duties of administration many of them dull, petty and uninteresting), but to also to cope with sudden emergencies of extraordinary diversity. He may sometimes, when overburdened

> ***with work, grumble that he has the life of a dog, but he knows that he does the work of a man.***

And it is the man, rather than the machine, that the Simon Commission highlighted:

> ***…the isolation of the individual official the sudden call for personal decision the special knowledge of local conditions possessed by the officer on the spot - the trust of the mass of the population in the person they know - all these have made the civil administration in India depend on the man, rather than on the machine. (Simon Commission Report On India Vol. 1, 1930).***

Lord Dufferin, who was Viceroy from 1884 to 1888, wrote:

> ***There is no service like it in the world. For ingenuity, courage, right judgment, disinterested devotion to duty, endurance, open heartedness, and, at the same time, loyalty to one another and their chiefs, they are to my knowledge, superior to any other class of Englishman. They are absolutely free from any taint of venality or corruption. ..and moreover, if the Indian Civil Service were not what I have described it, how could the government of the country go on so smoothly? We have 250 millions of subjects in India and less than 1000 British civilians for the conduct of the entire administration. (Chailley-Bert, 1892, p. 261)***[58]

58 Lord Dufferein to M Joseph Chailley-Bert,

King Edward VII, in his proclamation to the princes and peoples of India in 1908, on the occasion of the 50th year of assumption of government by the Crown, stated:

> ***…difficulties such as attend all human rule in every age and place have risen up from day to day. They have been faced by the servants of the British Crown with toil and courage and patience, with deep counsel, and a resolution that has never faltered nor shaken. If errors have occurred, the agents of my Government have spared no pains and no self-sacrifice to correct them: if abuses have been proved, vigorous hands have laboured to apply a remedy.'***[59]

In 1919, the joint Select Committee of Parliament constituted for the Government of India Bill of wrote of the service which has "deserved the admiration and gratitude of the whole Empire." The personal views of one of the members of the ICS are particularly pertinent:

> ***Among us have been great administrators, great soldiers, great scholars, great teachers, masters of the heling art. There have been diversities of gifts but the same spirit – a spirit of devotion to duty and of sympathy with the millions among whom our lot was cast.***[60]

59 From the proclamation of the King to the princes and peoples of India on 2nd November 1908, as printed for the House of Commons by Eyre and Spottiswood, London

60 Sir George Grierson, ICS, OM, CIE. My Working Life (1927). He headed the Linguistic Survey of India.

The eternal truth in these words sums up this spirit:

> ***To govern men there is but one way, and it is an eternal truth. Get into their skins. Try to realize their feelings. (J A Spender, 1926).***[61]

The ICS turns brown: more reforms

We may briefly cast a quick glance at the process of Indianisation' of the Civil Service, which was once exclusively British. O'Malley has dealt with the subject at length and has observed that while Warren Hastings was in its favour, the opposite policy was followed by Lord Cornwallis. With the expansion of British power and the absorption of new territories, it was the British officers who replaced the Indian ruling class. William Bentinck, Governor General from 1828 to 1835, wryly remarked: 'The iron hand of power on the one side, monopoly and exclusion in the other.' It was he who created a higher grade of Indian civil judges and threw open the office of the Deputy Collector to Indians. The Parliamentary Committee which recommended the extension of the Company's rights in the Charter Act of 1833, had commented that including Indians into higher offices, though under European control, 'would strengthen their attachment to British dominion, would conduce to a better administration of justice and would be productive of a greater saving in the expensed of the Indian government.' The British government accepted these recommendations and the Charter Act of 1833 expressly enacted that no Indian should be debarred from holding any place, office or employment under the Crown. Yet, it is a fact that the directors of the Company for long did not even consider appointing Indians to the Covenanted Civil Service, over which they alone had patronage. However, in other public services, including the judiciary, Indians were appointed to

61 General Charles George Gordon, in a letter dated 12th march, 1926 to the Hindustan Times, quoted in J A Spender.

the posts of non-covenanted Deputy Magistrates. The process was slow. In 1860, simultaneous examination to the Indian Civil Service was permitted to be held in England and India. The first Indian ICS officer, Satyendranath Tagore, who joined the service in 1864, could not continue for technical reasons. In 1871, three others joined the Service: Ramesh Chandra, Bihari Lal and Surendranath Banerjea.

As Alexander (Alexander, 1982) writes: 'Early Indian recruits to the ICS had a difficult, often unhappy time, generally posted to provinces geographically and linguistically far removed from their own.' Surendranath Banerjea, who cleared the ICS examination in 1868, wrote that his first European superior treated him 'at first with cordiality and a lofty sense of patronage.' However, when Banerjea qualified in the departmental examination and a European civilian two years' senior to him failed, his superior became 'imbued with a strong racial feeling… the contrast… seemed to be derogatory to the prestige of the ruling race.' Banerjea found his position 'very uncomfortable if not absolutely intolerable.' R.C. Dutt, who joined the ICS in the same year, was transferred from his position as Joint Magistrate in Dacca when the railway arrived, bringing with it European residents.

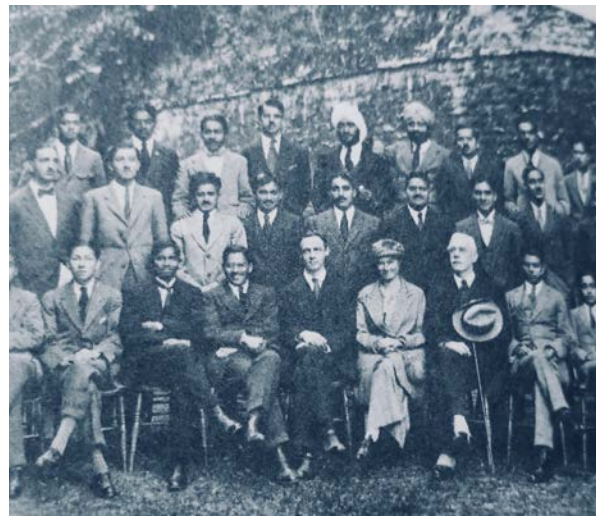


Image 5: Indian ICS probationers at Oxford 1921

Although Dutt was described by Sir Stewart Bailey, the then Lt.-Governor of Bengal, as the most capable executive officer of his time, his appointment as Commissioner (the first Indian to hold this post) was severely attacked by the Calcutta paper, The Englishman. After his retirement, Dutt wrote that there was no finer body of administrators than the ICS. 'We identify ourselves with the British rule,' he wrote, 'and pledge our support to that rule at every sacrifice: and we demand under British rule a larger share in the administration of our own concerns.' Nevertheless, Dutt had few illusions:

> ***I know the India Office. Considerations of race are paramount there. They want us out, not because we are critics but because we are natives, and their policy is rule by Englishmen. Licking the dust off their feet will not move them from this policy: unsparing criticism and persistent fighting can and will do it.***

Despite this undercurrent of racial superiority, the question of 'Indianising' the Service became a subject of agitation in both countries. Dadabhai Naoroji in India and Mr Fawcett, a MP in Britain, pressed for the same. It did not come through then, although it led to the institution of scholarships to enable Indian students to study for the examinations. Even though the Act of 1861 granted permission for this in principle, it was not expected that more than a handful of seats would be given to the Indians. Duke of Argyll, then Secretary of State for India, was reluctant about it. He said it was necessary to have large number of British functionaries in the more important posts as, in the eventuality of the cessation of British rule in India, there would be anarchy and misrule.

Experiments on 'Indianisation' of the Service continued from early 1870s. However, it was only in 1878 that Lord Lytton created a reformed Civil Service, enabling Indians to be appointed to 15% of the covenanted posts and 20% of the non-covenanted ones. In 1879, a new scheme was introduced, known as the Statutory Civil Service, that stipulated that Indians will hold one-fifth of the ICS posts . Such posts carried a lesser pay and was never considered equal to the covenanted Civil Service and, thus, attracted no new talent.

The British government realised the need for a fair and equitable process of recruitment to the ICS that would satisfy Indian aspirations and appointed a Public Service Commission under the chairmanship of Sir Charles Aitchison, Lieutenant Governor of Punjab. In 1887, the Commission recommended that the competitive system be maintained as it stood, with modifications in age limit to suit the Indians. The examinations should bear a distinctively English character and should be held in England (thus, negating the idea of simultaneous exams in India). Simultaneously, a Provincial Civil Service for Indian officers may be created, including 108 posts that were hitherto held by

the ICS. The scheme was accepted by the Secretary of State and came into operation in 1892, thereby putting into place then three administrative branches, the Indian Civil Service (to which Indians could appear for competitive examinations in a limited fashion), the Provincial Civil Service (from which about one-sixth of the posts of the ICS could be drawn) and the Subordinate Civil Service (largely Indian, although some posts were held by the Europeans).

There was much debate on the scheme. Many British critics opposed the increase of Indians in the ICS, arguing that they would be found wanting in time of emergency. Others felt that diminution of British presence administration would not be tolerated even by the people. Unrestricted competition for Indians would imply that the British element, already at a minimum, would be further reduced. The Second Public Service Commission of 1912, led by Lord Islington (report released in 1915), expressed the view that the changes in the recent past had resulted in but 5% of the ICS posts being occupied by Indians and that this was unsatisfactory. It proposed that a minimum of 25% of the higher posts of the Service should be Indians. The avowed policy of the British government in 1917 was for even more representation of the Indians. It decided in 1920 that 33% of the posts be reserved for Indians, with an annual increase of 1.5% until it reaches 48% by the year 1930.

A system of competitive exams to be held in India was approved in 1922 and the selected candidates would undergo probation at an English University. In 1923, the Royal Commission on the Superior Civil Services in India, under Lord Lee of Fareham, again considered the issue. The First World War had seen a serious falling off of British recruits to the ICS. Consequently, there was a significant shortage in the British recruitment while the India quota was in excess. In 1924, the Lee Commission recommended that out of every 100 posts in the Service 40 should be filled up by direct recruitment of the British, 40 by direct recruitment of Indians and the remaining 20 by promotion from the provincial

services so that within 15 years half of the posts would be held by Indians and the remaining half by the Europeans. That there had been a major shift in objective became quite clear in the candid words of the Lee Commission: 'In the days of the Islington Commission the question was "How many Indians should be admitted into the public services?" It has now become "What is the minimum number of Englishmen which must be recruited?"

With time, the prospects for a British citizen to serve India became less and less popular. As Bradford (Spangenberg, 1971) puts it:

> ***In truth, recruitment for the I.C.S. very early fell into a negative syndrome from which, for the various reasons outlined, it could never lift itself. An important element in the creation of this syndrome was the arrogance of an irresponsive and basically unconcerned aristocracy-an aristocracy that showed no more concern for the men who ruled India than for the empire itself. As a consequence, while from the start not as successful as had been anticipated, the I.C.S. failed to maintain even the relative level of attraction for promising university students reflected during approximately the first eight years of competition recruitment.***

The privileged Indian member of the Indian Civil Service, who worked as District Officer, was a man apart from the masses and he was often criticised for not learning to mingle with the people from where he had indeed sprung. On the other hand, is it likely that he was being patronised by the British officers. Thus, he may have been caught in a cleft, between his own people and his colonial

masters. Nevertheless, it may be said that he distinguished himself in no uncertain terms working in difficult conditions and, more often than not, he was a sympathetic and thoughtful administrator who was both servant of the Empire and servant of the people.

The dual office of the District Collector-Magistrate was much more than a simplistic combination of a revenue post with a quasi-judicial one. With the passage of time, even from the initial days when the post had been established, many miscellaneous duties were thrust upon him and also often withdrawn from him. In fact, having invested him with such powers, it became convenient for the government to entrust him with all other necessary functions. Thus, the third concept of an all-encompassing District Officer came more to fruition. The British was thus successful in transforming him into 'the real executive chief and administrator of the tract of territory committed to him, and supreme over everyone and everything, except the proceedings of the courts of Justice'(Buckland, 1901, p. 7). In theory and in terms of legal powers and obligations, the three posts of Collector, District Magistrate and District Officer remain even today, although they are separate entities.

X: THE REBELLION AND THEREAFTER

Changes in High Places

Image 6: Queen Victoria 1819 -1901

The following section deals with the manner in which the British hegemony over the subcontinent was gradually loosened as India demanded its own rightful place under the sun. We shall see how the horrific effects of the Rebellion put an end to the Company and gave birth to the British Raj, under the direct rule of the Empress Victoria, which, with time, inevitably gave place to the aspirations of the people when Independence dawned on 15 August 1947. It also deals with the succession of legislative

measures and practical actions that the political leadership of England conceded, which gradually led, over a period of about 90 years, to full nationhood for India. Each of these steps had its impact on the district administration and the powers of the District Officer. While in the initial days of the British Raj the District Officers were all-powerful administrators who combined in their selves the composite powers of Collector and Magistrate, with time there was a gradual dilution in their clout and authority. The delegation of powers, formerly in the hands of the District Officer, came to be increasingly exercised by representatives of political parties, now eager to taste the political powers of self-rule.

The assertion of parliamentary rule over the Company took time in coming, but it was inevitable. In fact, right after the appointment of Warren Hastings in 1772, the process of British oversight had already begun. Financial profligacy and mounting debts of the Company had led to the appointment of select and secret parliamentary committees which produced between them some 18 adverse and hostile reports. 'These were the prelude to the assertion of parliamentary control over the Company's affairs, which led on step by step, to the assumption of full sovereignty by the Crown in 1858. We can trace three broad themes in this process, the separation of trade from administration within the Company itself, the gradual assertion of state control over the political affairs of the Company in India and a similar process in the control of the Company in London. The main steps of these processes can be followed over time by studying the series of great parliamentary enactments, which commence with the Regulating Act of 1773, continue with Pitt's India Act of 1784, and the periodical Charter Acts of 1793, 1813, 1833 and 1853, and end with the final Act of 1858 (Smith & Edwardes, 1919).

It was Pitt's India Act that set the tone for the future. The Governor-General was appointed by the directors of the

Company, but could be recalled by the Crown. It was also declared that all schemes of conquest and extension of dominion would be repugnant to the wish, honour and policy of the nation. The Governor-General was given powers to override his Council and also united his office with that of the commander-in-chief. 'The Governor-General and Council now became Governor-General in Council and as such he remained until 1947'(Smith & Edwardes, 1919, p. 523).

Indeed, the revolt had all along been doomed to be a failure. The far superior gun power of the English ensured the crushing of the Rebellion. Reprisal was fast and bloody. The savagery of the rebels at Meerut and Lucknow was repaid in ample measure by a vengeful Empire and its grim-faced red coats. The leaders of the uprising were mercilessly executed, many of them tied to cannons and blown away in public view. A lesson was being taught and India had no option but to accept it sullenly. Lord Canning, Governor-General at that moment in time, exacted a terrible price as an uneasy peace was restored.

This was the true beginning of Empire, de jure and de facto. As we have seen, for the past century or so, various Acts and regulations diluted the control of the East India Company over the administration of the subcontinent. The British government had ensured the oversight of the Parliament with sufficient control over the Company's Board of Directors. However, from there on, it was Regina Victoria alone who decided the destiny of the people of India. She was the Empress of India and India was the jewel in her crown.

In her conciliatory proclamation, and realising the need to heal the fresh wounds, she had said:

> ***'We desire no extension of Our present territorial possessions; and… We shall respect the rights,***

> ***dignity, and honor of native Princes as our own: and We desire that they – as well as our own subjects – should enjoy prosperity, and that social advancement, which can only be secured by internal peace and good government. We hold ourselves bound to the Natives of Our Indian territories by the same obligations of duty, which bind us to all Our other subjects, and those obligations by the Blessing of God, we shall faithfully and conscientiously fulfil.'***

Significantly, in a departure from previous positions held, she also added:

> ***'And it is Our further will that, so far as may be, Our subjects, of whatever race or creed, be freely and impartially allotted to offices in our service, the duties of which they may be qualified, by their education, ability, and integrity, duly to discharge.'*** [62]

Then followed the Government of India Act of 1858, originally titled 'An Act for the Better Government of India.' Promulgated on 2 August 1858, a 162 years ago, the main features of the Act were as follows:

- The Company's territories in India were to be vested in the Queen, the Company ceasing to exercise its power and control over these territories. India was to be governed in the Queen's name. All property and assets of the East India Company were transferred to the Crown

62 Proclamation by the Queen in Council, to the Princes, Chiefs, and People of India, published by the Governor-General at Allahabad, November 1st, 1858

- The Queen's Principal Secretary of State took over the powers and duties of the Company's Court of Directors. A council of 15 members was appointed to assist and advise him in all matters related to India. The council became an advisory body in Indian affairs
- From now, the Crown was empowered to appoint the Governor-General and the governors of the presidencies
- An India Civil Service was to be created under the control of the Secretary of State

After the transfer of power from the Company to the Crown, there were some changes in the nomenclature of the Service. Members of the Service under each of the presidencies Bengal, Madras and Bombay adopted the formal designation of Bengal Civil Service, Madras Civil Service and Bombay Civil Service, although collectively known as the Covenanted Civil Service of India. This was to distinguish it from the lower services of the administration which was Indian in nature and was known as the non-covenanted Civil Service. It was under Queen Victoria's reign that British India reached the highest point of its territorial expansion.

Until 1836, the administration of British India had been divided between the three 'presidencies' of Bengal, Madras and Bombay, all headed by Governors of whom the senior one (Bengal) was the Governor-General. In that year, the North western provinces were separated from Bengal, placed under a Lieutenant Governor and in 1877 amalgamated with the chief commissionership of Oudh. With the expansion of the territory under British control it was recognized in 1854 that Bengal needed a Lieutenant-Governor of its own, who had to coexist uncomfortably

> ***with the Supreme in Calcutta in the winter, but could escape to Darjeeling in the summer when the Viceroy was in Simla. A fifth province, the Punjab was established in 1849, first under a Board of Administration and then under a Chief Commissioner, who was promoted to Lieutenant Governor in 1859. A sixth, the Central Provinces, was added in 1861 and a seventh, Lower Burma (to which Upper Burma was added in 1886) the year after, and an eight in 1874 when Assam was given to Chief Commissioner. By the time that Curzon enraged the Punjab Government by severing the North-Western provinces from its territory in 1901, British India consisted of nine provinces, and various parcels of territory in Rajputana, Baluchistan, Coorg, Mysore and the penal settlement of the Andamans and Nicobars (Gilmour, 2007, p. 20).***

In 1878, one of the significant changes made was to remove the restrictions on the geographical bounds of the Service and to enjoin that every covenanted civil servant was bound to serve wherever the government at any period of his career required him to go. In a sense, this was the beginning of a Civil Service of an all-India character, although the formal legislative sanction for this arrangement came only with repealing this obsolete provision through Section 4 of the Government of India Act of 1912. The Aitchison Commission, which examined the conditions of service of officers, recommended that the name be changed to Imperial Civil Service of India. However, the then Secretary of State did not concur and ordered that the Covenanted Service be henceforth termed as the Civil Service of India. This title did not gain general recognition. The name Indian Civil Service came to be accepted in

official and popular use and referred to colloquially as ICS.

O'Malley contends that the transfer of the government to the Crown made no practical change to the position and prospects of the Indian Civil Service. Indeed, the officers experienced a greater sense of security as the practice of periodical enquires into the working of the administration under the Company was discontinued. The rights and service conditions of the officers were confirmed by the Indian Civil Service Act of 1861, which reserved for its officers all the principal posts which were listed in a schedule. Curiously, the provision of promotion by seniority guaranteed in the Charter Act of 1793 was discontinued, permitting outsiders to be appointed into the Service, although with many conditions and qualifications. All appointments had to be approved by the Secretary of State. The system of selecting candidates on the basis of a competitive examination, that had been recently introduced, was confirmed. The Civil Service commissioners took pains to attract new talent through the examinations and recommended a career in Civil Service.

> ***The emoluments of a writership (referring to the allowance for probationers); the steady advancement in the service of those who devote themselves to it with zeal and perseverance; the infinite opportunities of public usefulness which it presents; the dignity, honour and influence of the positions to which it may not improbably lead; and the liberal and judicious provisions for retirement at a moderate age; all render the India Civil Service a career full of interest and of pecuniary advantage (Finlayson, 2018, p. 32).***

The need of the people for upright District Officers to administer the troubled country after the Rebellion was demonstrated by the fact that '…before many months of misrule had passed, the mass of the people were praying for the return of the Magistrate' (Raikes, 1867, p. 304).

> ***When comes this high standard of efficiency and public virtue…? The real education of a civil servant consists in the responsibility that devolved on him at an early age…the obligation to do nothing that can reflect dishonour on the service; the varied and attractive character of his duties; and the example and precept of his superiors, who regard him rather as a younger brother than as a subordinate official.***
>
> ***Sir George Otto Trevelyan, 2nd Baronet, a British statesman and author, who spent several years in India as District Officer.***

The upheaval in the districts affected by the Rebellion was soon quelled and normal conditions were restored. The non-regulation system continued in large tracts, especially those inhabited by tribals such as the North-East of India. The presence of military officers helped maintain tranquillity, although the pacification of large parts of Burma was due to the efforts of civilian officers as well as the military. However, as the country became more settled and methods of administration made more regular, military officers were gradually replaced by members of the Indian Civil Service.

Gradually, the distinction between Regulation and Non-Regulation provinces became obsolete. Uniformity of British administration was being gradually enforced, strengthened by the

Indian Penal Code and the Code of Criminal Procedure, available in a handy form, that served as a boon for the officers of the Indian Civil Service. Codification was steadily carried on until British India had a set of codes 'approaching the highest standard of excellence which this form of legislation had reached'(Ward, 1887, p. 503). Every branch of the administration had its own set of manuals and rules and regulations, suitable for a country which had only a small superior staff for supervision. These helped simplify the work and was used as a ready reckoner to be followed by an officer under certain circumstance.

The work done by the British for codification of rules and directions to combat the frequent famines affecting the agrarian economy was a masterpiece of administrative achievement, as it provided for a detailed menu of activities to be followed by the District Officer when drought and difficult circumstances struck. The role of the District Officer became paramount as he was vested with extraordinary powers during such times. The District Officer took the lead in giving protection to the farmers and peasants against the oppression and exploitation by landlords and money lenders who tried to take advantage of the disturbances to assert their old rights. Their rights in the land were safeguarded by agrarian legislations and settlement proceedings in which the Service played a leading and honourable part. It was the civil servants who led the efforts to improve their economic conditions by the establishment of co-operative credit in the villages.

> ***If the English look back on their varied history, the long connection with India will be an achievement that cannot be ignored. There are many ways of looking at it. The heart of one man will breath faster – though perhaps against his will – to remember how a handful of his countrymen mastered and ruled so many by the***

sword, by diplomacy, above all by a stubborn tenacity of purpose. To another, the main matter of pride will be that so few among so many had so slight a need for force, that so often the district officer really was at heart what the villages called him in their petitions, the father and mother of his people. To another again it will seem that the years of renunciation with which the story ends are the finest in the long record.

The Men who Ruled India, Phillip Mason

Carefully considered measures towards a modicum of self-rule can be observed after the transfer of power from the Company to the Crown, as the Government of India began to nominate selected Indians to the provincial and central legislative councils with the purpose of consulting them on matters related to taxation etc. The 90 years between the conflagration of 1857 disparagingly referred to as the Sepoy Mutiny by the British, but proudly referred to as the First War of Independence by Indians[63] and the attainment of freedom, was an interregnum filled with fierce political activity that irrevocably led towards the fateful midnight of 15th August 1947. The revolt had shaken the Empire. It seemed that the two-and-a-half centuries of colonial rule had come to naught. The theory of a benevolent colonial power bringing the gift of civilisation to the savage natives had been blown to bits. That the natives had all along nursed serious resentment was now clear.

63 Please see footnote 4, dealing with the question of who first used the term of War of Independence for the Rebellion of 1857.

The Long Goodbye

The Empire had consolidated itself in no uncertain terms. The romance of the Englishman with India was over. It would now be guided by rule and regulation and the need to ensure that the imperial interests of the Empire were protected. This was, however, a temporary state. There was a glimmer of a time in the future when the English themselves would shed off the cares and business of Empire. In England, too, there was a change of opinion. Not only was any political party not prepared to use force on a large scale to keep a partner who wanted to go, but the very concepts that their people espoused, of freedom and liberty, would have to applied to the colonies as well if England was to gain respectability across the world. And slowly, but surely, the loosening of the fist that controlled was brought about. Not by a single royal fiat, but by several acts each of which conceded more than its predecessor. One of the significant outcomes was, as we have seen, the creation of the Indian Civil Service.

As for the reforms, first came, as we have seen, the Morley-Minto reforms of 1909. Lord Minto, Viceroy of India from 1905 to 1910 and his partner John Morley, who was Secretary of State for India, together formulated policies to 'make English rulers friends with Indian leaders and at the same time to do our best to train them in habits of political responsibility.' Of course, in 1885 the Indian National Congress had been formed, but it was galvanised by the arrival of Mahatma Gandhi from South Africa. Soon enough he became the focal point for nationalistic aspirations. The British, in their turn, realised the need for some token gestures towards this goal. Indians had to be prepared for responsibility and the British began to place responsibility upon them.

These reforms led to the enlargement of the legislative councils, both at the Centre and in the provinces, manned by official and non-official members. One-fifth of the non-official members were nominated and the rest elected from the constituencies

such as municipal boards, universities, landowners, chambers of commerce, minorities. The new councils were a leap forward as matters of budget, policies and questions of public interest could discussed there freely. More importantly, these reforms enabled Indians to be appointed to the Secretary of State's Council and to the Executive Council of the Viceroy and the Governors. This constitutional and electoral entry to representative bodies was a major step towards self-determination. One of the effects of these changes were that the District Officers had to concede their authority and their powers to the elected political leaders and take orders from them. They were on the way to becoming servants of the people. These changes did not suit many British officers who had hitherto exercised unfettered powers in these areas of administration.

> ***It is only when you get to see and realise what India really is that she is the strength and greatness of England it is only then that you feel that every nerve a man may strain, every energy he may put forward cannot be devoted to a nobler purpose than keeping tight the cords that hold Indian to ourselves.***
>
> ***Lord Curzon Viceroy to India, 1895-1905***

The first World War forced these issues. India was called upon to shoulder great burdens in the imperial cause, in terms of providing men or the war, increase of massive debt, dislocation of trade and industry and the blight of shortages and increasing inflation. The recognition of India's contribution raised expectations and the Britain was forced to concede that it would work towards responsible government for British Indians within the Empire. This came in the form of the Montagu-Chelmsford Reforms, embodied in the Government of India Act of 1919. It led to the doubling

of the size of the councils in the provinces, about two-thirds of them being elected. They functioned as assemblies instead of large committees and some of the members were chosen as ministers who would advise the governor on certain transferred subjects. In a system called 'diarchy,' some departments were placed under ministers who were individually responsible to the legislature. However, the main departments that made up the 'steel frame' of British rule were retained by executive councillors, normally British, nominated by the governor. The Act of 1919 introduced diarchy in the provinces, where the rights and responsibilities of the central and provincial governments were clearly divided. The central list included defence, foreign affairs, telegraphs, railways, foreign trade, etc. The provincial list dealt with the affairs like health, sanitation, education, public work, irrigation and the like. All residual powers rested with the Centre. In case of any conflict, it was the governor who had the final say. This was diarchy, which some Indians referred to as 'the technical term for handing over the steering wheel and retaining control of the accelerator and the brake.'

This had significant implications for the ICS. Indian ministers with authority over certain subjects, along with the devolution of financial powers to the provinces, implied that the character of the Services would alter from a governing caste to an executive agency.

> ***The district officer would henceforth be required to work for elected ministers and to adjust to a situation in which the art of political management would be as important as executive ability. A number of ICS officers took an early retirement rather than adjust to the change. (Hunt & Harrison, 1980, p. 24).***

Yet, despite these tentative positive steps cautiously received by the Indians, the British unhappily chose to drive through two Bills the Rowlatt bills designed to extend the emergency powers of summary trial extant during the war to deal with terrorism, even after the war had ended. Gandhi announced a one-day national hartal for stoppage of work on 6 April 1919. The response was strong in towns and led to the Jallianwala Bagh massacre in Amritsar where Acting Brigadier-General Reginald Dyer shot down in cold blood some hundreds of demonstrators. On the Indian side, too, there was disarray as Gandhi winded up the non-cooperation movement when violence broke out. The rift between the Muslim and the Hindus came to the fore. The emergence of the Swaraj Party challenged the position of the Congress with Muhammad Ali Jinnah offering separate electorates for the minorities. The British blunder to review the Government of India Act 1919 through the all-white Simon Commission created severe resentment. The compromise worked out was that by the end of December 1930, Britain would grant dominion status.

> ***A Collector of strong and sympathetic character and with the gift of insight may gain the strongest hold over the affections and imagination of the peasantry, and tales of his sagacity and good deeds will be told in remote villages after his name has ceased to be borne on the civil list of his province.***
>
> ***The Imperial Gazetteer of India, vol. IV, Oxford, Clarendon Press, 1909, p 52***

This was followed by the Government of India Act of 1935, which provided that the provinces be entirely governed by Indian ministers responsible to an Assembly. By 1937, the provinces did

pass to the control of elected ministers, led by a premier. The size of Indian representation was enlarged and significant powers handed over to the provinces. In addition, the system of provincial diarchy was abolished, but introduced at the Centre. There was a provision for an All India Federation of British India territories with the princely states. The supremacy of the British parliament was underlined. There were elaborate instruments for the protection of the minorities.

It must be stated that this was not a unilateral movement towards independence initiated solely by the British. It was demanded, contested and fought for, by a growing nationalist movement, led by Gandhi. He employed the mighty weapons of non-violence and satyagraha. At first dismissed as a 'naked fakir', with time, the British themselves became his admirers.

The Second Word War (1939-1945) brought back the old feeling that Britain's embarrassment might be India's opportunity. The dilemma in the minds of Indian political leaders was very real. How could India assist the cause of liberty abroad without first obtaining her freedom at home? Massive conscription of Indian soldiers into the war efforts was viewed with mixed feelings. The rise of shortages of essential supplies, epically in the context of the Bengal famine, taught many lessons. District Officers put into effect the Famine Code which had worked well in earlier years; but now with supplies from abroad cut off, food was short everywhere. Bengal administration was unable to cope with the situation until Lord Wavell took over relief distribution and rationing, with the help of the British army and the District Officers. With time, though the shortages continued, the feeling of confidence returned.

It was essentially through the members of the ICS and in particular the figure of the district officer himself, the physical embodiment of Government across the Indian countryside, that the functions of imperial government, so vital to the empire as a whole, were in fact always maintained… the District Officer retained his great importance right upto the end of British rule, and as the essential link between the demands of London, or of Simla, and the locality in India, both urban and rural, he carried the brunt of the practical load of immediate and continuous administration which perpetually underpinned the towering edifice of the Raj. Every crisis or renewed period of strain in the history of the subcontinent merely emphasized afresh the central importance of the District Officer's role on the front line of the empire, and when in the three concluding decades of imperial rule in India the long term ride of events turned slowly by surely towards the undermining of his position, the ensuing decline of the District Officer's once overwhelming status and powers served in many ways as the most accurate bench-mark of the prolonged but continuous erosion of British influence and control in the subcontinent as a whole. ***(Epstein, 1982)***

By this time, the Indianisation of the ICS had become more pronounced. By 1939, 40% of the posts in the ICS were held by Indians. Even among the officers, there was an overriding thought that in the long run the future would be under the Congress Party and not the British rule. When the full force of the Quit India

Movement exploded in the countryside in August 1942, it could be put down only by the presence of the massive military forces and not so much by the administrative systems. Indian officers, especially those working as District Officers, although not openly anti-imperial, was displaying

> ***tendencies… at work in the provinces for some years past…a sail-trimming tendency especially among Hindu officers …was having an increasing effect on the workings of the administration.*** ***(Mansergh et al., 1970, p. 112).***

It was being accepted by almost all levels of the British government that the ultimate transfer of powers was inevitable. By the time the war was over, it was understood that it would be only a matter of time before complete Independence would be granted.

The last stage was reached in 1947, when all power and authority was handed over to the Indian people with the granting of Independence. The British left abruptly, leaving the fledgling government with the severe trauma of Partition and the occupation of part of Kashmir by a unfriendly neighbour. About two million perished and 14 million people were displaced. This 'shameful flight' of the British, without ensuring peaceful transfer of power, still remains a vexing issue. Thus, in the course of 90 years, the absolute power of the British government was entirely handed over to 'we, the people of India.'

Relevant here, as an aside, is this exchange between Gandhi and Kinnoch, a British filmmaker, on the sidelines of the political negotiations for Independence:

Kinnoch: ***With respect, Mr. Gandhi, without British administration, this country would be reduced to chaos.***

Gandhi: ***Mr. Kinnoch, I beg you to accept that there is no people on Earth who would not prefer their own bad government to the good government of an alien power.***

XI: THE DISTRICT OFFICER'S ROLE DURING WAR AND THE STRUGGLE FOR INDEPENDENCE

Testing Times for the District Officer

> ***A time not very remote will arrive when England will, on sound principles of policy, wish to relinquish the domination which she cannot at present recede. In that hour, it would be the proudest boast and most delightment reflection that she had used her sovereignty towards enlightening her temporary subjects, so as to enable the native communities to walk alone in the paths of justice.***
>
> ***Marquess Hastings in his Private Journal, 17th May 1818***

We may briefly glance at the testing times faced by the District Officer in times of war, both the First and the Second World Wars, as well as the civil disturbances that preceded the granting of Independence in 1947. The state turned into a security state, the primary attention of which was the maintenance of law and order and enforcement. It was a test of the District Officer's quality and efficiency. Yet coercion was markedly meagre. Public

order depended on the loyalty and competence of the police force that was acting under the directions of the District Officer. In the difficult inter-war years of world depression, there was also an agricultural distress that had intensified. Industrial unrest too grew as labour became more organised. However, the most difficult form of disorder to handle was that of religious or communal overtones, especially in a country where caste, sect and religion provided strong social bonds.

We also need to touch upon the added worries that the declaration of war by Britain on Germany on 3 September 1939 brought. There was no prior consultation with Indian leaders. Viceroy Lord Linlithgow was prepared to say nothing more than that Dominion status for India was the goal at the end of the war and that a consultative group representing the major political parties would be formed to assist the Indian war effort. The Indian political parties felt neglected and insulted and by November of the same year all Congress provincial ministers resigned. Direct rule by the governors, assisted by the ICS advisors, took their place. The Congress leadership launched a civil disobedience movement in the rural areas and the District Officers once more had to face the agitation and obstruction of local Congress leaders. The fall of Singapore in 1942, and later Rangoon, forced the British to offer a conciliatory measure to set up an elected constituent assembly as soon as the war ended. This was not enough and the Congress rejected the offer. Immediately thereafter, on 7 August 1942, the Congress demanded that the British quit India or face a massive civil disobedience movement. Gandhi and Jawaharlal Nehru were arrested. In retaliation, the railways, post and telegraph and other government installations were attacked across India. In most parts of the country, especially in Uttar Pradesh and Bihar, the District Officers had to face the greatest test of their ability since 1857, to maintain law and order and the structure of government. Faruqui, who at the time was Collector Thane, wrote:

> ***The movement gave no pretence of non-violence. It was openly violent and terroristic…I had violent trouble everywhere. My personal handicap was that the head of my own police force of the district was an extremely Congress-minded and anti-British Parsi officer. What is worse, he was a pessimist and a defeatist, by temperament, if not by design. Every morning he would brief me on the situation throughout the district… when he left me my nerves were shaken and I used to feel completely demoralised and lost. (Hunt & Harrison, 1980, pp. 200–201).***

[64]Tension between the Hindus and the Muslims was a major cause for concern. Often the the basic error was the British concern to be neutral and fair to the two communities. Patterson felt what was needed was authoritative decisions.

> ***I did a lot of thinking about this communal situation and, rightly or wrongly, I came to the conclusion that the answer was a really strong hand to put an end to trouble before it grew into anything serious…probably the best answer was to produce a fairly overwhelming show of force before anything happened… looking back I think that there was no doubt that the policy paid off since for four and a half years, bar one small incident, we had no other rioting and no causalities. (Hunt & Harrison, 1980, p. 183).***[65]

64 .N.A. Faruqui, OBE, (Bombay and Sindh 1931-37)

65 N.K. Patterson, CIE, OBE (Central Provinces 1929-47) Under Secretary and DC in CP, Deputy Commissioner in Andaman Islands

Others relied more on influence and managing the leaders of various communities.

Between 1919 (with the Minto-Morley reforms) and 1935 (the Government of India Act), 'the politics of mediation between the people and the government had shifted from district to provincial level. The politician now stood forth as the mediator and had displaced the District Officer…people knew where the source of power now lay. The decline in the influence of the Collector's position was visible'(Hunt & Harrison, 1980, p. 186)[66] In this same period, many politicians operated outside the constitution, challenging the authority of the government. The harsh Rowlatt Act, the horrifying massacre at Jallianwala Bagh and the floundering of Gandhi's non-violence movement into disorder and violence all challenged the capacity and competence of the District Officer. It was easy for the District Officer to see the Congress party, the largest of the Indian political parties, as the enemy. Haig (Hunt & Harrison, 1980, p. 187)[67] commented tersely: 'Our main responsibility was the maintenance of 'Pax Brittanica' inside a unitary system of government. We were against the Congress who were trying to chuck the British out. We tended to regard with favour those Indians whom we considered loyal.' On the other hand, the Civil Service itself was changing. From 1924, more Indians were entering the Service. Technical All-India services were also getting completely 'Indianised.'

The Dandi march and the subsequent non-cooperation movement raised many questions in the minds of the officers. While the Indian officers tried to be neutral, some British officers such as Symington were not unsympathetic to the nationalist cause. When the civil disobedience to the Salt Act began, he said:

66 C.S. Venkatachar, CIE, OBE (United Provinces and India Political Services 1922-60)

67 G.A. Haig, OBE (United Provinces 1931-47) Settlement Officer Shahjahanpur, Collector Moradabad.

> ***In 1930, aged 26, in common with the great majority in the Service, I was not at all opposed to the idea of Indian independence. I thought it was intrinsically desirable… I did not mind amateurs going to the sea-side and making a few handfuls of horrible salt as a demonstration. That was on a par with making speeches, and I unsportingly refused to oblige anyone by arresting him. Yet, he went on to detect "an arrogance in the attitude of the Congress not only towards the British but towards their own countrymen, an untenable claim to speak for all India with their single voice (Hunt & Harrison, 1980, p. 188).***[68]

The challenge for all District Officers was to sustain a fragile structure of order and an efficient district administration, and such destructive political agitation was hard to bear. In Bengal, violence grew in the form of terrorist activity. In Peshawar, Pathan nationalists seized the city and held it for four days, but were repulsed by the force of the British army which brought it under control. Peasant movements in Bihar were strong, while in Punjab, the affected population was mostly in urban areas. On directions from above, the District Officers did try to elicit loyalist support. Hailey, Governor of the United Provinces, worked hard in this direction as recorded by Venkatachar. What is important to note is that despite being an Indian in the ICS, there was no scope for any personal feelings of patriotism or support for nationalistic fervour. The district authorities had to fall in line.

> ***The feudalism of the land system came under attack by the Congress no-rent campaign. A dangerous era of political activity affecting the***

68 D Symington, CSI, CIE (Bombay and Sind 1926-47) District Collector Nasik, Sholapur Ratnagiri.

> ***interest of the landlords had already begun… Hailey's plan to help the landlords to organise themselves for protection of their interests was politically astute…he made speeches all over the province, emphasising the importance of the landlords as a class and their responsibilities to direct rural politics…the District Officer was intimately involved in working out the Governor's policy…sometimes directives even came from the Chief Secretary's office (Hunt & Harrison, 1980, p. 192).***[69]

In the end, the British government had no idea of how to tip the balance in their favour and against the Congress. They had no tactics to mobilise the vote of their peasantry. At the provincial elections of 1937, the Congress took office with a substantial majority. What was astonishing was that the Congress played the game and won on rules set by the government. The capture of the political seats at the provincial level brought about significant changes. As Maitra points out:

> ***It was the provincial government which kept the peace through police, brought up the wrong doer before the court, collected the land revenue, looked after the sick in the hospitals, provided for schooling of boys and girls, arranged relief during famine and so on. For all practical purposes it was the provincial government that meant Sarkar in the eyes of the common man (Hunt & Harrison, 1980, p. 192).***[70]

69 CS Venkatachar.

70 SN Maitra, (Assam 1935-47)DC Yamethin, Bhamo; later Governor's Secretary.

This was significant to the manner in which the district administration was ordered. It was not so much the letter as the spirit of government that altered when the new ministries took office. Kemp describes the difficulties that this presented in so far as the District Officer's actual routine work was concerned:

> ***…the Congress ministry were great interferers in the day-to-day administration of the districts…with so many of their henchmen in the villages the Ministers lacked no sources of information or requests for favours on which the District Officer was required to report and often to act in the manner indicated. Generally, however, one managed to avoid a clash, without having to compromise too much on principles (Hunt & Harrison, 1980, p. 195).***[71]

Lamarque points out this difficulty in broader terms.

> ***…it was not an easy transition for the permanent officials. The Congress ministers were committed to independence for India, impatient for results, and suspicious of their officials, particularly of the British of the older generation… small wonder then that Brackenbury (C.F. Brackenbury ICS, Collector of Nilgris and Cuddapah) looked tired and harassed and worn. He was finding the raining of Ministers in government as being the art of the possible a very difficult task, though he was quite prepared to go along with the ideas, where, as he saw it, matters of principles were not involved. (Hunt & Harrison, 1980, p. 197).***[72]

71 A.H. Kemp, CIE (Bihar and Orissa 1928-47)

72 W.G. Lamarque, MBE (Madras 1937-47) Sub-Collector Sivakasi and Pollachi.

Masterman further elaborates:

> ***The position in the Secretariate as a whole was peculiar, almost bizarre. The Minsters were totally inexperienced in administration or the ways of the government, even local government, whereas the Secretaries –all British at that time- had 20 or more years of district and secretariat experience, and were the same men who a few months previously had been putting these same Ministers and their like in jail!***
> ***(Hunt & Harrison, 1980, pp. 197–198)***[73]

These vignettes bring out the remarkable contradictions that the ICS officers, and especially the District Officer, had to face in the long and gradual process of transfer of powers from the British masters to the Indian representatives. The period between the Government of India Act of 1935 and August 1947 saw increasing self-confidence of the Indian political leaders and the simultaneous adjustment that the officers in field and secretariat had to make to understand and reorient themselves. Many of the British ICS officers felt this was intolerable and left the service even before the formal transfer of powers in 1947. After 1947, there was a whole scale exodus of the British officers back to England.

These memories reflect the sense of uncertainty that laid siege to the minds of the District Officer, caught as he was between the nationalistic fervour for independence, the imperatives to keep British rule unimpeded and the perils of the war being fought elsewhere, impinging on the lives of ordinary men and women of the country. In many places in Bihar and western UP, the administration broke down as lawless mobs overrun the city and its environs. The army and the police were commanded to bring back normalcy and it took all the might of the beleaguered British Empire to bring back normalcy.

73 Sir C.H.Masterman, CSI, CIE (Madras 1914-47)

> ***By the end of 1942, even in Bihar, normalcy had returned, local officials had recovered their nerve, the police were busy dealing with crime rather than subversion. District Officers having mastered their own feelings, were trying to heal the wounds and dilute the hatred created by the process of restoring order among the local population. Attention could be turned again to tackling the grave and growing problems of a war with the Japanese which had now lapped over onto the soil of India itself (Hunt & Harrison, 1980, p. 205).***

The Second World War was a catalyst of change in the politics of India. Once the immediate shock of the announcement of war was over, India settled back to normalcy, 'to a phony war made doubly unreal by distance'(Hunt & Harrison, 1980, p. 206). The strength of the peace time Indian Army of 200,000 in 1940 was increased to about 2,250,000 by the end of 1945. District Officers were involved in the task of encouraging the flow of recruitment to the army. Many of them became civilian recruiting officers for the armed services. Belcher(Hunt & Harrison, 1980, p. 208)[74] wrote of the additional duties that this meant to the District Officer. The district was given

> ***…[the task of maintaining] the morale of the service men overseas to take special steps to look after the problems of their families at home. This led to a decision that any Commanding Officer should correspond directly with the Deputy Commissioners of the Districts from which his men came about any complaint about their home affairs which he thought merited attention… the result was a very substantial flow of correspondence of this kind…***

74 R.H. Belcher, CMG (Punjab 1939-48)

The construction of roads, aerodromes or supply bases involved the District Officer in another task, the acquisition of land and other properties. This was more apparent in areas of the Empire which saw direct action such as Burma. Three wartime tasks fell to the District Officers the raising of war bonds, the dissemination of news or propaganda and the building up of AIR (Air Raid Precautions) organisations. By 1941, a formal structure of press supervision had been established, although much latitude was granted to newspapers to write even critical articles. District Officers also took the initiative in organising relief in the harrowing later stages of the Bengal famine. There is much written about the so-called man-made famine of Bengal, fuelled by war time requirements, wrong planning, high inflation and the deliberate ignoring of the pains of the local population of Bengal. District Officers had no role to play in the making of this tragedy, but they did their utmost to bring succour and relief to those who suffered most from it. They tried to prevent the illicit movement of grain and enforced a strict form of rationing with all the resources at their command, including the establishment of fair price shops. In later years, procurement and rationing of cloth sugar and petrol were added to the list of essential items.

The distortions of war did not cease with the coming of peace in 1945, as rationing and controlled supply of essential items had to be continued. The need to address development issues and redress public grievances was gaining priority. 'The question was whether at district level the accretion of wartime and development duties would make the old pattern of administration impossible to sustain. Could the District Officer carry the old burden of revenue, court, and law and order work and direct or coordinate the new control and development staff invading his district?' (Hunt & Harrison, 1980, p. 224)

Smith writes of this challenge:

> ***The period after the war will inevitably be most difficult from the political point of view;***

> ***even moderate people who have realised the constitutional progress during the war will be extremely impatient. It will be fatal to weaken the forces of law and order. And if the long-suffering district officer is expected to have a general responsibility for, and interest in, post war reconstruction, as well as maintaining law and order, there may be a breakdown. I feel sure in the discussion of post war constitutional problems it will be as essential to consider the pattern of administration in the districts as the structure of the Governments at Centre and in the Provinces - if there are still a Centre and Provinces! For the dumb millions, beloved of oratorical legislators, still regard the district officer as the symbol of Government (Hunt & Harrison, 1980, p. 225).***[75]

Free at Last

After the war, Atlee's Labour government, elected in July 1945, ordered general elections in India for the winter of that year. Politics at once reached down to the district. The elections demonstrated the almost complete communalisation which had taken place in the recent past. In the Central Legislative Assembly, the Muslim League captured all the seats reserved for the Muslims, while the Congress secured over 90% of the non-Muslim constituencies. The Cabinet Mission Plan, which had offered a three-tiered Indian Union first the provincial governments, then a grouping of provinces (western, central, eastern) and finally the Union government in which Hindus and Muslims would have parity, fell through. Jinnah declared a 'direct action day' on 16 August 1946, which led to the unleashing of horrific violence. The tragedy unfolded in Calcutta and led to a chain reaction all across

75 W.H Suamerez Smith, OBE (Bengal 1937-47) District Magistrate, Malda

north India. Hindus resorted to retaliatory attacks in the Muslims. The discipline of the forces of law and order themselves began to weaken. The leadership displayed by the District Officer and the Superintendent of Police, suitably strengthened by the Army where required, was commendable. An interim government with Nehru at the head, reluctantly joined by representatives of the Muslim League, tried to stem the deluge.

> ***There was gradually springing up a race of administrators around whom the old commercial traditions did not cling, who had not graduated in chicanery, or grown grey in fraud and corruption, and who brought to their work not only a sound intelligence but purer moral perceptions and higher sense of what they owed to the people of the soil.***
>
> ***Sir John William Kaye, The Administration of the East India Company, 1853***

Mountbatten's announcement of a date for Independence, 15 August 1947, did not put an end to the violence. Radcliffe's arbitrary line divided the subcontinent and the District Officer on both sides of the line had to enforce the Partition and put in place preventive measures. The scale of the violence and massacre on both sides was unprecedented.

Williams writes:

> ***In the wider scale of the independence of a sub-continent, this appalling disaster practically escaped notice, or was dismissed as***

> ***an inevitable price to pay when the political rights of some 300 millions were involved. But it was by any standards a major catastrophe in history, and should not have happened (Hunt & Harrison, 1980, p. 242).*** [76]

It was Belcher who analysed the two factors that led to unprecedented mass migrations across the Punjab borders. One the already present fears created by communal rioting of the past months, now about to break again. The other was the gap at the heart of the district administration.

> ***…At the very moment when minorities were feeling most vulnerable and in need of assurance, they found that senior District Officers of their own community who might have given them that reassurance had themselves disappeared over the border. Almost all the British officers had left at Independence, as had all the non-Muslim senior Indian officers, so that a number of Districts were in the hands of relatively inexperienced men, some only recently appointed to them. And the Muslim officers from India who had opted for service in Pakistan were mostly en route, many held up for long periods by the very violence and disruption they were so desperately needed to cope with… (Hunt & Harrison, 1980, p. 243)*** [77]

The British officers were offered by their government a retirement with pension and a lump sum for loss of career. The terms were attractive and most accepted it. In turn, the Congress offered them an opportunity to stay on for a three-year contract

76 A.A Williams, OBE (Punjab 1940-48) DC Rawalpindi, Jullunder, later Secretary to Punjab Government.

77 R.H. Belcher, CMG (Sind 1937-47), Collector, Hyderabad, Sind.

period. Almost everyone refused. However, for the Indian officers who stayed on, Independence brought no great change in their service duties. Indeed, 15 August 1947 was a day for celebrations. Shukla wrote:

> ***It was a moment of pride and joy. the country, an ancient country that had been the cradle of civilization and which has gifted many things to the world and contributed to civilization, had, after centuries of political subjection and humiliation, become independent, once again free to order its life according to its own values and to contribute to world civilization…so far for the Englishmen, the ICS had been a mission, to Indians a career; now for Indians too it became a mission (Hunt & Harrison, 1980, p. 246).***[78]

The quintessential District Officer had to get back to his routine duties right after the day of celebrations. Maitra (Hunt & Harrison, 1980, p. 247)[79] wrote:

> ***The Union Jack had been lowered from the flag post in the DC's bungalow the evening before. There was a great deal of sober rejoicing, but no trace of anti-British feeling…next morning as I went to my office the same old files were there. I wrote D.O letters in the same old note papers bearing in the right hand corner the familiar lion and unicorn emblem. It was difficult to realise that over-night an Empire had vanished.***

78 J.D. Shukla, D. Phil (United Provinces 1939-73), Collector Sultanpur and Buduan.

79 S.N Maitra (Assam 1935-47) DC Cacher and Darrang. After Independence Chief Commissioner, Andaman Islands.

XII: EMPIRE AND THE DISTRICT OFFICER - A DIFFERENT POINT OF VIEW

Durant, Tharoor and Dalrymple

While the Company died a prolonged death in 1858, we may briefly examine some of the mixed reactions to the impact it had on the country's economy. It is necessary to emphasise that the adverse criticism generated about the mercantilism of the East India Company and its rapacity was at first muted, but soon grew into harsh reactions and severe indictments, especially from the more liberal of the British political spectrum. The purpose of this section of the paper is not merely to inform the reader about these developments, but also to draw attention to a dichotomy that prevailed in the context of the impact that it had on the working of the District Officer.

One of the earliest critics was Will Durant, the American historian and philosopher, who in 1930, wrote that Britain's 'conscious and deliberate bleeding of India… [was the] greatest crime in all history.'(Durant, 1930) He presents an unflinching account of the crimes committed by the British on the Indian economy and its social and cultural life. He was aghast at the devastating poverty and starvation he saw, resulting in his strong advocacy for Indian independence. He wrote about the rapacity and cruelty of British rule, quoting figures of almost 35 million deaths because of acts of commission and omission by the British in famines, epidemics, communal riots and wholesale slaughter like the reprisal killings after the Revolt of 1857 and the Amritsar massacre of 1919. He argued that the British rule had impoverished India. When the Company took control of the country, India's

share of world GDP was 23% but when the British left, it was just above 3%.

> ***And the more I read, the more I was filled with astonishment and indignation at the apparently conscious and deliberate bleeding of India by England throughout a hundred and fifty years. I began to feel that I had come upon the greatest crime in all history (Durant, 1930).***

Quoting from Lajpat Rai's *Unhappy India* brought out in 1928, he states that the national debt of India which was $35 million in 1792 had grown to $3.5 billion in 1928. Durant also quotes FJ Shore, British administrator in Bengal, in his testimony to the House of Commons in 1857:

> ***The fundamental principle of the English has been to make the whole Indian nation subservient, in every possible way to the interests and benefits of themselves. They have been taxed to the utmost limit; every successive province, as it has fallen into our possession, has been made a field for higher exaction (Dutt, 1908, p. 100).***

Again, Durant writes:

> ***Under the pretense of free trade, England has compelled the Hindus to receive the products of the steam looms of Lancashire, Yorkshire,***

> ***Glasgow etc at merely nominal duties, while the handwrought manufactures of Bengal and Behar, beautiful in fabric and durable in wear, have heavy and almost prohibitive duties imposed on their importation into England (Dutt, 1908, p. 29).***

And finally, the clinching argument:

> ***It was the stolen wealth from India which supplied England with free capital for the development of mechanical inventions, and so made possible the Industrial revolution (Adams, 1897, p. 313).***

In fact, some of the more vocal critics took up the issue even during British rule in India as we have seen in the diatribe of Shore. In a similar vein, Sir Thomas Monroe, once Governor of Madras, in his discussion with the directors of the Company, argued that while there were many more foreign rulers in India's past, 'none has stigmatised the whole people as unworthy of trust, incapable of honesty, and as fit to be employed only where we cannot do without them.' (Gleig, 1831, p. 85)

That the introspecting Englishman himself felt the injustice of it all is perhaps a credit to their objectivity. As far back as 1824, it was Thomas Munro who had had written:

> ***British India has none of these privileges (of liberty); it has not even that of being ruled by a despot of its own; for to a nation which has lost its liberty, it is still a privilege to have its countryman and not a foreigner as its ruler…It is not the***

> ***arbitrary power of a national sovereign, but subjugation to a foreign one that destroys national character and extinguishes national spirit' (Desikachar & Desika Char, 1963).***

He also said:

> ***…justice and government should be dispensed through the natives themselves, for, your rule is alien and it can never be popular. You have much to give your subjects, but you cannot look for more than passive gratitude… work through, not in spite of, native systems and native ways with a prejudice in their favour rather than against them, and when in the fullness of time your subjects can frame and maintain a worthy government for themselves, get out and take the glory of the achievement and sense of having done your duty as the chief reward for your exertions (Moon, 1999, p. 427).***

While there have been many more critics of the British, recently Shashi Tharoor (Tharoor, 2016) joined the chorus. He wrote about the disastrous impact of British rule in India, when as colonisers they drained national resources to Britain, destroyed Indian textiles, steel-making and shipping industries along with the attendant transformation of agriculture. The few unarguable benefits the English language, tea and cricket were never actually intended for the benefit of the colonised but introduced to serve the interests of the colonisers.

> ***Taking advantage of the collapse of the Mughal Empire, and the rise of a number of warring principalities contending for authority across eighteenth century India, the British had subjugated vast land through the power of their artillery and the cynicism of their amorality' (Tharoor, 2016, p. 3).***

In his latest book, William Dalrymple describes the Company's activities in India as a supreme act of corporate violence in world history and also being found guilty of bribery and insider trading. He talks about the ruthless military exploits of Robert Clive that were being supported by the British Parliament that provided ships and soldiers for territorial aggrandisement.

> ***It was not the British government that began seizing great chunks of India in the mid-eighteenth century, but a dangerously unregulated private company headquartered in one small office, five windows wide, in London, and managed in India by a violent, utterly ruthless and intermittently mentally unstable corporate predator –Clive. India's transition to colonialism took place under a for-profit corporation, which existed entirely for the purpose of enriching its investors' (Dalrymple, 2019, p. xxv).***

Dalrymple writes about the sense of embarrassment felt in this mid-nineteenth century Victorian period about this shady, brutal and mercantile way the British founded the Raj. The Victorians convinced themselves that the politics of the nation state, and not the economics of corrupt corporations, was the fundamental unit

of study and the real driver of transformation in human affairs. There was a calculated and deliberate amnesia about the corporate looting that opened British rule in India, which, with time, led to the support granted by the British Parliament to the Company. This relationship between them steadily became more symbiotic until it turned into something we might call today a public-private partnership.

The Company made much of its legal separation from the government, arguing that the *Diwani* signed by Shah Alam II in 1765 was the legal property of the Company and not the Crown. This was a notion supported by the MPs of the Parliament, a quarter of whom held Company stock, which would have plummeted in value had the Crown taken over. By 1803, when the Company captured the Mughal capital of Delhi, the Company had its own private security force of around 200,000 twice the size of the British Army and marshalled more fire power than any nation state in Asia.

> ***A mere handful of businessmen from a distant land on the rim of Europe now ruled dominions that stretched continuously across northern India from Delhi on the west to Assam in the east. In just over forty years they had made themselves masters of almost all the subcontinent, whose inhabitants numbered 50 to 60 million, succeeding an empire where even minor provincial nawabs and governors ruled over vast areas, larger in both size and population than the biggest countries of Europe (Dalrymple, 2019, p. xxxi).***

One may, in passing, also mention the evocative words of Eric Hobsbawm on Empire when he wrote that it was 'so easily won, so

narrowly based, so absurdly easily ruled, thanks to the devotion of a few and the passivity of the many'(Hobsbawm, 2010).

In this paper, we deliberately skirt the argument of extreme mercantilism of the British. It is clear from a reading of all three tomes referred to Durant, Tharoor and Dalrymple that they made no effort to refer to the office of the District Collector in any detail or depth, thereby ignoring, deliberately or otherwise, the enormous significance that it has had on the quality of governance of the Raj. There seems to a vacuum in all three works as they do not make any reference to that institution which, in fact, defined the actual face of the Empire as ordinary citizens perceived it.

Rather, in the context of this paper, and as stated earlier, we make an important distinction between the Company (initially), and later the Empire, on the one hand, and the yeoman work done by the District Officer on the other. In 1858, the rapaciousness of the Company was replaced by the imperial ambitions of the Crown. The commercial behemoth that the Company was and the role that it played was distinctly different from that of the 'deeply caring' District Officers. The District Officer, upholding the ideals of good governance and law and order, showed compassion towards the peasants and the poor, protecting them from any kind of injustice or unfair play. This kind of a contradictory thesis has been extended by some who wish to draw attention to the good work done by British administrators in the management of field level governance issues, especially as witnessed in the work of the District Officers. While on a larger canvas, there were furious discussions raging on the Colony and the Empire being opposed to freedom and self-determination, closer to the ground there were examples of civil servants, both British and Indian, working day and night to deliver justice, peace and tranquillity. They tried to ensure that the peasant was not harassed by petty feudal lords and earned a decent living from his agricultural fields. Even at the height of civil disturbances led by political parties

and even when the non-cooperation movement was at its height, there were many independent and right-minded District Officers extensively touring distant villages and holding camp courts there, delivering judgements on complex tenancy and revenue matters, and ensuring that justice was done.

We may also briefly touch upon the moral differences of perception in the administration of the subcontinent between the margin and the centre. Wilson(Wilson, 2018) has examined this aspect in his article where he argues that early modern imperial organisations such as that of the British Empire were deeply patrimonial and, hence, relied on a style of embedded moral reasoning that distanced and segmented their affairs from the metropole. By contrast, Nicholas argues, modern imperial administration emerged because networks of moral justification, that provided the scaffolding for patrimonial early-modern empire, eroded in the face of 'disinterested' metropolitan scrutiny. This scrutiny created an audience for bitter political and moral conflicts among imperial administrators, who then deployed moral claims to mobilise support.

The District Officer is a fine example to demonstrate the logic of this argument. He was the sole arbiter of the destinies of the people under his watch and separated from the far-away organs of administration in Delhi or Calcutta or Shimla. He ruled by the moral compulsions that the British Isles had evolved over the preceding centuries and the rigour of the training he had inculcated before he landed up at his district. The demands of everyday administration perhaps taught him more about the people and their singular characteristics, knowing that every day common folk looked up to him as if he were a deity to be worshipped. It may be argued that when the Crown took over, the process of distancing the instruments of administration from the reality of everyday life of the *ryots*, had started.

We may also draw attention here to the peculiar dichotomy that Indian members of the Civil Service had to face. Their bounden duty to the Crown ensured that all orders issued were followed as required of them, including the suppression of popular movements against the British. As District Officers, they too, like their British counterparts, had to face and quell disorder and threats to the security of the country. Yet, it cannot be denied that they would have had their own sympathies quite aligned with the objectives of the nationalist movement. That they did maintain political neutrality, while also administering the provinces to the best of their abilities, stands to their credit. The British government, too, displayed this ambivalence. In the run up to Independence, they needed the support and cooperation of political leaders to agree to the constitutional changes required to finally grant full nationhood to the country. Yet, in matters of unrest and internal security, they also had put down agitations and *hartals* as well as the effects of the non-cooperation movements. In maintaining this delicate balance, the role of the District Officer was of paramount importance. Both British and Indian officers performed their duties impeccably in walking the perilous tightrope.

It is in this light too, that we describe the role of the District Officer: He was an ingenious invention of the Company; and the manner in which the post attained supreme significance in the administration of this vast and diverse country, and how it continues to rely upon his genius and passion to govern the far reaches of the sub-continent, is an exemplary story in itself. It cannot be doubted that the Company had hit upon the ideal mechanism of governance. A single officer, driven by passion and commitment, he was the master of the destinies of the people of his patch of the land, and responsible to none but the highest authority of the land. It is a testimony to the sagacity and wisdom of men such as Hastings and Cornwallis, Dalhousie and Curzon, that the self-same institution had the flexibility and inherent adaptability to suit itself to the requirements of an independent and modern India,

still serving its political masters in a largely disinterested and independent manner.

Some inkling of this logic could be seen even in the words of the leaders of the movement for independence in India. Indeed, the quality of British governance may have led even many Indians to praise the British, albeit reluctantly. It is surprising to read today that the President of the 18th session of the Indian National Congress, Surendranath Banerjea (the same luminary who was the first Indian to pass the ICS exams but who was later debarred for technical reasons), had stated in his address to the Congress:

> ***We plead for the permanence of British rule in India…we plead for justice and liberty – for equal rights and enlarged privileges – for our participation in the citizenship of the Empire; and I am sure we do not plead in vain (Banerjea, n.d., p. 205).***

One may well ask, had subjugation to a foreign race become a habit? But then, it may also be interpreted as an admission to the quality of the governance that the Empire provided its India subjects, especially one handed out by the District Officer in the length and breadth of the country.

The Mahatma himself had stated in testimony of imperial justice thereof:

> ***We have no hesitation in saying that one of the greatest secrets of the success of the British Empire is its ability to deal out even-handed justice…it makes up for many a defect in legal administration***

> ***in the various British possessions. It serves as a beacon-light to tell Indians…that they need not be without hope, so long as the fierce sun of pure justice beats on the chill surface of broken promises (Gandhi, 1961, p. 250).***

It would not be out of place to refer to Alexander (Alexander, 1982) here who makes a distinction between the ICS as a whole and the individual geniuses that resided within its framework working in the districts directly and dealing with the people. Indeed, the critics had always drawn attention to its exclusiveness, lack of mental adaptability, caution and complacency. At the same time the officers of the Service were widely praised for their devotion to duty, efficiency, incorruptibility and impartiality.

In fact, it could be argued that many of the inadequacies were a direct corollary of their virtues that, for example, the gospel of efficiency combined with a calm belief in Britain's imperial mission might lead to an inability or unwillingness to delegate or that sense of corporate unity might lead to racial exclusiveness. Yet, with time, the reaffirmation of the continued necessity of the ICS and the amelioration of wage and salary conditions enabled the ICS to recover its sense of mission and, thus, to survive.

XIII: MEMORIES AND MEMOIRS (PART A)

The penchant of the ICS officer to pen his memoirs has been well recorded. There are several outstanding works that are included in the subaltern literature of the times. In this regard, we must not forget the writings of others such as interested travellers and non-covenanted officers, who from the margins of the administrative system, assisted the Empire in its formidable task. The name of Col. Meadows Taylor(Taylor, 1920), who served as administrator to a small principality known as Shorapur (now in north Karnataka) during the time of the minority of the local raja, offers an interesting perspective to the nature of the duties the British officer had to perform. GW. Steveens (Steevens, 1899), who had visited the country as an intrepid traveller, has written in much detail about the District Officer and his duties as he had observed in some unnamed district in British India. John Beames' recollections of his life and the exciting times he served with the East India Company as a covenanted officer is an excellent example for popular reading (Beames, 2003). While, expectedly, the former British members of the ICS have recorded their memoirs, the Indians in the ICS have also been forthcoming in their claim that the District Officer was handpicked for the most prized of all Britain's imperial civil services.

Through the writings of these valiant men who administered their areas, the life of the District Officer has been romanticised in fictional, factual and semi-factual memoirs. Indeed, he was not a mindless machine who had subordinated his private life utterly to the needs of the job.

Living as he did under constant public scrutiny, particularly when he was on tour or in camp,

> ***he had of necessity to be something of an anchorite…The position of a district officer inevitably called for a degree of detachment. He was a man apart by virtue of his job (Beames, 2003, p. 120).***

He could not afford to become identified with individuals or specific groups of people on the district. As Ray stated:

> ***…dining out with zemindars could sometimes be a pleasure but not always so - and this had its pitfalls since the acceptance of too much hospitality from a particular individual could lead to the rumour, possibly fostered by himself, that he could influence you in official matters (Hunt & Harrison, 1980, p. 120)***

[80]In a country with deep religious divides, the Indian District officer had to overcome any difficulties caused by the fact that he was most probably a Hindu or a Muslim himself. He had to remain impartial when there was some communal disturbance in his area.

For the British officer, the loneliness of a bachelor's life was particular difficult to face. Lamarque observed:

> ***Shivakasi was in fact a particularly remote and unsophisticated place. My house was a large, stone-built isolated affair, a mile out of the town, and much too big for a bachelor…amenities were few in Shiakasi. There was no electricity and only a tiny club. In fact, one can quickly get used to***

80 G.M. Ray, MBE (Bihar and Orissa 1937-47) District Collector, Gaya

> ***paraffin lamps and the "Petromax"… my nearest neighbours were a detachment of armed police and I would be woken by reveille on their bugles, a romantic sound in that remote spot. Otherwise, as I recorded at the time, rather smugly, I was happy to be alone with books, work and radio for company (Hunt & Harrison, 1980, p. 121).***[81]

However, most officers would confirm that 'job satisfaction' was usually, though perhaps not always, great enough to dispel or at least minimise the effects of isolation. The club represented the 'hub of local society', principally of senior officials. 'There would be the Collector, the headquarters Sub-Collector, the Sessions Judge, the District Forest Officer, the District Superintendent of Police, the Excise Assistant Commissioner and several other officials from the public works department and so on' (Allen, 1975, p. 99).

> ***In any town in India, the European Club is the spiritual citadel, the real seat of the British power, the Nirvana for which native officials and millionaires pine in vain.***
>
> ***George Orwell, Burmese Days 1935. (quoted in Plain Tales from the Raj)***

Haig writes:

> ***The job took compete precedence over other things. Within two months of landing in India I discovered what was for me an optimum method of sleeping, namely 4 to 5 hours a day. This produced immediate and very deep sleep and was***

81 W.G. Lamarque, MBE (Madras 1937-47) Sub Collector Shivkasi and Pollachi

> *to some extent geared to a regimen of a ride every morning and 'sweating exercise' every afternoon* ***(Hunt & Harrison, 1980, p. 121)***[82]

Bachelors were in a minority, and indeed many officers went out to India after marriage. This shared initiation into the joys and hardships of Indian life probably strengthened and deepened more relationships than it loosened and dissolved. Woodford who was in Rangpur in 1940, wrote of his first year as:

> *…a prolonged honeymoon. We had a minimally furnished bungalow of our own beside the tank (pond) and nothing better to do than watch and learn, and she to set up her easel and paint the passing show of India on the roads and at the waterside* ***(Hunt & Harrison, 1980, p. 122).***[83]

Hope and his wife prepared a note on setting up house, which was distributed by the India office to other young officers. It must have been quite difficult for the wives, as recorded by Mrs Brown, who used to accompany her husband on tours[84] with this delightful vignette of life in the district:

> *After chota haziri*[85] *at 6.30 am on delightfully cool crisp morning, we set off, on horseback or camel back or by car for our first camp, from 20 to 30 miles distant. Most of our servants, and our kit*

82 G.A Haig, OBE (Bengal 1935-47) Joint magistrate Bankura, SDM, Cox Bazaar, Collector Alipore and Dacca.

83 G.P. Woodford (Bengal 1940-47) SDO Diamond Harbour

84 Whose husband, J.B. Brown served in two provinces in Sind

85 A meal served in households and barracks, particularly in northern British India, shortly after dawn.

consisting of carpets, tents, beds, pots and pans, tables, dishes, etc not forgetting a large wooden box with the children's toys had gone on the night before, by baggage camels… the children went in the car which was loaded up with the remainder of our kit, namely bedding rolls, picnic basket, water bottles, thermos flasks etc…on nearing our destination we were met by the Zemindars on horseback, the headman of the village and others, welcoming us with garlands and bouquets drenched in sandalwood scent…we then arrived at the dak or government bungalow… and found everything in shipshape order. Tents had been erected for extra bedrooms, and breakfast and hot baths awaited us. We then settled down for from 3 days to a fortnight and then proceeded to our next camp…The servants slept in small tents whilst a grass structure with a built up earth fireplace served as kitchen…our drinking water often had to be carried a great distance as that near at hand was salt and brackish. Of course, it and the milk was always used before using. Our evenings in camp were quiet and uneventful... we lay in long camp chairs before a wood fire and read books… and listened to the unceasing creak, creak of bullock wagons which moved by night ***(Hunt & Harrison, 1980, p. 123).***[86]

Life in the district meant the constant presence of loyal Indian servants with their ungrudging service. This is what Cowley said to pay his tribute:

86 R.C. Hope (Madras 1938-47) Sub-Collector Chingleput, Pollachi, Coonoor.

> ***Madar Buksh was a gentle, likeable little Muslim of about 40 who attached himself to me with a quiet efficiency which developed, as we grew to know and trust each other, into a devotion to my interest that was restrained and undemonstrative, but absolutely dependable. He was to be with me all my service. One of the hardest things in losing India was to lose Madar Baksh, but at least I was able to get him a safe and sure post and correspond with him until his death in 1974. He had to employ a letter writer for this. But he was 'the friend of my friends, the enemy of my enemies, the perfect butler, valet and cook (Hunt & Harrison, 1980, p. 125).***[87]

In some places, where there was a residential British commercial community, more or less permanently settled there for their working lives, the club was the focus for social life. As Midgley recollects:

> ***All met together at the station club, together with those Indians who had adopted English social habits, for tennis, the occasional game of billiards, and of course, the reviving chota peg. There is nothing like a long whiskey and soda, thirst-quenching, restorative, easy on the liver, and including a mild intoxication as the evening proceeds for promoting social intercourse. The variety of background and experience, the smallness of the gathering, focussed as it were, under the sweep of the fan, induced a flow of reminiscences. This was the world of Somerset Maugham (Hunt & Harrison, 1980).***[88]

87 W. Cowley (Punjab 1939-47) Assistant Commissioner Firuzpur, Hissar and Jullunder.

88 E.A.Midgley, CMG, MBE (United Province 1931-37) Deputy Commissioner, Under Secretary and Private Secretary to the Governor, CP.

At times, the Indian officers had to experience discrimination when not allowed inside the club, as Husain faced this when invited by the Settlement Officer Sir George Abell at the Lahore Club. [We] 'were told by the man at the desk that Indians were not allowed in the Club and we left quickly and quietly' (Hunt & Harrison, 1980).[89] The next day Abell called them and 'profusely apologised and expressed his indignation at the existence of the rule debarring Indian from entry into the club…', but knowing Abell, we 'had no rancour or ill-feeling about this incident.' Such incidents were quite the exception and rarely happened.

Apart from clubs, the normal recreation was a matter of improvisation. Shooting or hunting after a day's work at camps was quite common, although Army officers pursued tent-pegging and pig-sticking. Tennis, swimming or hockey were also some of the other recreational activities. On a more serious note, District Officers became, through their own work and interest, amateur anthropologists. Hayley (Hunt & Harrison, 1980)[90], for example, while serving at Jorhat district of Assam, was able to make a study of the distinctive religious institutions to be found on the islands in the Brahmaputra river.

For many officers looking back and summing up the essence of their careers in the words of Lloyd-Jones (Hunt & Harrison, 1980) would ring true.

> ***The narrative of my career in India will, I hope, convey the feeling of satisfaction I obtained from district work. I felt I was doing something worthwhile and at the same time my faculties were kept at full stretch. I cannot claim to have been always happy in my work; the climate in the hot weather and rains I found trying and my health suffered for a time mainly because of***

89 M.A. Husain (Punjab 1937-70), Assistant Commissioners and Under Secretary in Punjab

90 .S.S. Hayley, PhD (Assam 1938-50) Under Secretary and Deputy Commissioner Assam.

> ***too long a period without home leave. Then as with all jobs there were monotonous stretches of routine. But generally there was enormous variety I the work which developed my interests and tested my abilities to an extent that I have never experienced since.***[91]

Hubbard (Hunt & Harrison, 1980, p. 135) summarised these thoughts in the following couplet from his poem entitled *ICS (retd)*, published in Punch in April 1950, as he described a ride of inspection one Punjab morning.

> ***I know the world was on my shoulders***
> ***And for just this reason my heart was light.***[92]

As Kirk Greene (Kirk-Greene, 2000) had observed, few, if any, ICS chronicles have reached - and none surpassed - the magisterial Mason (its intense readability enhanced when set beside the staid, standard Service histories by O'Malley and his all-too-soon successor Blunt) or equalized the verbatim, I-was-there self-analysis of the essays edited by Hunt and Harrison. Few matched the sparkling collage of Charles Allen's *Plain Tales from the Raj*. Invaluable, too, are the memoirs like Beames' *Bengal Civilian* and Kisch's *A Young Man's Country* from the nineteenth century or Griffiths' *Servant of India: Impressions of all Indian Civil Servant* and Humphrey Trevelyan's *The India We Lost* for the twentieth. Nor have lesser but no less vivid and valuable reflections like, to mention but the latest (1990s) in a long line of personal accounts, R. V. Vernede's *Collector's Bag*[and] J. Stewart's *Envoy of the Raj*.

The many memoirs make not only good reading, but also are an instructive record of the work and responsibilities of the Civil

91 C.M. Lloyd-Jones (United Provinces 1938-47) City Magistrate Lucknow, Collector Ballia and Muzzafarnagar.

92 P.M. Hubbard, CIE, (Bihar and Orissa 1928-47), Collector Bahawalpur and Mianwali.

Service in India. The more well-known but earlier ones include, *Thirty-eight years in India* by William Taylor (1881), *Memoirs of My Indian Career* by Sir George Campbell (1893), *Men and Events of My Time in India* (1882) and *Story of My Life* by Sir Richard Temple (1896). Some of the others that merit a mention are Sir Henry Cotton's [93]*Indian and Home Memories* (1911), *Among Indian Rajahs and Ryots* (1912) by Sir Andrew Fraser, who became Lieutenant-Governor of Bengal, *Life in the Indian Civil Service* by Sir Evan Maconochie (1926), Sir Claude Hill's *India-Stepmother* (1929), etc. Two which evinced great interest are *India As I know It*' (1925) by Sir Michael O'Dwyer and *The India We Served* (1928) by Sir Walter Lawrence. One salient feature of the literary works of these officers of the Civil Service is that they are generally serious in tone and tenor, although some have written works of fiction as well.

An outsider's view is also often available from the writings of travellers and others who may have wandered across the length and breadth of the country, observing and recording their impressions. An excellent example is Steevens, earlier referred to, who travelled through most of British India and recorded these impressions of the District Officer somewhere in the vastness of the Empire. He gives us a more nuanced view of the responsibilities that the District Officer had to undertake.

> ***If you want to see the Government of India at its daily work, dealing with the people, raising its taxes and spending them, toiling as it is always unselfishly toiling for the benefit of the natives, and them alone, you must seek out the district officer…the backbone of administrative India…At the desk sat the Presence – British rule incarnate in a young man in long boots and a green water-proof khaki shooting jacket, clean shaven, with an eye and a mouth and a chin. Thus***

93 Sir Henry J.S. Cotton KCSI, an ICS officer who came to India in 1867: he worked in Midnapore and Calcutta and was also Collector in Chittagong. He was Secretary to the Board of Revenue and Revenue Secretary to Gvernment, before becoming Member of the Bengal Legislative Council

> ***he rules, by himself, his kingdom of 5000 square miles and 800,000 souls…a most commendable regulation directs him to spend so many weeks a year in a camp, journeying from point to point in his five thousand square miles…dismounting by the wayside before a semicircle of dark faces muffled in shawls against the bitter air of surprise – he inspects the village registers, there checks the cattle census returns, there refutes the complaints of destitutions by pointing to stacks of last year's fodder which proves by one example the wisdom of going into camp - and at the next turning goes over the new village meeting house… through all this primitive hospitality, primitive corruption, primitive joy and sorrow, moves the Father and Mother of District, granting, refusing, punishing, fostering. Respected, feared, trusted to his 800,000 he is Omnipotence. I should have mentioned that he is thirty-six years old, and has been at this kind of work for six years (Steevens, 1899).***

Yet another picture of the District Officer can be seen in the speech of Sir Auckland who gave a wry description of his everyday duties.

> ***A District Officer is like nothing in the world but Clapham Junction[94]: department after department is perpetually hurrying up to him at full speed, stopping for a moment while it discharges itself of its little load of orders and scurrying off into space, to make room for a fresh arrival similarly freighted and to be similarly with all promptness***

94 One of the busiest railway stations and transport hubs in the London Borough of Wandsworth.

> ***discharged. A District Officer's main business is to see each departmental express outside the circle of his signals, and to be sure that as long as they are within the radius of his charge, none of cross and recross or miscarry or come into collision. Small time for him to study the contents of the several packages to his address, or to more than cast his eye over the invoice of contents.***

Another, and perhaps romanticised, view of the District Officer can be seen in Kirk Greene's account.

> ***There are three classic vignettes of the DO in India. One is of him presiding over the magistrate's court, overwhelmed by heat and contradictory witnesses, yet determined that British justice shall prevail over all knavish tricks. Another is of him 'galloping over sunlit fields in the invigorating air of the cold weather in northern India, with a highly supportive retinue, and among a friendly if not subservient peasantry.' The third is of the DO, unarmed and sporting a solar topee, fearlessly standing between a mob of shouting, sweating, swearing rioters in front and a thin line of nervous policemen armed only with lathis and the odd rifle well behind him, striving by his personality to keep the communal groups from tearing one another apart and loudly (if unheard) calling on the crowd, in the name of the King-Emperor, to disperse before the police are ordered into action' (Kirk-Greene, 2000).***

XIV: MEMORIES AND MEMOIRS (PART B)

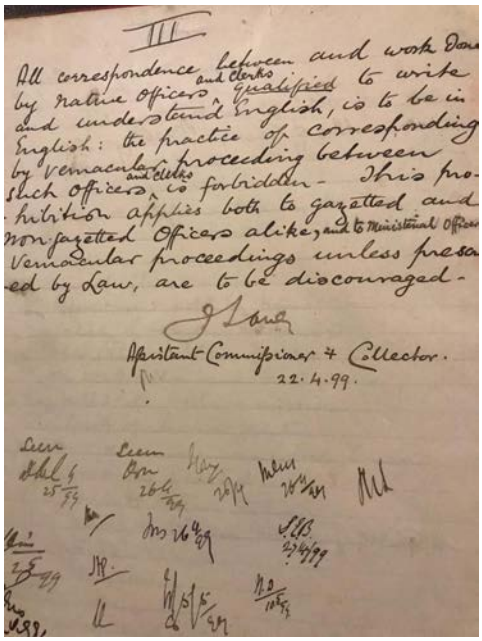

III
All correspondence between and work Dan
by native officers and clerks qualified to write
and understand English, is to be in
English: the practice of corresponding
by Vernacular proceeding between
such officers and clerks is forbidden - This pro-
hibition applies both to gazetted and
non-gazetted Officers alike, and to Ministerial Officers
Vernacular proceedings unless presc
ed by Law, are to be discouraged -
Assistant Commissioner & Collector.
22.4.99.

Image 7: Copy of note sheet of 1899 from the Collector's office, Ajmer, on compulsory use of English in office work.

In this section of the paper, we glance through some of these writings with particular reference to a collection of memories of ICS officers who served between 1930 and 1947. These reflections are part of an interesting initiative of the India Office Library and Records, which collected the accounts of these officers. The authors of the book, *The District Officer in India (1930-1947)*, Roland Hunt and John Harrison, have aggregated the memoirs of the ICS officers who had served in India and have brought out an

excellent tome of memories (Hunt & Harrison, 1980). We take a passing look at some of these recollections as they throw light on the lives and times of the District Officer.

The importance that the District Officer attached to the process of maintaining land records can be observed from the recollections of Shukla.

> ***We would go out to the villages in the morning, riding from our camp and would do what was called a "partal", that is going from field to field and verifying the correctness of the entries of the patwari's papers. Very great importance was attached to this work, and the reading and verification of entries was done publicly before all the village folk assembled. These papers define the right of the government to land revenue, and at the same time they define the rights of the various people to land (Hunt & Harrison, 1980, p. 35).***[95]

The relationship between the land and the government cannot be overemphasised. The system of land revenue and the maintenance of the various records required for this purpose provided an organic link to the very principle of governance. Shukla goes on to throw light on this subject.

> ***The welfare of the man behind the plough was our paramount duty. We must not forget the interests of the non-vocal sections of the people, it is the poor and illiterate who need our attention. I am of the view that the British rulers ignored the middle classes which they themselves had raised and***

95 JD Shukla (United Provinces 1939-73): served in Aligarh and Saharanpur and then as Collector Sultanpur.

> ***called them a "microscopic minority." The view of most of the officers was that the middle class could look after themselves, and municipalities had been handed down to them, but villages needed looking after, they needed a paternal government. Otherwise the strong would oppress the weak (Hunt & Harrison, 1980, p. 35).***

This was the key thought behind the *mai-baap* theory of administration, practised by most of the District Officers of those days. Swann ponders on this subject.

> ***First experiences of revenue and magisterial work obviously extremely amateurish left me with mixed feelings; fascination with the job or the case immediately at hand, coupled with growing realisation – not diminished by later experience in the districts – of how little could be achieved even with the maximum effort and goodwill. Of course, some matters could be put to rights and what one hoped was justice could be done in individual cases, but this was merely scratching the surface (Hunt & Harrison, 1980, p. 37).***[96]

Georgeson had this to say on the process involved in the settlement of the land for collection of the annual land revenues that the British relied upon:

> ***In the Presidency of Madras ... every field and every sub-division of a field in separate occupation was registered and mapped separately for the entire village, which was more like a parish in***

96 RS Swann, MBE (Bihar and Orissa 1927-47): SDO Khurda and Behrampur, DC Sambalpur.

> ***British terms. Because it was the practice, when land was being divided among the heirs of the holder, to divide every plot, these sub-divisions could be very small. The smallest I came across was an hundredth of an acre. The karnam had to inspect every plot as necessary and record particulars of the cultivation. He was supplied with a key map of the village printed on cloth showing every field, but to identify each field from that would be an impossibly long task (Hunt & Harrison, 1980, p. 28)***[97]

The great mass of people would still remain on the borderline of starvation and oppression, at the mercy of the money lender and other leeches. Looking back, it now seems remarkable that this realisation did not produce disillusioned activity. Quite the contrary, one slaved away regardless, perhaps with the sub-conscious wish to escape from a sense of futility.

Bell talks of the typical day of a field officer, giving insights into the daily routine of an intrepid officer working tirelessly.

Image 8: District Collector and Magistrate Henry J.S. Cotton ICS, dispensing justice in Bengal. The mandatory winter touring of one's district was described as 'life under the tent'.

97 WW Georgeson (Madras 1930-50), Sub-Collector and District and Sessions Judge

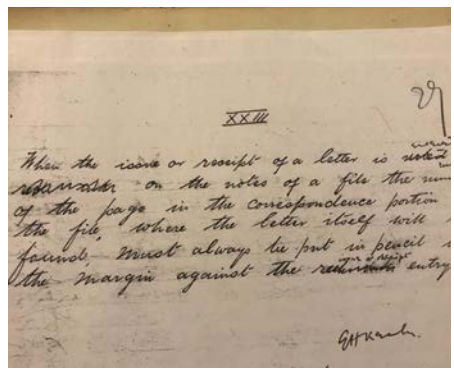
> ***I spent most of the time cycling from village to village where work was in progress, and spending the night at the local dak bungalows, which were situated at convenient distances from the various circle offices. After an early breakfast, I would leave about 8.30 and normally return by about 5 pm having taken sandwiches with me. My bearer acted as cook, and his nephew, who had been taken on to my staff, was "paniwallah" (waterboy). A large box of groceries would go with us, as well as a filter for drinking water, for one never trusted the local water supply. Milk and eggs were also available locally, as were chickens, which were almost the only available meat. Bread would be brought out from headquarters by the messenger who would come out every day with office papers. Vegetables were obtained locally, but at some stage extra supplies were obtained from the hills – from Darjeeling or Kalimpong. The evening meal would consist of chicken cooked in some form, sometimes varied by fish, followed by milk pudding. As the weather got hotter at the end of March, the staff adapting themselves to the ways of their own country, started work earlier, soon after dawn, and my trips were from about 6.30 to 2.00 pm, or a little later. Field work was thus stopped before the worst of the day's heat, but might sometimes, if progress was slow, be continued for a little time in the evening (Hunt & Harrison, 1980, p. 44).***[98]

While Bell used the cycle, there were those who used an elephant, while most rode on horseback. Wallace (Hunt & Harrison, 1980, p. 45)[99] often had to go on foot.

98 F.O. Bell OBE Bengal (1930-47) SDO Siliguri, Settlement Officer, Collector Bhakarganj, Midnapore, Dacca and 24 Parganas

99 W.I J Wallace, CMG, OBE, Burma (1928 – 47), DC in six districts

You saw and heard much enroute and you slept in the villages, meeting headmen and villagers on their own ground. You might set out at dawn or soon after…stop a dozen times on the way to look at crops, or a village canal, or village fences (useful, if well kept up, in making things more difficult for the cattle thieves), a village school, inspect the village headman's books (birth and death registers, etc – sometimes this could throw up the need for a visit by the vaccinator; sometimes it simply showed that the headman was not doing his job). After perhaps ten or fifteen miles, and five or six hours later, you would arrive at your stop for the night, or a few nights. With luck your kit and staff, spare pony, syce etc would have arrived, having travelled by bullock cart, perhaps by a more direct route, certainly without the detours and stops that had taken up your time.


XXIII

When the issue or receipt of a letter is noted on the notes of a file the number of the page in the correspondence portion of the file where the letter itself will be found, must always be put in pencil in the margin against the relevant entry

Image 9: Copy of note sheet of Ajmer Collectorate, circa 1890 on office procedure.

From 2 August 1858, to our most recent celebration of Independence Day, 15 August 2019, we have traversed one hundred and sixty years. From a poor and underdeveloped country, we have grown into a proud nation, standing tall, as equal partners with the rest of the countries of the world. The nature of the freedom we have gained is still contested. There is still discrimination among the religions and the castes, among the sexes. There is poverty and ignorance. However, we get to determine our own future in the manner we choose we are our own masters.

XV: THE CREATION OF THE ALL INDIA SERVICES

While the intent of this paper is to trace the historical evolution of the District Officer as representative of Company and Crown -and this task should rightfully end with the dawn of Independence in 1947 - we take a few moments more to initiate discussions on the successor to the Indian Civil Service, the Indian Administrative Service.

Image 10: Central Secretariat, Government of India

The District Collector and Magistrate was the obvious and visible representative of the British Raj in India, and had been, through the years of the struggle for freedom, a target of aggressive nationalistic politics. He was in turn reviled and attacked, and it was he who had borne the brunt of civil disobedience movement as well as violent expression of the people's anger in times of crisis and disturbance. Even national leaders such as Mahatma Gandhi had spoken out against the institution.

> ***It may be safely said that there are as many rulers as there are districts in the country. These, called Collectors, combine in their own persons the executive as well as judicial functions. Though their acts are supposed to be governed by laws in themselves, highly defective, these rulers are often capricious and regulated by nothing, but their own whims and fancies. They represent not the interest of the people, but those of their foreign masters or principals. These (nearly three hundred men), form an almost secret corporation, the most powerful in the world. They are required to find a fixed minimum of revenue, they are therefore often found to be the most unscrupulous in their dealings with the people (Iyer, 1998, p. 334).***

Jawaharlal Nehru too had remarked caustically stated: "The ICS, with which we are unfortunately still afflicted in this country, is neither Indian, nor civil, nor a service."

Yet, historians have argued that the District Collector was only targeted as the representative of a far more hated British imperialism in Delhi; in day-to-day matters, it was to him that the people would rush to intervene on quotidian matters and local disputes. Potter cites the reasons why the political leadership of the country took a closer second look at the options available for the long-term governance of the country. The continuance of the structure of the IAS post-Independence has to be seen in the light of three ideas that are crucial in the understanding of the issue:

- a: The formal provision for a parliamentary system of democratic government and the rise of democratic politics, with politicians increasingly involved in the administration at all levels;

- The Constitution of India and the steps taken in the five-year plans to pursue economic and social development of the country;
- The federal structure, not new, but in conjunction with the democratic principles that set in motion forces that were inimical to the all-Indian administrative services

The continued support to the Civil Services, both at the political level and through the agency of power exercised by the members of the ICS/IAS, was responsible for the perpetuation of a concept and a system that was essentially colonial in nature but which adapted to the new requirements of a free nation. It may be argued that the role played by the men in the ICS, especially the District Officers, in the days leading up to the Independence, may have created a positive sense that such men could help build an independent Indian.

Potter has remarked that in the early days,

> ***'emergent India was compelled, for various reasons, to accept the entire colonial administrative machinery and even the high-ranking personnel who had so loyally served the British; this colonial administration, on the one hand, and democratic governments "elected by the people claiming to represent the will of the people and working in the interests of the people", on the other, "became the principal contradiction in the Indian situation"' (Potter, 1986).***

Yet, when the serious business of administering a fledgling country was discussed in various fora after the dawn of Independence, the Civil Service, in the form and shape that it was

when the British left, received unqualified support from unlikely quarters. What was of paramount importance to the founding fathers was to keep the country united, when faced with the petty aspirations and machinations of the vast number of principalities and kingdoms, as well as the prospect of facing a new enemy on both the eastern and western borders. It was Patel who thundered:

> ***There is no alternative to this administrative service…You will not have a united India, if you do not have a good All India Service which has the independence to speak out its mind.'***

Yet again, during the Constituent Assembly debates, he spoke at length.

> ***If you want an efficient all-India service, I advise you to allow the services to open their mouth freely. If you are a Premier it would be your duty to allow your Secretary, or Chief Secretary, or other services working under you, to express their opinion without fear or favour. But I see a tendency today that in several provinces the services are set upon and told. "No, you are servicemen, you must carry out our orders." The Union will go - you will not have a united India, if you have not a good all-India service which has the independence to speak out its mind, which has a sense of security that you will stand by your word and, that after all there is the Parliament, of which we can be proud, where their rights and privileges are secure. If you do not adopt this course, then do not follow the present Constitution. Substitute something***

> ***else. Put in a Congress Constitution or some other Constitution or put in R.S.S. Constitution - whatever you like - but not this Constitution. This Constitution is meant to be worked by a ring of Service which will keep the country intact. There are many impediments in this Constitution which will hamper us, but in spite of that, we have in our collective wisdom come to a decision that we shall have this model wherein the ring of Service will be such that will keep the country under control.***

During discussions on the role that the IAS officers play in a modern and growing India, there are always sharp differences. But in the light of Sardar Patel's words quoted above, Potter identifies three critical reasons for continuance of the Civil Service as the Indian Administrative Service. (Potter, 1986)

- - The structure of rule and the location of the ICS within it, inherited as such by the IAS. This included the fact that both ICS Collectors and secretaries were involved in the formulation of policy at the central and the province levels;
- The characteristic behaviour patterns in these locations as they had considerable latitude and authority in not only policy frameworks but also in implementation, supervision and feedback. They had a significant position in the society they lived in, very visible to the public eye
- The norms and value systems evolved over time, including a collective identity based on virtue in public service, courage, confidence and self-discipline

One may summarise the reasons for the status quo as follows:

a. The specific guarantee in the Constitution setting out the whole administrative structure in the Centre and the states, with the established position of the IAS as a 'given';

b. The broad political support by the Congress party for the continuance of the IAS, with a political will to restructure it; and

c. The IAS itself actively worked to preserve the existing administrative arrangements to ensure their powerfully entrenched positions.

The integration of officers, who had worked with various states under their princely rulers, with the national unified system was a complex one as described by V.P Menon, a close aide of Sardar Vallabhbhai Patel and a senior civil servant himself.

This section of the paper does not intend to discuss the crucial issue of how princely states were amalgamated into independent India. Indeed, the steel frame of the ICS had been weakened, first by the Partition when senior Muslim officers opted for service in Pakistan, and then by the departure of all the British officers who had served the imperial government until August 1947. And, as we have mentioned earlier, the lack of competent District Officers occasioned by this vacuum may have contributed to the uncontrolled violence and destruction the days immediately preceding the Partition witnessed.

We may also briefly mention how the extant administrative systems of these kingdoms were integrated into the bureaucratic structure of the country. The fact that many of these princely states had capable officers who had been competently administering the states could not be ignored and it was clear to Sardar Patel and V.P. Menon, the two stalwarts who achieved the integration, that it would be in the interest of the fledgling country to fully utilise their services. Menon himself has described these complexities.

> ***Some of them were men of considerable ability and experience, but under the autocratic regime they lacked, through no fault of their own, those traditions of objectivity, impartiality and fairness which were associated with the public services in the provinces. By means of rules and regulations, by the organisation of service cadres; by the constitution of Public Service Commissions; by precept as well as example, every effort was made to re-orient the outlook of these state servants and thus to lay the foundations of organised public services in the new Union (Menon, 1956, p. 423).***

The manner in which these officers were integrated into the national scheme of things has also been described by Menon. The pay and salary of such officers were protected along with some reasonable service conditions. Many of the senior and qualified officers of the princely states were found suitable for absorption into the formal state services under the state dispensation or, in exceptional cases, for the IAS under the Union, through the process of special selection.

> ***The states thought that the obvious solution of their own problems ...was to utilize the services of the Special Recruitment Board and to extend the IAS and IPS scheme to them... we discussed the whole matter at a meeting of the Rajpramukhs and the Premiers in Delhi in April 1949. As a result of these and subsequent discussions and after considerable persuasion, all the Union of states... accepted the scheme (Menon, 1956, p. 423).***

Indian Civil Service officers who remained in the country were persuaded to swear allegiance to the new government. Four months before the country became formally free, on 21 April 1947 (later commemorated as Civil Services Day), Sardar Patel spoke to the officers who would soon administer the new nation with these elegant words:

> ***Your predecessors were brought up in the traditions in which they … kept themselves aloof from the common run of the people. It will be your bounden duty to treat the common men in India as your own.***

It is necessary to mention here that the continuation of the office of the District Officer within the framework of an All India Service is significant. The District Officer had to represent the national government, even while working for the state to which s/he was a cadre of. This itself was a highly effective device to bring coherence and unity to a group of officers coming from a wide variety of geographical, ethnic and social and economic backgrounds. They represented the diversity of the country while working within a highly structured bureaucratic arrangement that was and still is national in character. All this, while bringing that national outlook to bear on their work within the boundaries of the state to which they are allotted. That is the reason why a discussion on the continuing legacy of the District Officer (as the British had once employed him) and the current 'all-purpose' officer that the developing nation requires, cannot be complete without placing that particular assignment within the context of the All India Services. This was the administrative machinery that the nation adopted by including the service within the frame work of the Constitution. Amongst the many concepts and ideas that help bring the country together structurally, the role of the District Officer occupies a significant position.

M.N. Buch (Buch, 2019) in his collection of essays titled *An India Reimagined* succinctly describes the constitutional provisions that have enabled the setting up of the All India Services. Article I of the Constitution makes India a Union of States and the Seventh Schedule framed under Article 246 containing List I: the Union List, List II: The State List and List III: the Concurrent List prescribes the legislative bounds of the Parliament and the state legislatures in what is basically a federal structure. Part XI, which refers to the relations between Union and the states, legislative or administrative, defines the extent to which the legislative and administrative jurisdictions of the Union and the states extend and to what extent the Union writ prevails over the states. The federation, while giving constitutional autonomy to the states within their respective executive and legislative competence, is centripetal in that under Article 248 residuary powers of legislation vest with the Parliament. The Indian Constitution is unique in that it has embodied the creation of the All India Services (AIS) in Article 312. The same article states that the IAS and the Indian Police Service (which predate the Constitution) would be deemed to be created under Article 312. The AIS are covered by the AIS Act 1951, and rules have been framed under the Act, including cadre rules, conduct rules and discipline and appeal rules.

Under the cadre rules, posts in the central government and the state governments in the two initially constituted AIS the IAS and the IPS and the subsequently created Indian Forest Service (IFS), are prescribed. Against these posts, only an IAS, IPS or IFS officer can be appointed. There is provision for lateral entry by promotion from state services or by induction through limited special recruitment. The fact, however, remains that senior posts in general administration, which includes revenue and development administration, police and forests (including wildlife), can only be held by an officer of the IAS, IPS or IFS, respectively.

The uniqueness of this constitutional provision is that whereas India is a Union of States, it is a union or a federation in which senior Civil Service posts are held by officers who are under the direct rule-making control of the Union government. The officers are assigned to a state cadre and normally serve under the state government, but they are liable to be transferred either for service under the Union government or, under certain circumstances, on deputation to other state governments, public sector undertakings, and as the rules stand today, to international bodies or to private undertakings. An AIS officer is appointed by the President and can be removed from service or awarded a major penalty only by the President. An AIS officer is recruited by the Union Public Service Commission (UPSC). Even within the state, his promotion through a departmental promotion committee is done through such a committee that has representatives from the UPSC and the Government of India.

Today, the IAS and the District Officer hold the same position in terms of significance and effectiveness that the ICS and the District Officer of the glory days did.

XVI: CONCLUSION

The historical role the District Officer once used to play in the collection of revenues is perhaps not so very significant today. However, in the broader context of his multifarious roles and the coordination he enforces between the various arms of the government and the gravitas he demonstrates in the maintenance of law and order, he is essential to the structure of governance. The District Officer is still responsible for land revenue and land reforms, collection of government dues, maintenance of records, grant of loans, control of minor minerals and such other allied functions. He keeps a watch over collection of revenues while, at the same time, he continues to be the head of the regulatory administration. This is in addition to his role of the District Magistrate that he inherited from the British.

As offices of major ministries and departments expanded, their local district offices were also set up. Where initially there were but the District Officer and the district judge along with the district superintendent of police, with time, many other departments such as education, health, agriculture, buildings and roads, irrigation, cooperation, industries, etc., came to be established with local offices at the district level. Today, the District Officer, in his capacity as District Magistrate, exercises supervisory control over the police and law and order. He is responsible for licensing of arms, explosives, petroleum products, cinema halls, etc. He clears passports and supervises citizenship laws. He also monitors the work of public prosecutor and probationary officers. The Collector-Magistrate remains the 'principal officer' under almost a hundred Acts of the Centre and state under many legal nomenclatures such as district election officer, returning officer, licensing authority and controller of civil defence. It is, thus, clear that the arithmetic total of the two posts that of revenue and magistracy led to the formation of a different multi-faceted post with multifarious duties and obligations.

As the realm of his duties expanded, he became the all-purpose go-to person for all and any of the government activities. As District Officer, he became increasingly responsible for miscellaneous government duties, co-ordination among different departments, enforcement of Acts like the Essential Commodities Act, etc. In brief, he is the principal agent of the government in the district. That apart, implementation of various developmental programmes of the state government and the central government requires his close supervision and coordination among a host of departments. In this regard, he may well have another avatar as the District Development Officer, although in a few districts there is a separate entity to supervise the developmental activities of the district.

In succeeding papers in this series, we shall look at some of the incarnations of the District Officer in the present-day context. As the country developed and entered into the tasks related to progress and social justice, the role of the District Officer also transformed and it continues to metamorphose to suit the requirements of the times.

It may well be said that he is the 'eyes and ears of the government', a man for all seasons, indispensable and essential, the central pole and the 'kingpin' of district administration. Posts like the superintendent of police, superintendent of jails, etc., were once contained in the post of the District Magistrate and were only gradually severed from this original post into more independent entities. Over the interim decades, covenanted servants of the Company, who came to be known as Civil Servants (to distinguish them from the Company's military servants) and, later on, the members of the Indian Civil Service, continued to occupy the posts of Collector, District Magistrate and also judge. In fact, years after the separation of the police functions from the office of the District Magistrate, the S.P. continued to be from the ICS. The origin and development of the Civil Services, especially the ICS

and its forerunners, are of significance to the evolution of district administration in India. The institution of District Magistrate and Collector has stood the test of time for over two centuries.

No doubt, the pre-eminent position that the District Officer had enjoyed in the early days, in the raw exercise of power, is gone. His all-embracing role as protector and guardian of the people under his jurisdiction has been considerably diluted. The role of the elected public representative has been enlarged, fuelled by public expectations and the rising voice of the hitherto suppressed voices of the more disadvantaged. The devolution of power directly to the people at the bottom of the pyramid, as enabled by the 73rd and 74th Constitutional Amendments, has also affected his role. The proliferation of departments with field formations in the districts, directly answerable to the departmental chiefs at state headquarters, has also seen a weakening of the pre-eminent position that the District Officer had once held. Newspaper items often refer to the erosion of the powers of the District Officer in the face of political adversity and the pressures of day-to-day administration. The impartiality that the role demands and the extent to which the District Officer actually exercises it while performing his duties, also stoke debates on questions of ethics. Loyalty to the proximate politician has often replaced loyalty to the Constitution. Yet, as coordinator of all activities in the district and as the go-to man in times of crises and emergencies, the role of the District Officer continues to hold the high significance it has always held in such situations.

A recent study, titled *Politics and Society between Elections*(*Politics and Society between Elections 2019*, 2019), focuses on the activities of the government and society between elections. One of the premises of the study is that trust is the underpinning of all human contact and institutional interactions. Trust is defined as the judgement of the citizenry that the system and the political incumbents are responsive and will do what is right even in the

absence of constant scrutiny. This is the central indicator of the public's underlying feeling about its polity. Political trust serves as middle-range indicator of support between the specific political actors in charge of any institution and the overarching principles of democracy in which specific institutions are embedded in a given polity. A four-point scale, ranging from 'no trust' to a 'great deal of trust', was employed for the purpose. The study reveals that the highest level of trust that the people profess after the institutions of the Army, the Supreme Court and the High Court is that of the District Collector. 'The District Collector continues to experience high levels of trust' among the people, states the study. One of the findings of the study is that many states tend to favour institutions that are not proximate, that is farther from everyday actions. The notable exception is that of the District Collector, who has less institutional distance, but enjoys high credibility. Further, among all caste groups (designated as *adivasis*, upper castes, dalits and OBCs), the District Collector is trusted more than the Chief Minister and the Prime Minister.

It cannot be denied that if we wish to identify a single authority most proximate to the people, who represents the government, and is in a position to right wrongs and ensure good governance, then we have to still identify the District Officer for this eminent role. These and other issues will be explored in fuller detail in the remaining papers of this series.

The District Officer : Watchdog in the Administrative Wheel

Before we conclude this paper, a brief overview of the broad changes that took place in the character and personality of the District Officer, as it evolved from being a creature of the Company, and then of the Empire, and finally to a servant of the people of a free country, is attempted.

In the preceding narrative on the evolution of the office of the District Officer, we have seen two broad phases. First, that of his role as a revenue officer while striving to maximise profits for the Company. He did also demonstrate deep understanding of the complex requirements of governance and administration that were part and parcel of his role. The District Officer realised that with the vast powers also came the responsibility of changing the lives of the impoverished for the better, preventing the depredations of local chieftains and ensuring the poor peasant enjoyed a secure tenancy over the land that he tilled. We have seen how in the early part of the eighteenth century the supervisors were appointed by the Company to collect revenues, but how the directions issued by Verelest tempered the mercantile ambitions of the Company with genuine compassion. We have also seen how it restrained the officers from exercising powers despotically and use their authority to help, aid and redress grievances. These officers kept a close watch over local *zamindars* and actively prevented their excesses in favour of the poor.

In the second phase, when the British Crown took over in 1858, even though imperial interests of the Crown were paramount, there was a deliberate attempt to create laws and regulations to codify statutes and directions with the intention to ensure that good governance and order were firmly established. Many of these statutes still exist and although modified to suit the requirements of modern India, the basic principles remain the same. It is in this same light, that after 1858, the powers of the Magistrate and revenue officer were finally combined (after many years of experimentation) so as to finally give the District Officer the full authority and discretion to ensure that law and order was maintained, tenancies and rents settled and injustices prevented. It was during this period that the directions and regulations issued from time to time were codified, compiled and served as an omnibus for the guidance of members of the Civil Service working as District Officers across the length and breadth of the country.

It was also in this phase that the rules to govern the members of the Service, their conditions of service and establishment were incorporated into the regulations that governed the Indian Civil Service, most of which were later incorporated into the Service conditions of the Indian Administrative Service.

One of the critical observations made by writers who have written about the Indian Administrative Service (and there have been many of them) is that it was originally a bureaucratic structure designed to promote the imperial aspirations of a colonising country. Therefore, it was entirely unsuitable to govern a country that was free and independent and was led by a popularly elected government based on principles of democracy, equality and justice.

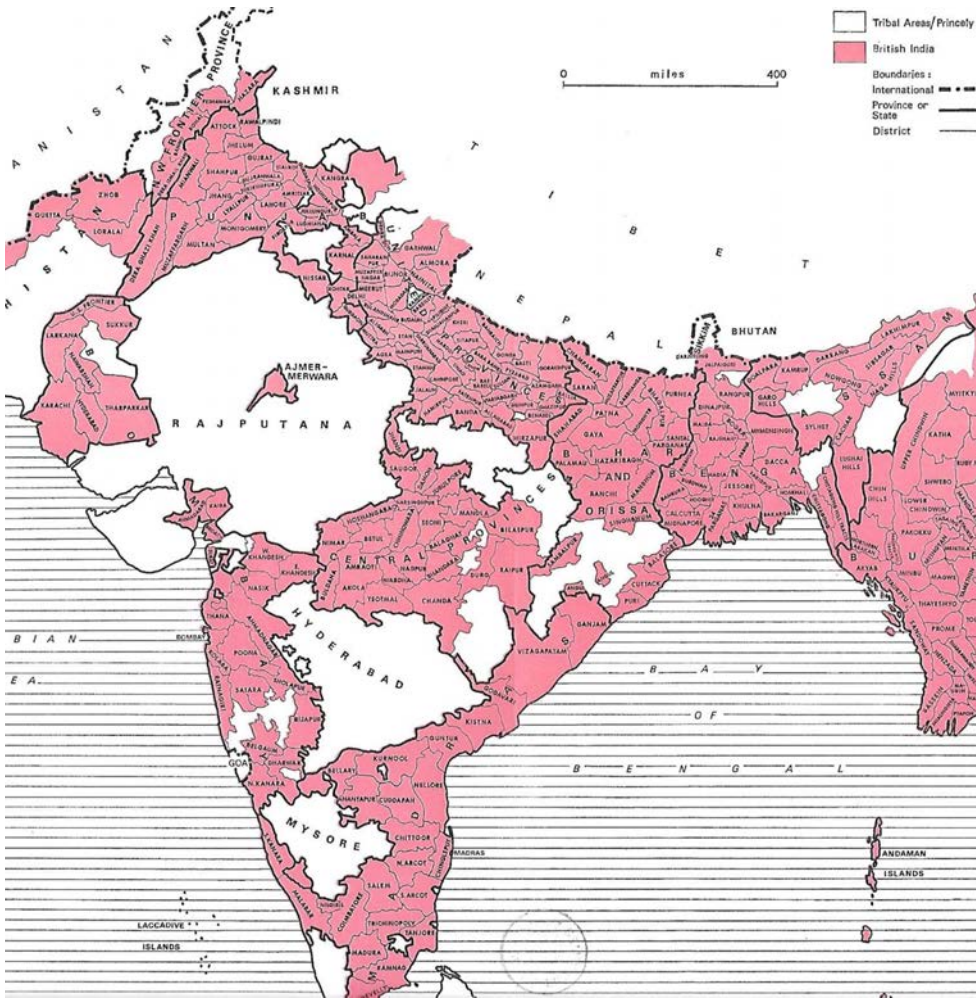
It cannot be denied that the Service today has undergone changes to make it more suitable to face the enormous challenges of taking a nation of 1.3 billion people to greater prosperity and economic empowerment. In national crises such as the floods in Kerala or the ongoing nCovid-19 pandemic, the role played by the District Officer is complex and challenging; yet he remains the centre of activities on the ground, coordinating with health workers and the police, and all the arms of the government, to bring in a measured determination to resolve the catastrophe. The District Officer has stood the test of time with a certain flair and competence that they demonstrate in their work. Yet, in the normal day-to-day activities of the government, it cannot be denied that there is an impatience among the people who wish to re-order administrative structures so that they encourage, and not deter, their aspirations. The manner in which this is to be achieved remains a matter of debate and discussion.

In the succeeding papers in this series, we shall look at some of these aspects of governance, not merely in the light of the District Officer's primary role of revenue collection and magistracy, but in the context of the demands of development of a country aspiring to achieve greater heights that have been placed on the Service. The

permanent bureaucracy stands for continuity in a paradigm where change is the only real constant. As political parties come and go, each with their own set of ideological imperatives, the Service can play a significant role to ensure that the eternal principles of good governance are nourished and not impoverished, are strengthened and not weakened. The Service functions as a watchdog to protect and preserve the fundamental principles. They arm themselves with the strength to deter forces that tend to weaken and deteriorate the very nature of exemplary governance.

The superior position that the IAS held until very recently is being encroached upon by subject matter specialists and experts laterally recruited from the open market. This entry of non-Service officers at the level of Joint Secretary in the Central Secretariat is being seen by the Service as an unwelcome intrusion. It appears that the Service is about to face another transformation and re-definition of purpose and objectives.

What the future holds is hidden in the womb of time.



The districts of British India circa 1930. British area in pink; principalities in white.[100]

100 From (Hunt & Harrison, 1980)

COMMENTS ON THE HISTORICAL EVOLUTION OF THE DISTRICT OFFICER (FROM EARLY DAYS TO 1947)

Mr. S. Ahmed, Former Chief Secretary, Rajasthan (IAS Officer, Batch of 1976, Rajasthan)

I have read with great interest and much enjoyment my cadre-mate and colleague of long standing C.K.Mathew's first of the five-volume series on that enduring institution in India's administrative organisation, namely the office of the Collector and District Magistrate. It is thus (or as Deputy Commissioner in some states) that the occupant of that position is usually described on the board in every Collector's office that carries the name and period of posting of each such officer in any district in India. Some lists of names in the old presidency districts could go back as many as 200 years and require several similar looking boards to be affixed on the wall. So hoary is the institution by now!

C.K. has indeed captured this hoariness very well.

A point to take note of here is that the primacy of this office and the acceptance of that fact by the public and other government departments in the district also stemmed from the fact that the Service from which he came - and comes - first the ICS and later the IAS - in various ways, formal and informal - was deliberately given a status, stature and standing that was declared, deemed and accepted by everybody to be superior to all others. There was no doubt in anybody's mind about this self-evident truth.

We should also understand, and C.K. has given an indication of it in the first volume, that much of the value system that shaped the ethos of first the ICS and thereafter through inheritance of traditions that of the IAS, was in fact derived from those currents of ethicality that began to flow in Britain in the period that more or less coincided with first the British mercantile and then territorial expansion in India. By currents I mean the English Enlightenment and the Wesleyan Church movement, both of which shaped the moral values that took hold of the minds of the British middle classes from around the early years of the nineteenth century. They inculcated a high-minded outlook in the public schools and the universities, particularly Oxford and Cambridge, to which the post- Industrial Revolution British middle classes were sending their wards in increasing numbers. It was these middle classes that were also beginning to send their sons out for overseas service - in the civil services and the Army, for instance. It was from this background, through a new moral order, that the *maai-baap*, *gareeb nawaaz*, *ann daata* type of field officer of the districts came. He came with a paternalistic, strong sense of right and wrong, justice and fair play, righteously believing that he was carrying the white man's burden to protect the oppressed and exploited *ryot*.

I am happy and moved to observe that passages in C.K's papers evokes those sentiments, that sense of duty, that touch of idealism that most of us came brimming with when we first entered the Service and continued to hold with as much zeal in our years as sub-divisional officers and as Collectors. The work could be exhilarating. One would often, at the end of the day, get a quiet sense of satisfaction at having been the protector of 'a poor wretch' or having restored some deprived soul's rights or enforced the law on his behalf. It was a boy scout sort of feeling of having done a good deed. I am sure that the entrants to the IAS these days too are moved by such attitudes.

C.K's work, in its entirety, is as wide-ranging as it could possibly have been. He has quite comprehensively covered a subject that is not really easy to define, so wide-ranging is its scope of work, tangible and intangible.

The field situation has changed vastly since those early days of the Collector. In fact, it appears so different even to me from the time when I was a Collector just over 30 years ago. The population is better educated today, it is quite conscious of its rights, more easily coalesces into interest groups. They are, therefore, more demanding and for that reason place greater demands on the Collector's own wisdom, time and energy. It also has political leadership, beginning from the village itself, that acts as organisers and articulates their demands.

There is, of course, much that has sadly gone wrong too these days, in so far as personal integrity of many an individual officer is concerned. Despite all the transformation, the Collector still carries on, shouldering far heavier, more variegated responsibilities than ever with each passing year. The government cannot yet think of a replacement for him.

Mr E.K. Bharat Bhushan, Former Chief Secretary, Kerala (IAS officer, Batch of 1979, Kerala cadre)

The first of this five-volume series authored by Dr C.K. Mathew is a nuanced and well researched account of the historical evolution of the District Officer variously described as District Collector, District Magistrate or Deputy Commissioner. To begin, he travels to the time before the arrival of the British in tracing the genesis of the District or Provincial Officer under the Mauryan, the Sultanate and the Mughal times. However, much of the paper is devoted to the British interlude, when at first the compulsions of administration were subservient to profit seeking. Formed

around groups of men mostly working out of major port basins and initially restricted by grant of royal favours, such as *Diwani*, they were little more than caucuses of freebooters. while satisfying their greed for personal aggrandisement, they also erected a system of governance.

After the Great Rebellion of 1857, the British Crown took over the reins of administration and what followed was a series of reforms aimed at systematising English rule over the conquered land. The District Officer was at the centre of the proceedings all through. Somewhere at this stage, the benevolent face of the functionary emerges with many individual officers acquitting themselves with honour. We see the Collector as benefactor of the poor and the ultimate provider of justice to the needy, assuming for himself the virtues of *mai-baap*. Dr Mathew describes this phase in inimitable style:

> ***…The rapaciousness of the commercial behemoth of the Company, replaced in 1858 by the imperial ambitions of the Crown, should be separated from the impact that actual officers had had to play, as District Officers, caring for the peasant, putting down injustice and protecting the poor and the impotent with ideals of justice and fair play, law and order, compassion and good governance.***

Later, we see the officer put in the midst of the freedom struggle when the natives among them and the Civil Service as a whole were beset by complex issues of allegiance and loyalty. Great credit is undoubtedly due to the men who manned the districts during those tumultuous times, ensuring the transition to responsible government was without any major disruption.

In the subsequent papers in the series, Dr Mathew will evaluate how the District Officer's role has evolved into its present incarnation with much of his authority eroded owing to the democratic architecture surrounding him. At the same time, the paper will talk about the District Officer being responsible for implementing a plethora of schemes and programmes.

Dr Mathew adroitly keeps away from the foreign influences versus nationalist identity debate and imbues the study with necessary objectivity. On the whole, an excellent work which will be further improved with a better division of chapters and perhaps also by including some impactful case studies of District Collectors in the field.

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While listing out the main references which helped inform the contents and direction of this paper, I wish to record some thoughts on the main sources of my inspiration.

Undoubtedly, one of the most important of resources that has proven to be invaluable is L.S.S O'Malley's comprehensive *History of the Indian Civil Service* for the period 1601 to 1930. As a retired ICS officer, decorated by the title of Champion of the Most Eminent Order of the Indian Empire (CIE), he had a personal knowledge of the workings of the Service having served under Her Majesty's Government in India. His empathy with the country and its people and culture can be judged by his other well-known book, *Popular Hinduism: The Religion of the Masses*, brought out by the Cambridge University Press in 1935. The methodical manner in which his book was constructed, made my task that much easier.

Yet another source is the eminently readable *Men Who Ruled India* by Philip Mason. Originally in two volumes, written under the pseudonym of Philip Woodruff. He, too, was a member of the Indian Civil Service who continued in Service until the very last day when Independence was declared. Highly decorated for his service with the honorifics of Order of the British Empire (OBE) and the CIE, he brings a certain romance and ardour while describing the lives and works of the stalwarts of the system of governance both of men who worked with the East India Company as well as the British Government.

Another book that drew my attention, albeit quite late in the process of writing, was that of David Gilmour *The Ruling Caste: Imperial Lives in the Victorian Raj*. His extraordinary effort in bringing alive the romance and the complex nature of the work of the District Officer is truly remarkable. It is worth a second read for any student interested in exploring the subject further.

The Civil Services in India by S.K. Das is another book that provided personal insights into the lives of the ICS officers. So too *The Steel Frame: A History of the IAS* by Deepak Gupta. A collection of memories, as derived from the words of ICS officers who served the country in the districts in the first part of the twentieth century, is the *The District Officer in India 1930-1947*, compiled by Roland Hunt and John Harrison. It is a unique effort by the India Office in London to reach out to those ICS officers who had served the country and then retired and went back to England. The memories of these officers have been compiled into the book with excellent commentary by the authors-cum-editors. It provides an immediate backdrop to the kind of issues and incidents they have had to face in those tumultuous days, especially before the dawn of Independence.

Of the same degree of interest was Charles Allen's *Plain Tales from the Raj*, recording the memories of officers who served in India on behalf of the Crown, some quotes from which have been included in this paper.

To present a counterpoint describing the rapacious nature of the Company's activities I have referred to three books that have gained some prominence as severe indictments of those days. Will Durant's *A case for India* (1930), Shashi Tharoor's *An Era of Darkness* (2016) and William Dalrymple's *Anarchy* (2019). All three have written extensively about the manner in which the country was subjugated by the Company, resulting in losing its resources and being reduced from a mighty nation to a pauper by the time the British left.

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SOURCES OF IMAGES:

Cover Page Image: DC office, Mysore, 1980. Extracted from https://1979s.wordpress.com/2015/07/12/souvenir-of-mysore-state/

Image 1: Seeding of an Empire: The Mughal Emperor Shah Alam II Conveying thee Grant of thee Diwani to Lord Clive, 12th August 1765 53
https://en.wikipedia.org/wiki/Treaty_of_Allahabad

Image 2: Warren Hastings 68
https://commons.wikimedia.org/wiki/File:Warren_Hastings_by_Tilly_Kettle.jpg

Image 3: Lord Cornwallis 80
https://www.ohwy.com/history%20pictures/cornwall.gif

Image 4: Satyendranath Tagore, (brother of the poet) the first Indian ICS officer, who resigned and chaired the Indian National Congress in its 18th session 145
https://commons.wikimedia.org/wiki/File:Satyendranath_Tagore. jpg.

Image 5: Indian ICS probationers at Oxford, 1921 153
From *The Ruling Caste: Imperial Lives in the Victorian Raj* David Gilmour (2007), Pimlico Random House, London

Image 6: Queen Victoria 1819 -1901 158
https://en.wikipedia.org/wiki/Queen_Victoria#/media/File:Queen_Victoria_by_Bassano.jpg

Image 7: Copy of note sheet of 1899 from the Collector's office, Ajmer on compulsory use of English in office work. 212
Obtained from personal collection of Shri Salahuddhin Ahmed, former Chief Secretary, Rajasthan

Image 8: District Collector and Magistrate Henry J.S. Cotton ICS, dispensing justice in Bengal. The mandatory winter touring of one's district was described as 'life under the tent.' 215
https://en.wikipedia.org/wiki/Henry_Cotton_(civil_servant)#/media/File:Henry_cotton.jpg

LIST OF GOVERNOR GENERALS AND VICEROYS OF INDIA

Governor-General	Period
Warren Hastings*	1772-1785
Sir John Macpherson	1785-1786
Lord Cornwallis	1786-1793
Sir John Shore	1793-1798
Lord Wellesley	1798-1805
Sir George Barlow	1805-1807
Lord Minto I	1807-1813
Lord Hastings	1813-1823
Lord Amherst	1823-1828
Lord William Bentinck	1828-1835
Sir Charles Metcalfe	1835-1836
Lord Auckland	1836-1842
Lord Dalhousie	1848-1856
Viceroy	**Period**
Lord Canning+	1856-1862
Lord Lawrence	1864-1869
Lord Mayo	1869-1872

Lord Lytton	1876-1880
Lord Ripon	1880-1884
Lord Dufferin	1884-1888
Lord Lansdowne	1888-1894
Lord Curzon	1899-1905
Lord Minto	1905-1910
Lord Hardinge	1910-1916
Lord Chelmsford	1916-1921
Lord Reading	1921-1926
Lord Irwin	1926-1931
Lord Willingdon	1936-1944
Lord Linlithgow	1936-1944
Lord Wavell	1944-1947
Lord Mountbatten	March 1947- August 1947

*Initially designated as Governor, the post of Governor-General came into existence as per the Regulating Act of 1773.

+After the adoption of Government of India Act 1858, the Governor-General become Viceroy of India.

LIST OF STATES AND UNION TERRITORIES WITH NOMENCLATURE FOR THE DISTRICT OFFICER

States

Andhra Pradesh	District Collector
Arunachal Pradesh	Deputy Commissioner
Assam	Deputy Commissioner
Bihar	District Collector
Chhattisgarh	District Collector
Goa	District Collector
Gujarat	District Collector
Haryana	Deputy Commissioner
Himachal Pradesh	Deputy Commissioner
Jharkhand	Deputy Commissioner
Karnataka	Deputy Commissioner
Kerala	District Collector
Madhya Pradesh	District Collector
Maharashtra	District Collector
Manipur	Deputy Commissioner
Meghalaya	Deputy Commissioner
Mizoram	Deputy Commissioner

Nagaland	Deputy Commissioner
Odisha	District Magistrate & District Collector
Punjab	Deputy Commissioner
Rajasthan	District Collector
Sikkim	District Collector
Tamil Nadu	District Collector
Tripura	Deputy Commissioner
Uttar Pradesh	District Collector
Uttarakhand	District Magistrate
West Bengal	District Magistrate & District Collector

UTs

Andaman & Nicobar	Deputy Commissioner
Chandigarh	Deputy Commissioner
Dadra & Nagar Haveli	District Collector
Daman and Diu	District Collector
Jammu & Kashmir	Deputy Commissioner
Lakshadweep	District Collector
Ladakh	Deputy Commissioner
NCT of Delhi	Deputy Commissioner
Puducherry	District Collector

The above information has been collected from the civil lists of IAS officers and other sources.

ABOUT THE AUTHOR

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Dr. Mathew holds a doctorate in the subject of symbolism in the poetry of Emily Dickinson. He is also the author of two novels and the principal writer of three reports (2016-18) published by Public Affairs Centre, titled *Public Affairs Index*, on the subject of measurement of governance and ranking of the states of India on the quality of governance. He has also edited a series of essays written by former chief secretaries titled *In the Rear-View Mirror*. He is an avid blogger (https://mathewspeak.wordpress.com) and can be reached at: mathew.ck@apu.edu.in or ckmathew@hotmail.com.

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