

CHAPTER X

GENERAL ADMINISTRATION

145. Historical background

(i) The Jeypore territory came under the British occupation as a result of the military campaign of Captain Richard Matthews in 1775 after which large portions of the estate was placed under the control of Raja of Vizianagaram who helped the British during the campaign. In 1776 the Madras Government appointed a Circuit Committee to enquire into the land-revenue system of the Northern Circars, but after working for two years the Committee was suspended in 1778 when an attempt was made by the Governor of Madras to regulate the payment of zamindaris. As no practical arrangement was arrived at, the Committee revived in 1783, and in its report in 1784 criticised the prevailing system of administration and recommended some useful alternatives. One of the more important recommendations of the Committee was recognition of a separate zamindari of Jeypore independent of Vizianagaram subject to the payment of an annual peshkash of Rs. 35,000. This recommendation was, however, not considered by the Government of Madras. In 1793 the Raja of Vizianagaram rose in rebellion against the British, but he was defeated and killed in the battle of Padmanavam that took place in July 1794. Ramachandra II, the Raja of Jeypore, remained strictly neutral and did not extend his support to the rebellious Raja of Vizianagaram. The British authorities appreciated the attitude of the Raja of Jeypore and recognised Jeypore as a distinct estate granting a Sanad in favour of the Raja and fixing the annual peshkash at Rs. 25,000. In 1802-03, Permanent Settlement was introduced in the district of Vizagapatam, and the zamindars were declared proprietors of their estates on payment of permanent peshkash. It was not as if the zamindars were vested with absolute discretion in their areas. For example, their relations with the tenants were subject to enquiry and determination by Government and they were specifically required to aid and assist in apprehension of offenders of all descriptions, and to give notice to Magistrates of "robbers or other disturbers of public peace who may be found, or who may seek refuge" in their estates. Under section 9 of the Madras Collectors Regulation, 1803, Collectors acquired the power to superintend and control, under the orders of the Board, all zamindars. Thus, simultaneous with the recognition of the separate zamindari of Jeypore, Government extended a degree of control and regulation they did not have till then. Permanent Settlement of the Jeypore zamindari was made in 1803 with Raja Ramachandra Deo II, the annual peshkash being fixed at Rs. 16,000.

(ii) In 1839, the Ganjam and Vizagapatam Act was passed which excluded, among other areas, the Jeypore and Pachipenta zamindaris from the operation of the normal rules for the administration of civil

and criminal justice and collection of revenue ; their functions vested in the Collector who was to act as the Agent to the Provincial Government. The Collector, as the Agent, thus came to be the chief Civil Judge as well as the Sessions Judge.

(iii) Ramachandra Deo II died in 1825 and was succeeded by his son Vikram Deo II who held the estate till 1860. In 1848, there took place a family dispute between the Raja and his eldest son (who afterwards came to be known as Ramchandra Deo III), the latter being supported by his mother who was the Chief Queen (Patta Mahadevi). The dispute has already been discussed in detail in an earlier Chapter. It took a serious turn and was compromised after the intervention of Capt. Haly in 1856, was sent by the Agent to Jeypore. In consequence of the disturbances caused by the family feuds, it was proposed in 1855 that the British should assume control of both police and revenue matters in the tracts above the Ghats, but Lord Dalhousie, the Governor-General, objected to such a policy. After the death of Vikram Deo II in 1860, Fane, the then Agent, made a proposal to post an Assistant Agent and an Assistant Superintendent of Police at Jeypore and the proposal was accepted by the Government. In consequence of this the British assumed direct administration of the Jeypore territory in 1862 and annexed to it the estates of Gunupur, Rayagada, Alamanda and Narayanpatna which had been placed under attachment since 1859, as well as Kalyansingpur, Bissamcuttack and other local estates. This territory was placed under the jurisdiction of the Assistant Agent stationed at Parvatipuram. Two Special Magistrates, each with administrative control over the taluks, were appointed at Gunupur and Rayagada. A Special Assistant Agent was placed in charge of the residuum of the Jeypore estate together with the portion of Madgol and Pachipenta estates. Special Magistrates were appointed at Jeypore, Nowrangpur, Aurada and Mahadeoput. The Special Assistant Agent was first stationed at Jeypore, but due to virulence of malaria of the place it was decided in 1870 to move the headquarters to Koraput. The headquarters of the Sub-Magistrate of Jeypore was transferred in the same year to Kotpad and remained there till 1882.

(iv) We have seen that under the Ganjam and Vizagapatam Act of 1839 the Collector, as Agent, was the chief Civil Judge and his subordinate Tahsildar and Assistant Agent exercised civil powers within their respective jurisdictions. The Agent was also the Sessions Judge and the Code of Criminal Procedure was substantively followed. The Evidence Act was also applicable.

(v) The Scheduled Districts Act, 1874, declared Jeypore, Madgol, Pachipenta Maliahs, among other areas, as Scheduled District. This Act empowered the Agent to the Governor to appoint officers to

administer civil and criminal justice, to superintend the settlement and collection of revenue, and to conduct administration within the Scheduled Districts.

(vi) The charges of the two Assistants to the Agent both of whom came to be known as Special Assistant Agent remained practically un-changed till 1920 when the formation of the Agency Commission involved a redistribution of charges. But in the meantime some changes were made in the organisation of subordinate staff. First, the Sub-Magistrate of Mahadeoput was moved to Koraput, the Aurada charge was abolished and a new one created at Malkangiri. Then in 1883 two new taluks, each under a Deputy Tahsildar, were created with headquarters at Paderu and Pottangi and the next year Bissam-cuttack taluk came into existence. Again in 1893, Paderu taluk was abolished and the Padwa taluk was created in its place.

(vii) In the year 1920, all the Agency tracts were removed from the control of the Collectors of the districts and placed in charge of a commissioner, who had his headquarters at Waltair. The administrative subdivisions were rearranged as far as possible on linguistic lines and thus Koraput district was parcelled out among four subdivisions, such as Kondh, Savara, Oriya and Ghats, each in charge of an officer designated as Assistant Commissioner. The scheme was an admirable one in many ways. It enabled the Commissioner and his assistants to devote their whole time to the special problems of the Agency. There were some practical difficulties, such as lack of accommodation for the Commissioner and some of his assistants and the generally deficient system of communication. These handicaps might have been overcome in time, but the scheme was expensive too, and was abandoned for reasons of economy in 1923, after a trial of less than three years. The office of the Commissioner was abolished, and the previous arrangements restored almost in entirety.

(viii) The procedure of the Scheduled Districts Act, 1874, was modified by the Government of India Act, 1919, which empowered the Governor-General in Council to declare any territory in India Backward Tract. Under this provision the Governor of Madras was directed in respect of Vizagapatam district to enforce Acts of Indian Legislature with such modification as he chose.

(ix) The Government of India Act, 1935, repealed the Scheduled Districts Act, 1874 and in order to safeguard interests of the tribal people, made a clear distinction between 'Excluded Areas' and 'Partially-excluded Areas'. Where a definite tract or an enclave was inhabited by a compact tribal population it was considered 'Excluded Area' and where the tribal population being substantial in number was mixed up with the agricultural communities the tract was classified as 'Partially excluded Area'. By this Act the Vizagapatam Agency (along with the

Ganjam and Godavari Agencies) was declared as 'Partially-excluded Area'. The administration of these tracts was under the control of the Ministers, subject, however, to the Governor exercising his individual judgment.

(x) In 1936, when the district of Koraput came into being, a number of changes was found necessary. The district was in charge of a Collector and Magistrate, also known as the Agent to the Governor. It contained two subdivisions with headquarters at Koraput and Rayagada, each under a Deputy Collector (designated as Special Assistant Agent). The Koraput subdivision comprised five taluks, and the Rayagada subdivision three. Each of the taluks was under the charge of a Sub-Deputy Collector. All the Sub-Deputy Collectors were Magistrates and with the exception of the Taluk Officer at Koraput, each of them was in charge of a Sub-Treasury and a Sub-Jail. The District Treasury at Koraput was in charge of a Deputy Collector.

(xi) The first step with regard to the administration of justice, separately from the Collector's charge, appears to have been taken in the year 1921 when the Agency areas of Madras Presidency was placed in charge of a Commissioner who was assisted in the administration of Civil Justice by a Judicial Officer known as the Assistant Judicial Commissioner. The system did not continue long as the Commissioner's post itself was abolished in 1923. Thereafter, a Judicial Officer was appointed under the designation of Agency Subordinate Judge who was practically disposing of all civil suits beyond Rs. 500 in value and all civil appeals from the decision of the Agency Munsifs. This officer was also invested at times with the powers of an Additional Sessions Judge. Even after the area was separated from Madras and the present district of Koraput was constituted the system continued as before. Subsequently, the Agency Subordinate Judge was vested with the powers of Additional Sessions Judge by the year 1940 and he practically tried all sessions cases and heard all criminal appeals from the decisions of the first class Magistrates. Since 1945, the Collector did not exercise any criminal powers and was practically transferring all his criminal works to the Agency Subordinate Judge. Though the Collector was not exercising any power of the District and Sessions Judge, he was officially the District and Sessions Judge and as such was the official superior to the Agency Subordinate Judge and Additional Sessions Judge. Towards the end of 1948, it was recommended by the Inspecting Judge of the Orissa High Court that the Collector as Agent to the Provincial Government should no longer continue to be the head of the administration of Civil and Criminal Justice and that the Ganjam and Vizagapatam Act of 1839 should be scrapped from the statute book and the normal Civil Courts be established in this district. His recommendations were accepted by Government and Orissa Regulation 5 of 1951 was passed repealing the Agency Rules [70 B. of R.—35]

and the Ganjam and Vizagapatam Act. But this regulation was not brought into force immediately. The Ganjam and Vizagapatam Act was repealed by Parliament in 1952. The operation of Orissa Regulation 5 of 1951 could no longer be delayed and so was brought into force with effect from 1st January 1953, and normal administration of Justice, both Civil and Criminal, was introduced in the district.

(xii) In 1950, the President, acting in exercise of the powers derived under the Constitution of India, issued the Scheduled Areas Order by which the entire Koraput district was declared as a Scheduled Area. The Kashipur tahsil which was integrated with Koraput district in 1962, is, however, not a Scheduled Area.

(xiii) In 1941, the subdivision of Nowrangpur was formed and placed under the charge of a Deputy Collector. Subsequently in 1962 Malkangiri and Gunupur subdivisions were formed and thus the district now contains five subdivisions with headquarters at Koraput, Nowrangpur, Rayagada, Gunupur and Malkangiri. The Koraput subdivision consisted of two tahsils, namely, Koraput and Pottangi, the Nowrangpur subdivision five, namely, Jeypore, Nowrangpur, Borigumma, Kotpad and Umarmkot, the Malkangiri subdivision two, namely, Malkangiri and Motu, the Gunupur subdivision two, namely, Gunupur and Bissamcuttack and the Rayagada subdivision two, namely, Kashipur and Rayagada. Malkangiri and Gunupur subdivisions were created on 1st January 1962 and 1st August 1962, respectively. Motu and Kotpad tahsils were created on 1st January 1962, and 1st July 1962, respectively. The Kashipur tahsil which was previously in Kalahandi district was amalgamated in the Koraput district with effect from 1st August 1962.

146. Present administrative set-up

(i) The above, in brief, is the administrative history of the district. The general administration of the district is now vested in the Collector and District Magistrate. With the transfer of the administration of Justice to the Judiciary, the Collector and the District Magistrate has shed many of the peculiar powers he enjoyed under the Agency system of administration. The complete separation of the Judiciary from the Executive has also been ordered though, for some practical difficulties, its implementation has been kept in abeyance. The control and supervision of the police administration are vested in the District Magistrate and he is responsible for law and order. These problems have been increasing with the industrialisation of the district. The Collector who is the head of the Land Revenue Department at the district level is subject to the control and superintendence of the Divisional Commissioner with headquarters at Berhampur and of the Board of Revenue. Land-revenue administration is no longer limited to problems arising of disputes between the zamindar and his tenants. With the abolition of the Jeypore zamindari, the Collector has assumed direct collection of land-revenue

and cess and this demand has increased substantially after the settlement operations. He is assisted in Land-revenue administration by the Additional District Magistrate, who has also been empowered under several laws to function as the Collector. The basic unit of Revenue administration is the tahsil which is invariably placed under a gazetted Tahsildar. Each tahsil is divided, for purposes of collection of revenue, into a number of circles under a Revenue Inspector and there is a supervisory non-gazetted officer for about every six Revenue Inspectors. The Collector has also been made responsible for the implementation of all development schemes and has been given formal control over officers of every department. He is required to check their work closely and to ensure that their work is purposeful and to make an assessment of the officers at the end of each year.

(ii) Till recently the Collector's attention was engaged mostly in the implementation of schemes of development and the Additional District Magistrate was in charge of Revenue administration subject, of course, to the Collector's control. The present scheme of development administration is a three-tier system comprising the Grama Panchayat at the primary level, the Panchayat Samiti at the secondary level and the Zilla Parishad at the top. All development works, or at any rate most of them, are to be done through agency of Panchayat, subject to the supervision and control of the Panchayat Samiti and Zilla Parishad. The Zilla Parishad is also required to distribute the allotments received from Government and to indicate the lines along which any particular scheme should be implemented. This scheme, no doubt, goes far in associating public opinion in development administration, but the role of the Collector becomes even more onerous, particularly in a backward district like Koraput where his guidance cannot easily be dispensed with. He has, therefore, the rather difficult task of making the various local bodies discharge their proper functions without appearing to be authoritarian. He, no doubt, has certain power of control over these bodies, but these powers are exercisable in exceptional cases alone. An officer, belonging to class I of the Orissa Administrative Service, functions as the Executive Officer of the Parishad while the Block Development Officers function as the Executive Officers of Samitis. The Collector not only assesses their performances annually, but also supervises their work and takes steps to remove difficulties they experience. The ministerial staff of the Parishads and Samitis, however, belong to the same cadre as the ministerial staff directly under the Collector and it is he who has powers of appointment and transfer. We have mentioned earlier that the Collector has a general control over the working of other development departments in the district. Some departments, however, work directly under him. The Grama Panchayat, Tribal & Rural Welfare, Publicity and the Civil Supplies Departments are directly under him. The Welfare Department, which

has a considerable programme in the district, has five departmental officers in the five subdivisions and another officer at the district headquarters. In addition to these officers, it also has a class II Officer who functions as the officer incharge of the Welfare section of the Collectorate. An ex-cadre officer designated as the District Public Relations Officer is the officer incharge of the Publicity Department. An officer of the Supply Department designated as the Civil Supplies Officer has his headquarters at Jeypore and works under the immediate control of the Collector.

(iii) There is a second Additional District Magistrate in the district to look particularly into the settlement of Scheduled Tribes in the areas reclaimed by the Dandakaranya Development Authority. It may be noted here that the State Government have created an organisation for looking after the Pakistani refugees till their absorption by the Dandakaranya Development Authority. This organisation is directly under the Deputy Rehabilitation Commissioner who organises transit camps for reception and accommodation of the refugees till their absorption by the Dandakaranya Development Authority.

(iv) The Collectorate itself is divided into several sections. The Collector is assisted by several Deputy and Sub-Deputy Collectors who have one or more than one sections under them. The most important sections are Revenue, General, Judicial, Development, Election, Census, Record Room, Library, Forms and Stationery, Nizarat, Copying, Loans, Rehabilitation, Compensation, Land Acquisition, Welfare, Publicity, Grama Panchayat and Land Records. Again some of these sections are under the Additional District Magistrate while some others are under the Collector although, in matters of policy and control, the Collector is deemed to have authority over all sections.

(v) The Excise administration of the district is directly under the Superintendent of Excise. Except in matters of policy, the Additional District Magistrate functions as the Collector in respect of Excise administration.

(vi) The District Treasury at Koraput is under a Senior Finance Service Officer and the Sub-Treasuries at Nowrangpur, Jeypore, Rayagada, Gunupur and Malkangiri are under Junior Finance Service Officers. Two other Sub-Treasuries at Umarmkot and Kashipur are under officers of the Revenue Department.

(vii) The Additional District Magistrate is the *ex officio* District Registrar. He is assisted by a Sadar Sub-Registrar whose headquarters is at Jeypore. In addition to Jeypore, there are 12 sub-districts of which one at Nowrangpur is held by a departmental officer. The other sub-districts of Rayagada, Koraput, Gunupur, Bissamcuttack, Malkangiri, Pottangi, Kotpad, Borigumma, Umarmkot, Motu and Kashipur are held by officers of Revenue Department who function as *ex officio* Sub-Registrars. There is an Inspector of Registration Offices whose headquarters is at Berhampur and he too supervises the registration administration in the district.

(viii) There are five subdivisions in the district, each under a Sub-divisional Officer. This officer was previously known as the Sub-Assistant Agent when the Collector was known as the Agent ; with the repeal of Ganjam and Vizagapatam Act, 1839, this officer came to be known as the Revenue Divisional Officer which was the designation for such officers in the areas formerly under the Madras Presidency. They are now known as Subdivisional Officers. Each Subdivisional Officer is assisted by some Deputy and Sub-Deputy Collectors whose number varies according to the work-load of the subdivision. His office is a miniature of that of the Collector and he has practically all the sections of the Collectorate in his office. The Subdivisional Officer represents the Collector in his subdivision and has general control over the subdivisional staff of other departments and the Panchayat Samitis and Grama Panchayats in his subdivision. His powers correspond to the Collector's powers in respect of the subdivision although the Collector has certain additional powers which cannot be delegated. The Subdivisional Officer is directly responsible for the smooth implementation of the programmes of the Panchayat Samitis and proper Land revenue administration by the Tahsildars. The Subdivisional Officers of this district have, in addition, the responsibility under the Orissa Scheduled Areas Transfer of Immovable Property (By Scheduled Tribes) Regulation 1956, to enquire into every application by a member of any Scheduled Tribe praying for permission to transfer his holding to one who is not a member of the Scheduled Tribes. He is the competent authority under this Regulation to either permit the transfer or reject the application. He can also, on his own motion or on the application by the heirs of any previous transferor, enquire into the authority of the transfer and, if necessary, restore it to the person he considers entitled to it. In respect of his subdivision, he has practically the District Magistrate's powers of control and supervision over police.

(ix) There are several other offices which function under the immediate control of their district level officers. A note on these offices may be seen in Chapter XIII. More important of these offices are those of two Deputy Directors of Agriculture, one for the districts of Koraput and Kalahandi and the other for the Semiliguda farm, the Executive Engineer, Roads and Buildings, the District Inspector of Schools, the Conservator of Forests, Jeypore, the Civil Surgeon, the District Health Officer, the Assistant Registrar of Co-operative Societies, the District Industries Officer, the District Transport Manager, the District Statistical Officer, the District Employment Officer, the Commercial Tax Officer, Jeypore, the District Veterinary Officer, the Soil Conservation Officer, the District and Sessions Judge, the District Fishery Officer, the Executive Engineer, Rural Engineering Organisation, etc. Among the offices of the Central Government, the more important are the Central Excise offices at Rayagada and the office of the Executive Engineer of the D. B. K. Railway. The list does not include the D. D. A. on which there is a separate supplement.