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Changing Pattern of District Administration Discords and Challenges

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Abstract: *Historically district has been the vital unit of administration and the Office of the Deputy Commissioner (DC) is considered as the representative of the central government at the district level. The institution, since its inception, has undergone numerous changes. The paper traces the historical development of district administration during the early days of British colonial rule. During the colonial regime the institution used to be exploited as a means of establishing colonial control as well as gaining economic and political objectives. But, later the development role of the institution came to be recognized. The growth of political consciousness of people manifested in the development of local government organizations and the growth of technical departments caused necessary changes in the traditional pattern of district administration. From the 'controlling authority' the institution, after independence, became the 'prescribing authority' and its coordinative role in relation to local government institutions has been emphasized. The paper also identifies the challenges faced by the age-old institution. Despite many challenges and shortcomings, the institution still occupies a crucial position as far as development and welfare administration is concerned.*

Introduction:

District is the vital unit of administration in Bangladesh. Historically it has been 'the crucial building block of central government' (Rahman and Islam: 2002). It is the locus of all developmental activities as well as all activities directed towards the maintenance of law and order. Before the introduction of Upazila system the people of Bangladesh used to experience the government at the district level. Even after the administrative decentralization through introduction of Upazila system, the district still occupies a crucial position in the administrative set-up of the country. Within the district the Deputy Commissioner is the 'principal representative of the government' (Chaturvedi: 1988: 63). The office is like a 'mini-government' (Mishra: 2006: 45) within the district because DC is the chief executive at the district level and is considered as the representative of the central government. With the passage of time the

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jurisdiction of the DC has undergone numerous changes; accordingly, the role and function of the DC have undergone changes from time to time. The socio-economic as well political changes - increase in consciousness level, steady economic growth, urbanization, changed professional composition, increasing dependence on industry, business and service sector - have not only caused changes in the patterns of district administration but also determined its relationship with the local government institutions.

Evolution of the Post of DC:

The evolution of the post of DC is closely linked with revenue collection. In order to facilitate the collection of revenue the Mughals divided the then India into a number of Subas or Provinces. The Suba was further divided into a number of Sarkars and Parganas - having the status of present districts and mouzas. But, it was the Suba, which attained importance in the administrative system. A Subedar was in charge of a Suba and his chief function was collection of revenue. During the Mughal period the district administration was not very vital. The East India Company came to India for trade and business, but gradually assumed the administrative and political functions. They took up the Mughal system and developed on it. It is during the Company rule the district emerged as an important unit of administration. In 1772 Warren Hastings, the Governor General of the Company, divided the then Bengal into twenty-three districts (Ali, 1978:3). He also appointed one 'Collector of Revenue' in each district (Ali, 1978:3).

During the earliest phase of British rule law and order and judicial functions were left to the indigenous-machinery. During the period of Warren Hastings the Collector also used to act the Judge of the Local Dewani Adalat (Civil Court) (Ali, 1978:3). Criminal cases were tried by the Qazis and Muftis. Hastings left the police force to be organized by the Zamindars. Cornwallis, the next Governor-General, abolished the Zamindari police force and set up regular police force under the control and supervision of the Collector commanded by a Superintendent of Police (Muhith: 1968:5). Cornwallis believed in the principle of 'checks and balances and division of power' (Ali, 1978:4). In 1793 he separated judiciary from the executive: the posts of a Civil Judge for revenue suits and civil justice and a Magistrate for criminal justice and preventive magisterial work were created. The Collector continued to be responsible for revenue collection and law and order in the district. However, the

system did not last as from 1799 the Collectors dealt with rent suits in a summary manner and from 1821 they were being vested with magisterial powers. In 1837 the magisterial power of the Collector was taken away; but he used to exercise executive and discretionary powers in the matters of revenue collection and maintenance of law and order.

In 1861 the British Crown took over administration of India from the East India Company. The Crown promulgated several Laws which curtailed the executive and discretionary powers of the Collector. The Criminal Procedure Code and the High Court Act both of 1861 defined the judicial powers and *locus standi* of the Collector. He remained responsible for law and order and revenue collection. In 1869, the collector was appointed as Magistrate, made responsible for disposal of criminal cases and was designated as 'Magistrate'. This system persisted till the early years of twenty-first century.

Gradual growth and expansion of public business, which again needed technical knowledge and special training, led to the creation of new departments like Roads and Building, Health, Forest, Civil Supplies, Education and Cooperatives. Each department had its own head at the district level. In 1872 Sir William Campbell, the Governor General of Bengal, strengthened the authority of District Magistrate by issuing orders asking the heads of Departments to act as agents and inspectors of government. "The Magistrate-Collector was made the general controlling authority over all departments in his district and thus he became the 'Chief Executive and Administrator' of the district" (Ali, 1978: 5).

With the establishment of new departments the district administration came to encompass not only public order and revenue but also other functions. But, as the departments grew in strength, DM's control was reduced. "The tendency was to transfer control to departmental officers, who were, however, instructed to keep in touch with the DM and seek his advice when they needed it" (Ali, 1993: 80). The supremacy of the DM in relation to other departments gradually ebbed away with the passage of time. The new specialized departments had their own chain of command. By the early twentieth century the DM "in no way was controlling their affairs" (Ali, 1993: 81). District level officers of other departments continued to be guided and supervised by their superiors at the Provincial headquarters.

But, during the British colonial rule DM retained crucial position in administering a district. District administration was associated with welfare and development activities. In fostering and supervising local government institutions DM also played significant role. As the head of district administration DM not only maintained law and order as well as management of collection or revenue, he played crucial role in establishing stability as well as strengthening colonial rule.

During the British colonial rule administrative procedures as a whole were exploited by the colonial rulers to establish political and social control (Rahman and Islam: 2002: 5). The district administration was no exception. The post of Collector was an important means of establishing control. It was mainly through the office of Collector that the British rulers used to execute their command and retain local control (Mishra: 2006: 45). During the British rule the DCs were mainly responsible for collection of land revenue and maintenance of law and order. They "maintained high quality of devotion, dedication, loyalty" (Mishra: 2006: 46) towards the British Raj. They were mainly accountable to the Governor-General for their actions and deeds.

A change occurred in the role and function of DC after the partition of India:

After partition of Indian in 1947, the objectives of Government and administration radically changed. Service to people and welfare of the society took the place of foreign rule. The functions of the District Magistrate multiplied many times and took a new dimension along with change of policy of the government (Ali, 1978: 15).

During the fifties district administration as an impediment to development had been severely criticized. However, the potentialities of its role in development were recognized and during the early sixties when the military government Ayub Khan effected a transition from martial law to civilian rule, the crucial role of district administrant was emphasized. Through the Basic Democracies system, the designation Deputy Commissioner (DC) was assigned to the post and he was made the chairman of the District Council. The new designation DC gained popularity among the people of the land. In order to strengthen the position of DC and make him more effective for the implementation of development programs DC was given new powers. From that time onward the chief executive of the district assumes the functions of

Collector, District Magistrate and Deputy Commissioner simultaneously; he is three-in-one. But, he is popularly known as Deputy Commissioner or DC and rarely referred as Collector or District Magistrate.

During the Pakistan period Bangladesh (then East Pakistan) for the first time warranted the attention of the policymakers. In the early years of Pakistan era a few development projects, mostly for industrial purposes, were taken up for implementation (Ali, 1978: 1). East Pakistan hardly received attention from the policymakers as far as development was concerned. Though the situation improved slightly during the second half of the era (1960-1970), it was far from satisfactory. During this time, the DCs along with the Divisional Commissioners worked hard "to prepare projects and plans and implemented them seriously to improve the lot of the common men" (Ali, 1978: 1). However, the Pakistan regime is marked by exploitations of every possible sort by the West Pakistanis. And during the period, it is alleged that DCs, by and large, functioned as agents for the central governments to establish political control locally. They functioned, with a very few exceptions, as instruments of implementing the political agenda of the central government.

After independence in 1971 the district administration, in the initial years, acted under 'great stress and strain' (Ali, 1993: 82). District continued to be the most important unit in field administration. DC emerged as the chief coordinator of the district. Despite several experiments the basic structure and functions of the district administration remained more or less the same. DC continued to be the chief executive of the district, but politicians gradually started to penetrate. A significant change occurred in 1985 with the introduction of Upazila system. The coordinative role of DC was further enhanced. Despite existence of Upazila councils, district administration remains as the important unit of administration in implementing the plans and programs of the government.

During the Mujib period the coordinative authority of the district administration was emphasized and DC was appointed administrator for Zila Parishad. This was done as a stop-gap arrangement until, in accordance with the constitution, elected local councils were installed. In 1972 Choudhury Committee recommended establishment of elected Zila and Thana Parishads and transfer of all development functions except those of national importance to the Parishads. The Committee recommended that the coordinating responsibility would lie with the DC. In 1975, after opting for one-party rule following constitutional

amendment, the Awami League government initiated District Governor scheme by promulgating new law. The Governor, being the chairman of the District Administration Council, was declared to be "the chief officer in charge of the general and revenue administration of the district".¹ DC occupied an important position in the new administrative framework. In the absence of the Governor, the DC was to act the Governor. He was also made the Member-Secretary of the District Administration Council. This was a short-lived experiment as on 15 August 1975 martial law was proclaimed and the new government repealed the scheme.

During the Zia regime DC continued to be the administrator of the Zila Parishad. However, during the late seventies district administration increasingly came under the coordinative control of the politicians. A significant development was the appointment of District Development Coordinators from amongst the elected Members of Parliament of the ruling party. Cabinet ministers also used to move to their respective constituent districts to review development work. During the same time several reforms in services significantly lowered the status of DC and reduced his coordinative authority:

...following intense specialist-generalist controversy there were reforms in the services structure. Under these reforms, the concept of elite service from which DCs were mostly recruited was abolished. The pay scale of DC was reduced to be at par with those of other district level officials. All these developments upto 1980 tended to reduce the DC's role as coordinator of development work (Ali, 1993: 80).

In March 1982, martial law was proclaimed by the military. The military government of General Ershad took up the question of administrative reforms and following recommendations of National Implementation Committee for Administrative Reform (NICAR) upazila parishad system was introduced in 1985. The introduction of upazila system led to a major change in the structure and function of district administration. Many of the duties and functions previously conducted by district administration were given to the newly established upazila parishads. The coordinating and supervisory role of the DC was emphasized and his relationship with the upazila parishad was based on the traditional role of the DC as "eyes and ears of the government". A further change took place with the enactment of Zila Parishad law in 1988. The government appointed a member of parliament as the Chairman of Zila Parishad. DC and other

¹ The District Administration Act (Act VI of 1975)

selected district level officers were made non-voting members of the Zila Parishad. However, despite the changes, the coordinative function of DC remained unaffected. DC continued to head over thirty district level committees. He continued to chair the District Development Coordination Committee (DDCC) of which other district level officers representing development departments were members. DC continued to be the chief executive of the district.

After the fall of Ershad government following mass movement in 1990 democracy was restored through 1991 national election held under Chief Justice Shahbuddin Ahmed caretaker government. The Khaleda Zia led government changed the upazila system. There was no elected body at the district level too. This situation persisted for more than a decade. No significant changes to the district administration took place during Khaleda Zia's government as well as during Sheikh Hasina led government from 1996 to 2001. However, when Bangladesh Nationalist Party (BNP) came to power in 2001 political penetration in district administration occurred through appointment of District Ministers on November 12, 2001. The District Ministers were responsible for looking after overall development and law and order situation of the concerned district. But, the system of district minister came to an end through a High Court verdict which declared the government provision of district ministers in charge of district illegal and unconstitutional on April 27, 2006.

The separation of judiciary from the executive on November 01, 2007 by the just-bygone Non-party Caretaker government has brought about significant changes in the pattern and structure of district administration. It has significantly reduced the authority of DC and has rendered the organization somewhat lackluster. The age-old organization is encountering challenges from different quarters. The reintroduction of Upazial system is likely to bring some changes in the pattern. The position and role of DC in regards to newly elected Upazila parishads are yet to be determined. However, the chief-executive of the district still continues to be three-in-one, Collector, District Magistrate and Deputy Commissioner.

Challenges Faced by District Administration:

Ever since its inception the district administration has undergone many changes. With the passage of time, due to socio-economic changes affecting the life-style of the people, the age-old institution has been

exposed to many types of challenges as to its stability and survival. Since the beginning of the nineteenth century the traditional office of DC has been continually experiencing political as well as technical challenges (Ali, 1993: 90). The political challenge is manifested in the creation of elected local councils, appointment of political coordinators and creation of Upazila. The technical challenge has found expression in the growth and subsequent strengthening of departments with specific functions of technical nature with their own hierarchical structure.

Another challenge that the organization has been facing is its inability, both administrative and financial, to meet the governance requirements of the 21st century. The numerous changes that the institution has undergone since its inception have left it with 'a narrow functional and financial jurisdiction'. Its service-delivery procedure is very cumbersome. Commenting on the overall condition of delivery of public services in government offices the Public Administration Reform Commission 2000 in its Report mentions the following:

The general perception is that the members of the public are harassed and humiliated by public officials at different levels of administration. The relationship between public officials and the members of the public has taken the shape of benefactor and beneficiary, although the public servants were meant to provide service to the public. People are unaware of how and where to obtain specific services and often fall prey to middlemen and corrupt practices. Cumbersome procedures and the slow pace of decisions and service delivery cause suffering to the people and waste public resources and time.²

District administration is not free from this pervasive malady affecting all public offices. The institution has been facing the challenge of functioning to the expectations of the people.

DC's coordinative function is also facing challenge. It is often observed that the coordinative mechanism of DC is not functioning well. In fact, the role of DC as coordinator has neither been properly defined or regularized. The relations of DC with officials of other departments is vague and undefined though his responsibility is fixed. As a result there exist dynamics of discords in the arena of coordination in the district level.

² Public Administration for 21st Century: Report of the Public Administration Reform Commission 2000; Volume 1, page 7

After the separation of judiciary from the executive the institution has been suffering from a sort of image crisis. The amendment of the Criminal Procedure Code has reduced the magisterial functions of DC to preventive actions only. It is argued that the abrupt separation has seriously affected the functioning of the institution.

Conclusion:

The position of Deputy Commissioner is highly honorable in the government and it requires strong sense of commitment, accountability, ethical and moral standards, honesty and integrity, hard work and fair judgment. The institution still occupies a crucial position as far as land management, development, welfare administration and maintenance of law and order are concerned. It is still the principal representative of the government in the district. Exposure to modern day management techniques and application of information and communication technology can make the institution efficient and effective in delivering the constitutional mandate to the public and lead to good governance in the district. The institution has the potentials not only to ensure sustained social and economic development, but also to foster local self-government.

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