

1ST ARR REPORT

CHAPTER I

INTRODUCTION

Constitution of the Committee

A well organised and efficient administrative system is essential for the proper working of Government in any modern State. Any system however satisfactory cannot hold good for all time. It has to be reviewed periodically and remodelled to suit the changing conditions. In their Proceedings No. P(S)4-27111/57/PD dated 15-8-1957 the Government of Kerala, therefore, ordered the constitution of a Committee with the following members, for examining the working of the present administrative machinery, assessing its adequacy and suggesting measures for improving its efficiency:—

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| 1. | Sri E. M. S. Nambudiripad, Chief Minister | <i>Chairman</i> |
| 2. | „ Joseph Mundasseri, Minister for Education | <i>Member</i> |
| 3. | „ N. E. S. Raghavachari, I. C. S., Chief Secretary to Government | <i>do.</i> |
| 4. | Prof. V. K. N. Menon, Director, Indian Institute of Public Administration, New Delhi | <i>do.</i> |
| 5. | Sri H. D. Malaviya, formerly Editor, Economic Review, New Delhi | <i>do.</i> |
| 6. | „ P. S. Nataraja Pillai, Ex-Minister, Trivandrum | <i>do.</i> |
| 7. | „ G. Parameswaran Pillai, Retd. Chief Secretary to the Government of Travancore | <i>do.</i> |

Sri H. D. Malaviya was appointed as full time member of the Committee.

Sri K. S. Menon, I. A. S. was appointed as full time Secretary to the Committee and Sri V. Ramachandran, I. A. S. as Under Secretary to assist him.

Terms of Reference

2. The terms of reference of the Committee are as follows:—

(i) To review the working of the administrative machinery as at present organised and the systems, procedures and precedents under which it functions with a view to assessing their adequacy for a democratic Government in a welfare State.

(ii) In the light of the above, to suggest measures calculated to improve the efficiency of the administrative machinery to enable it to cope with developmental activities in a welfare State.

(iii) To suggest measures for the co-ordination of the activities of the different Government departments and for the avoidance of overlapping in such activities.

(iv) To suggest measures for decentralisation of powers at various levels with a view to expeditious despatch of Government business.

(v) To suggest methods for democratisation of the organs of Government at the various levels with a view to effective participation of local self-governing institutions or other representative bodies in the administration.

(vi) Generally to make any other recommendation arising from the above matters.

Method of Work

3. We held our first sitting on the 17th September 1957 at Trivandrum and, as resolved therein, suggestions were invited from Organisations, Institutions, Service Associations and individuals interested in public administration on the points covered by the terms of reference. 114 replies were received in response to our appeal. Based on the suggestions contained in them and also on the results of our own examination of certain aspects of administrative matters a detailed questionnaire was issued by us in November 1957. A copy of the questionnaire is given in Annexure I. About a thousand copies of this were distributed among Officials, Service Associations and important persons in this State and outside. Copies were also sent to the Chief Ministers and Chief Secretaries of other States. The answers contained much useful information and several concrete suggestions for the improvement of the administration. The Committee met on 62 days for examination of witnesses, for discussions and for finalising Part I of the report. The Committee held sittings in all District Headquarters for the examination of witnesses. Hearing of evidence began on the 8th January, 1958 and concluded on the 29th April, 1958. The session at Quilon could not, however, proceed according to schedule because the Chief Minister, the official members of the Committee and the official witnesses had to leave the session suddenly and attend to the relief of persons affected by food poisoning in the Sasthamcottah L.S.S. Camp

In Quilon district. 158 witnesses were examined in all including Members of Parliament and the Legislative Assembly, Municipal Chairmen and Commissioners, Presidents of Panchayats, Representatives of Service Organisations and Political Parties, prominent Non-officials, Retired Officers, Heads of Departments, Secretaries to Government and other officials. A list of witnesses examined is given in Annexure II.

4. In addition to examining them as witnesses the Committee had also informal discussions with certain Heads of Departments and Secretaries to Government. With a view to enable the Committee to have the benefit of a much wider range of public opinion than was possible to obtain through the answers to the questionnaire and the evidence of witnesses, arrangements were made with the press to allot some space in the Malayalam dailies for the public to express their views on matters relating to important aspects of administration like democratisation, decentralisation, recruitment to public services etc. We wish to express our thanks to the editors of the newspapers for the readiness with which they responded to our request, and also for the useful suggestions made by them in their editorials. Our thanks are also due to the several officials and non-officials who were kind enough to give us the benefit of their views either in person or in writing.

5. We had also the privilege of meeting Shri S. K. Dey, Union Minister for Community Development, during his recent visit to the State. The views expressed by him were of great benefit to us and we wish to place on record our sincere thanks to him in this regard.

6. This report does not include our views regarding the structure and working of the several departments. While we realise that it is neither feasible nor necessary for us to suggest proposals for the reorganisation of all the departments, we feel that it would be appropriate to take up for detailed examination some at least of the important departments like Industries, Education, Health Services, Agriculture, Co-operation etc. We propose to do this within the next few weeks but do not consider that the submission of our main report, which covers the major part of our field of enquiry, should be postponed till then. We have, therefore, decided to present this report to the Government and to include our suggestions regarding the individual departments in Part II of this Volume, which we hope to be able to submit before the middle of September next.

CHAPTER II

ADMINISTRATION IN KERALA

A Retrospect

We propose to deal in the chapter with the salient features of administration in the three regions of Kerala State,—Travancore-Cochin and Malabar—until the integration of the first two in 1949 and of Malabar with the rest in 1956.

I. TRAVANCORE

2. Modern Travancore is the result of conquest and consolidation, between 1739 and 1758 of numerous small principalities, during the reign of Marthandavarma Maharaja. The boundaries of the State extended from Parur in the North to Cape Comorin in the South, covering an area of 7,651 square miles, and having a population of 6,070,018 according to the census of 1941.

General Administration

3. The Ruler was the source of all authority and the Government of the country was conducted in his name and under his control by one Minister, called the Dewan.

The Secretariat was divided into Departments, functioning according to regular rules of business. Next to the Secretariat were the Heads of Departments. Specialised field services existed for agriculture, public health, sanitation, industries, geology, etc. In certain matters the Travancore State possessed much wider powers than the British Indian Provinces. Thus it exercised jurisdiction over such subjects as Customs (including import and export duties), Foreign Trade and Commerce, Income Tax, Excise, the State Posts, Telegraphs and Telephones, Coinage, Broadcasting, Ports, Shipping, Light Houses, Mines and Minerals etc.

(Travancore had its own coinage in Gold, Silver and Copper. The Silver and Copper coins were legal tender in the State until 1950. The Travancore Mint was established in 1789 and it continued to function till the date of the Travancore-Cochin integration in 1949. The State Postal System was first introduced in 1784).

The Official Year

4. The Official Year in Travancore was calculated according to the Malayalam era or the 'Kollam era' until integration with the Indian Union in 1950. The era begins with the month of Chingom, about the middle of August.

Representative Institutions

5. Travancore was the earliest among the Indian States to establish a legislative council. This was done in 1880. It was reconstituted from time to time with wider powers. In 1922-23 an elected majority was provided for and budgetary control and the right to ask questions and move resolutions conceded. In 1900 an elected Popular Assembly, meeting once a year, was added to enable representations to be made to Government on local needs as well as matters of general interest. In 1932 these two bodies became the two chambers of a new bicameral legislature, the Shri Chitra Council and the Shri Mulam Assembly. The latter had a large elected majority. From the earliest days of the Travancore legislature women had equal rights with men in voting and being elected. In 1947, the Assembly was reconstituted on the basis of adult suffrage with all members elected—also an elected President—and with enlarged powers. A Council of Ministers responsible to the Legislature was also established in the same year under a Proclamation which was in force till 1949 July, when the integration of Travancore and Cochin took place. To help the legislature perform its duties well there were both a Finance Committee (associated with the Government in preparing the Budget) and a Public Accounts Committee, both elected.

The Judiciary

6. The Judiciary was modelled mainly on the British Indian system. A High Court was established in 1835; this heard appeals from the lower courts. The State had its own Civil and Criminal Procedure Codes, with certain distinctive features. Thus, as early as 1835, the Civil Procedure Code laid down that no court shall award interest at more than 6 per cent on the decree amount or more than 12 per cent on the principal amount, such interest also not to exceed one half of the principal sum. Capital punishment was abolished in 1944, although from early times women were exempt from such punishment.

Local Self-Government

7. The earliest legislation in Travancore relating to local self-government was in 1894 when Town Improvement Committees were set up in Trivandrum, Nagercoil, Quilon, Alleppey

and Kottayam. Later, they were allowed to collect taxes and licence fees. These Committees were afterwards replaced by Municipal Councils which, under an Act of 1919, were given non-official majorities with enlarged functions and wider powers of taxation. Village Panchayats, based on adult suffrage, were established in 1925 and Village Unions in 1939.

Revenue Administration

8. The unit of revenue administration was the village, with a 'Parvathikar' in charge. Above him there were Tahsildars, Assistant Peishkars and Dewan Peishkars, who, besides being revenue officers, functioned also Magistrates. In 1923, the Tahsildars were divested of their magisterial functions.

9. There were periodical surveys and settlements and records of these are available from 987 M. E. (1811). When the 30 year period expired after the last settlement the question arose whether resurvey and resettlement were necessary. It was, however, considered that the interests of the small and the middle class land holders would be best served by abolishing taxation on land as such, retaining only a nominal rate as basic tax and imposing a tax on agricultural incomes on big land holders and estate owners. This reform was introduced in 1945.

Agrarian Reforms

10. In the matter of agrarian reforms, the Maharaja issued a Proclamation as far back as 1865 conferring on the ryots holding Sircar Pattom lands on Venpattom, Melpattom, Marapattom, etc., full saleable, heritable and otherwise transferable rights. Another Proclamation issued in the same year conferred permanent occupancy rights on lands held by Knapattom tenants. This was the nucleus of all subsequent land legislation which culminated a quarter of a century ago in the Travancore Jenmikudiyan Act of 1108 (1932) conferring absolute rights of ownership on 'Jenmam' lands held on Knapattom tenure and treating such lands on the same footing as those held on 'patta' from Government.

Literacy

11. In point of literacy the States of Travancore and Cochin stood foremost in India. Even as early as 1817 primary education was declared free in the State by Royal decree. The Travancore University was established in 1937.

Social Legislation

12. By a series of measures of social legislation in 1088 and 1100 M. E. (1912 and 1924) on marriage, inheritance and succession and rights of partition, among important communities following the Marumakkathayam system, individual rights over property were fully recognised and given effect to.

Temple Entry Proclamation and abolition of untouchability

13. Travancore was the first State in India to declare by law in 1936, the right of every Hindu, irrespective of caste and every person who has accepted the Hindu faith, to enter the temples and worship in the same manner as is open to those known as 'Caste Hindus'. *Untouchability* was abolished throughout the State.

14. The bulk of the expenditure out of the total revenues of the State was on *Social Welfare Departments* such as Education, Public Works, Medical and Public Health including Ayurveda, Irrigation, while the cost of administration was kept at a low level. The highest sanctioned salary of the Dewan was only Rs. 2,000 though distinguished public men and officials of the neighbouring British Indian Provinces whose services were obtained, were paid a higher salary. The sanctioned salary of the Chief Justice was Rs. 1,200 and that of the Chief Secretary and the High Court Judges Rs. 900.

Industrialisation

15. There was vigorous industrialisation between 1939-1947. The Ceramic and Rubber Factories, The Fertilisers and Chemicals, the Travancore Rayons, the Forest Industries, the Aluminium Industries, the Electrical and Allied Industries, the Travancore Enamel Industries, the Travancore Cements, the Electro Chemical Industries, the West Coast Fisheries, the Travancore Titanium Products, the Balaramapuram Textiles, the Indian Aluminium Company, the Travancore Sugars and Chemicals, the Travancore Ogale Glass Factory, the Vijaya Mohini Mills were all started during this period.

The Bus Transport in the State was nationalised in 1938.

The Public Service Commission

16. A Public Service Commissioner of the status of a High Court Judge was made responsible for recruitment to the public service. Recruitment to administrative service known as the

"Travancore Civil Service" was by open competition through an examination and interview.

The Army

17. Travancore had its own Army, which was reorganised as the Travancore Nair Brigade in 1818. Since 1935, the Travancore Army formed part of the Indian State Forces. The units were known as the First, Second and Third Travancore Infantry. The State forces consisted of Infantry Units, the State Forces Artillery, the Travancore Training Centre, the Sudarsan Guards and the State Forces Band. With the integration of the State with the Indian Union the Army units were absorbed as units in the Indian Army.

General

18. It may be mentioned in this connection that the former Indian States of Travancore and Cochin enjoyed a considerable measure of freedom in regard to internal administration subject only to treaty obligations and paramountcy relations with the British Power. As almost all the officials, even of the higher ranks, belonged to the States, there was a great deal of identity of interests between the people and the administration.

II. COCHIN

19. Cochin was a much smaller State than Travancore. At the time of its integration with Travancore it had an area of 1480 sq. miles and a population of 14.5 lakhs.

Although the history of the State and its ruling house can be traced back to medieval times, the foundations of the modern administrative system of Cochin were laid only in 1812-1818 when Colonel Munro was both its Diwan and Resident. This system was extensively reformed by Diwan Edakkunni Sankara Variyar (1840-1857). Further reforms were introduced from time to time by later Diwans, many of whom had experience earlier of the Madras system, and some of whom like Thotekkat Shankunni Menon were sons of the soil. The administrative system, as it existed at the time of integration, owed also a great deal to Maharaja Sir Rama Varma.

General Administration

20. The Maharaja was the head of the Government, and usually he took an intimate interest in the details of the administration. All heads of departments had for long to submit to him their fortnightly diaries through the Diwan. They had also to see His Highness every month to report to him personally about the working of their departments.

The Diwan was often an officer borrowed from the Government of Madras. A Minister from among the elected members of the legislature was associated with the Diwan from 1113 M.E. (1938). In the period preceding integration with Travancore, the office of the Diwan was abolished and a Council of Ministers chosen from the legislature was in charge of the administration under the Maharaja.

The Secretariat had at first only a Chief Secretary, (his original designation was Secretary to the Diwan) and a Joint Secretary who divided all the departments between them. Later there were two Secretaries in addition to the Chief Secretary. Below the Secretariat the usual departments of government were organised under their heads. The Diwan Peishkar was the head of the revenue system and the District Magistrate, of the magistracy.

Representative Institutions

21. The influence of the *'Kootams' at the level of the †'Thara', †'Kara' and †'Nadu' waned when the country came under British paramountcy, but in course of time the popular demand for the association of the citizens with the administration of the State gradually grew in volume. The Cochin Legislative Council was established in 1924. A Finance Committee was constituted in 1101 M. E. (1925). The next important landmark in the progress of democracy was the passing of the Government of Cochin Act in July 1938 when the post of a Minister responsible to the Legislature was created and he was entrusted with the departments connected with rural development. Thus Cochin earned the unique distinction of being the first State to inaugurate ministerial Government. In sympathy with the upsurge of the democratic feelings elsewhere in India, public demand, however, continued to be insistent that this step should be further extended to all departments and in 1946 all the departments except Finance, Law and Order and Devaswoms were placed under popular Ministers. The Ministers along with the Diwan formed the Cabinet of the State. Next year, the office of the Diwan was also abolished and the first Cabinet with an elected Prime Minister came into power on 1st September 1947. The powers of the Maharaja, whether resting on prerogative or statute, were, in practice, exercised only on the advice of the Ministers who were members of the Legislature and enjoyed the confidence of the majority thereof. The Maharaja assumed the role of the constitutional head of the State and remained so till the formation of the integrated State of Travancore-Cochin.

* Village assembly.

† Small territorial units.

The Judiciary

22. The Head of the judiciary was the Chief Court, which was later on converted into a High Court. There was complete separation of the judiciary from the executive, effected about 75 years prior to Integration.

Local Self-Government

23. Civic administration was first introduced in Cochin in the form of Sanitary Boards constituted in important towns about the year 1902. They were merely advisory bodies and had no powers of taxation. They were later reconstituted into Town Councils (1909). Councils were established in the towns of Ernakulam, Trichur and Mattancherry. The elective method was also introduced in the composition of these Councils. A Regulation of 1920 increased the strength of the Councils and brought the elected and nominated members to the ratio of 2:1. The Councils were also given enlarged administrative and financial powers. Further democratisation of Municipal administration took place in 1937. It followed the model of the Madras District Municipalities Act. This Act fixed the strength of the Councils on the basis of population and also provided for an elected Chairman and a Vice-Chairman, and a full-time salaried Commissioner in whom was vested the executive functions.

24. Self Government in villages was a familiar feature in early Cochin. There were Headmen or 'Pramanakkars' who were selected by the Government and associated with the work of the Government officials like *Parvathiams, †Menons, etc. They kept watch over the general well-being of the village, reported about the presence of suspicious characters in the village, the state of roads, bridges and avenue trees and government 'poramboke' lands. They were asked to scrutinise the solvency of parties who happened to stand sureties in matters over which the State had a financial interest. They were even entrusted with the work of relieving distress in any form in the village and generally looked after the social needs of the community. Money grants were made on their request whenever necessary for discharging their duties. They very often acted as arbitrators in small disputes and for adjudication of small claims and their decisions were almost always implemented by the executive authorities. There were no restrictions as to the number of these Headmen.

* Village Officers.

† Village accountants.

25. These Headmen or 'Pramanakkars' were the forerunners of the Panchayats of later days. Panchayats for specified areas were constituted by Act V of 1089 M. E. (1913). They were organised with a view to render the principal and more intelligent subjects of H. H. the Maharaja useful by employing them in administering justice to their neighbours and also by entrusting to them certain public duties such as the construction, repair and maintenance of village roads, tanks and wells, the execution of repairs to and maintenance of minor irrigation works and the distribution and regulation of water supply, improvement of sanitation, prevention of epidemics, the maintenance of water pandals, the preservation in tact of all porambokes paths, lanes and canals and village reserves. . . . the improvement and development of agriculture, prevention of cattle mortality and such other matters calculated to promote the health, comfort and prosperity of the inhabitants of the rural areas. Section 11 of the Act included in their duties and responsibility, all the above matters and also, the formation of co-operative societies, supervision over elementary education, maintenance in tact and repair and renewals of survey and boundary marks, control of cattle pounds, and the undertaking of remunerative enterprises like markets and slaughter houses. Act V of 1089 M. E. (1913) was subsequently amended a number of times, and the nomination of members by Government was ultimately replaced by election on the basis of adult suffrage.

26. The same Act provided that either the Village Panchayat itself may function as a Court or a separate Panchayat Court may be formed for a group of Panchayats by election by the members of the Panchayats concerned. The Panchayat Courts had jurisdiction to try petty civil disputes and power to execute their decrees.

This combination of administrative and judicial functions in the same body continued till 1943 when the Village Court Act was passed in pursuance of the view expressed by a Committee appointed by the Government, that it was better to have two separate bodies for the two different functions.

Land, Land Tax and Land Records

27. All lands in Cochin fall under two broad categories: Pandaravaka lands or lands belonging to Government, and Puravaka lands or lands belonging to the Janmies. All other tenures are derivatives of either of these two. Pandaravaka lands are held by the ryots directly under the Government on

the same footing as that on which Puravaka lands are held by the tenants under the Janmies. There was, however, a difference in the matter of assessment between these two classes of lands. Puravaka or Jenmom tax was only half the Pandaravaka assessment. The right of the tenants under the Jenmies can be further divided into Verumpattam, Kanom, Panayam, Anubhogam, etc. So far as lands under Government were concerned, full fixity of tenure was granted to all kinds of them by the Proclamation dated 27-7-1080 (1904). This gave the impetus and inspiration for tenants under the private landlords also to claim permanent occupancy right. There was a sustained agitation in this regard, and on the recommendation of a committee which was appointed to go into this matter a law was passed in 1090 M.E. (1914) (Act II of 1090) conferring fixity of tenure on Kanam holdings which were 30 years old on the date of passing the Act subject, however, to the right of the janmi to retake on certain grounds such as denial of title, waste etc. This was replaced by Act XV of 1113 M.E. (1937) which brought Kanams till that date within its ambit. The effect of this Act was that the Kanam tenants under the janmies enjoyed all the advantages of permanency without detriment to the legitimate interests of the owners of the land. The benefit of fixity of tenure was conferred on Verumpattam tenants also later by Legislature in 1118 M.E. (1942). It may be stated in this connection that Act XV of 1113 M. E. (1937) has since been repealed in 1955 (Travancore-Cochin) and the present position is that the tenant is the owner of the holding subject to the payment of what is called 'janmi-karam', a fixed cash payment in lieu of 'Michavaram' and renewal fees. All customary imposts have also been abolished. The system of basic tax which was prevalent in the Travancore area has now been extended to Cochin as well.

There has been a complete survey of all lands in Cochin, and up-to-date Survey Records are available.

Other Aspects

28. Cochin shared with Travancore the distinction of being in the forefront in the matter of education. The Government of Cochin had its own small coins, such as 'Puthen' (10 pies), 'Eratti Puthen' (20 pies) and 'Panam' (4 annas 7 pies). It also had its own stamp papers of all denominations. There was also an internal Anchal system of post. The Nair Act (of 1095 M.E. and 1113 M.E.), the Nambudiri Act, the Ezhava Act and the Marumakkathayam Act introduced vast and important changes in the family systems of the communities

concerned by giving them the right to partition, statutory recognition of marriages and providing for inheritance of self-acquired properties. They generally helped to promote harmonious relationship between the component members of a joint family and to remove the evils inherent in a system of joint holding of properties by a family and their management by one member thereof.

29. It was generally believed that as the State was small, the eye of the Ruler could see everything and that therefore defects, if any, were corrected soon, and reforms, when desired, were introduced without delay.

III. MALABAR

General Administration

30. After the Perumal period in the beginning of the 9th century A. D., till the establishment of the British Supremacy following the Treaty of Seringapatam in 1792, Malabar consisted of a collection of independent principalities constantly at war with one another, the Zamorin being the most successful, ultimately, amongst them. There were 22 such principalities or 'Nadus' with Kolatnad in the north and Thenmalapuram at the southern end, when the East India Company assumed supremacy and set itself to the task of establishing a unified government. In 1793 the East India Company appointed its first Supervisor and Chief Magistrate of Malabar, (which was then referred to as a Province), with two Superintendents under him, having revenue and magisterial charge of the northern and southern divisions, with headquarters at Tellicherry and Cheralasseri respectively. It was in 1801 that a Collector was appointed for the first time. The Collector, in earlier years, was assisted by 9 subordinate Collectors in the administration of the revenue and civil government. Intermittent internal unrest necessitated the appointment of senior and experienced officers as Collectors of the district. Messrs. Warden, Conolly, Logan, all come in this illustrious galaxy and have left indelible impressions in the administration of this area. This system of sending to the charge of Malabar senior civil servants continued as a tradition, and was kept up even in the immediate post-war period. The Collector of Malabar always enjoyed a status quite different from the Collectors of other districts. The Government looked to him for deciding policies in the administration of Malabar.

31. As in other areas of Kerala, in Malabar also, the unit of administration was the village. The genesis of the present

village is to be traced to the *'Desam' or *'Nadu' that constituted the petty states of old. The Headman of the 'Desam' was called the 'Desavazhi'. He was the Revenue Officer and the Military Chief of the village with power to try petty cases. In police and judicial matters he was assisted by two or three respectable inhabitants called, 'Pramanies',—of superior castes, i.e. Nambudiris, Nairs, Chetties and Mappilas, but chiefly Nairs. Under the Company's government the village system was reorganised by grouping a number of 'Desams' into an 'Amsom'. This was done in 1822. There were originally 2202 'Desams' grouped in to 429 'Amsoms', each under a Headman, who was named 'Adhikari'. As many of the old 'Desavazhis' as possible were appointed as 'Adhikaris'. To assist each Adhikari a Menon or Accountant and a small staff of 'Kolkarans' or peons were appointed in each 'Amsom'. Later the number of 'Amsoms' was increased to 736.

32. Village Officers were paid fixed salaries. But 'Adhikaris' did not consider their remuneration as an important factor. They were men of influence and status and the post was to them a matter of honour. This position gradually changed and 'Adhikaris' to-day generally consider their office as a means of livelihood like other Government servants.

33. The Revenue Administration of the district was controlled by the Collector. At one time he was assisted by three Sub-Collectors, at Tellicherry, Malappuram and Palghat, and three Deputy Collectors, one at Calicut, another in Wynad and the third in Cochin. There was a Tahsildar for each Taluk. The constitution of the Divisional charges has been changed frequently according to necessity. At the time of the reorganisation in 1860 the number of taluks was reduced from 17 to 10, which continued unchanged till a few months prior to the formation of the Kerala State on 1-11-1956. At that time there were only five Revenue Divisions, i.e. Tellicherry, Malappuram, Palghat, Calicut and Cochin, the first three being Sub-Collectors' charges and the last two Revenue Divisional Officers' charges. There was one independent Dy. Tahsildar in each Taluk.

34. Each taluk was divided into five or six regions called 'Firkas' and there was a Revenue Inspector for each 'firka', whose duty it was to supervise the work of the village officers and assist the Tahsildar in the matter of local enquiries and field inspections. There were 52 such firkas in Malabar at the time of the formation of the Kerala State. The same system

* Small territorial units.

continues to-day. It may be observed in this connection that this is prevalent in the Cochin area as well, but not in Travancore.

Besides being the head of the Revenue Administration of the District the Collector discharged many other functions such as managing estates of minors, supervising administration of Municipalities, Local Boards and Endowments, and advising the Government in regard to Police, P. W. D., Education, Public Health and all other matters which affected the welfare of the people. As Additional District Magistrate (Executive) he was also responsible for the maintenance of Law and Order.

The Judiciary.

35. The set up of the judiciary in Malabar was the same as elsewhere in Madras State. There were two District and Sessions Courts with a number of subordinate Judge's Courts and District Munsiff's Courts under them. Petty civil cases were tried by elected village panchayats. The Adhikaris had certain minor magisterial powers. Where there was no Panchayat Court they tried civil cases also under Sanads given to them and in this capacity they were called Village Munsiffs. Until about two years prior to the formation of the Kerala State, the officers of the Revenue Department from the Ly. Tahsildars right up to the Collector functioned also as Magistrates having original and appellate powers. Later, the separation of the Judiciary from the Executive was effected and the Revenue Officers functioned only as Executive Magistrates.

Local Self-Government

36. Modern Self-Government in Malabar began in 1871 when the Local Funds Act of Madras was passed. Under the Act, a Local Fund Circle, with a Local Board, was constituted in the District. The Collector of the District was the ex-Officio President of the Board and the Members of the Board were nominated by Government with the restriction that the number of non-official members should be at least equal to the official members. The Local Boards, which were made responsible for the Local Funds, attended to: (1) construction, repair and maintenance of roads and communications; (2) maintenance of schools either wholly or by means of grants-in-aid, inspection of schools and the training of teachers, (3) the construction and repair of hospitals, choultries, etc., and (4) any other local works of public utility calculated to promote the health, comfort and convenience of the people.

In 1884, the Madras Local Boards Act was passed. The principles underlying this Act were that the management of Local Boards should, as far as possible, be in the hands of non-official persons with their own elected Chairmen and that each Local Board should be limited to an area small enough to represent local interests and knowledge. Each revenue village or group of villages was constituted into a rural sanitary unit, called the Union. Above the Unions were the Taluk Boards, which in turn were made subordinate to the District Board. The District Board consisted of representatives from the Taluk Boards. The numbers of the non-official members were increased simultaneously reducing the proportion of officials in these boards. Increased independence and powers of sanction were given to all the Local Boards.

The year 1920 is significant in the history of Local Self-Government in the Madras State, as three important Acts were passed during that year. The Local Boards Act of 1884 was repealed and a new Act was passed, which, though not substantially different from it, considerably altered its structure. The Madras District Municipalities Act and the Madras Village Panchayat Act were also passed during this year.

In 1930, the Village Panchayat Act was abolished and the Panchayats were also included within the scope of the Madras Local Boards Act as units of Local Self-Government in the rural areas. Another important step in Local Self-Government was taken when the seats in the Local Boards were filled up by election. At the same time, the cadre of the executive officers of the Local Boards, like the District Board Engineer and the District Health Officer, was provincialized.

37. Experience of the working of the Local Boards showed that the duties and functions of the Panchayats, the Circle Boards, the Taluk and the District Boards were similar in many respects and overlapping in certain cases. It was found that there were no services performed by a Taluk Board which could not be taken over by either the District Board or Panchayat Board. It was also considered that the abolition of the Taluk Boards would give an incentive to the development of Village Panchayats and so, the Taluk Boards were abolished in 1934.

38. With the abolition of the Taluk Boards, the Malabar District Board was made responsible for the following:—

- (a) Levy and collection of Profession tax and licence fees in non-panchayat areas;

- (b) Maintenance of all roads in the Malabar area excepting the Kozhikode—Vayitri—Gudalur road and the Tellicherry-Coorg road.
- (c) Maintenance of travellers bungalows, rest-houses, choultries and water sheds.
- (d) Management of ferries under the canals and public Ferries Act.
- (e) Management of Secondary, Higher Elementary and Elementary Schools.
- (f) Management of all hospitals and dispensaries excepting those managed by Municipalities at Taluk Headquarters stations.
- (g) All matters relating to Public Health. (The District Health Officer was a Government Officer while the Health Inspectors were Government Officers working under the D. H. O., the Health Assistants, Maternity Assistants, Cholera Inspectors, etc., were appointed by the President, District Board.)
- (h) Management of markets, cart stands, slaughter houses etc.

39. At the time of States' Reorganisation, the Malabar District Board was maintaining about a thousand miles of roads under different categories. There were 1011 Primary Schools and 26 Secondary Schools under the Board. The District Board was also maintaining 3 hospitals, 21 rural dispensaries of modern medicine and 3 of indigenous medicine.

40. The Village Panchayats which were governed by the Local Boards Act were reconstituted in 1950 under the Madras Village Panchayats Act which was passed in order to invest the Panchayats with larger powers in matters relating to village life and village economy. Under the Act, every village with a population of 500 and more was to have a Panchayat although for administrative reasons the unit of population has been taken as 1000. Panchayats are of two kinds, Class I, i.e., Panchayats having a population of not less than 5000 and an estimated annual income of not less than Rs. 10,000 and Class II all other Panchayats. Election was on the basis of adult franchise—in Class I Panchayats by secret ballot and in Class II Panchayats by show of hands.

41. The Panchayats were invested with two categories of functions: (a) obligatory and (b) discretionary. Obligatory functions include construction and maintenance of public

roads; provision of street lighting; drainage; sanitation; protected water supply and other public health measures. Discretionary functions include planting of trees on road margins; opening and maintenance of elementary schools, reading rooms, markets and cart stands, slaughter houses, dispensaries and maternity and child welfare centres, control of fairs and festivals; improvement of agriculture and veterinary relief. The Panchayats of the Malabar area are functioning also as Panchayat Courts, under the Madras Village Panchayas Act.

Land Tenures, Taxes and Survey.

42. There are three main forms of land-holding in Malabar: 'Jenmam', 'Kanam' and 'Verumpattam'. 'Jenmam' denotes absolute ownership of land. The conception of 'Kanam' is that it is a long term lease, granted by the 'Jenmi', with liability to pay in kind or in cash, a fixed annual rent, the tenancy to be renewed generally at the end of every 12 years on payment of a renewal fee. In certain areas 'Kanam' partakes of the character of a mortgage with possession. 'Verumpattam', in simple terms, is an annual lease held under a 'Jenmi' or a 'Kanamdar', who would be entitled to get a specified share of the produce as rent.

43. The rights over lands held under 'Kanam' tenures are transferable and heritable. The Malabar Compensation for Tenants Improvements Act 1887, as amended in 1900, ensured to the tenant, on eviction, compensation for the improvements effected by him. The Tenancy Act of 1929 conferred a qualified fixity of tenure on cultivating Verumpattamdars and a right to demand renewal of leases on Kanamdars and customary verumpattamdars. It also prescribed rates of fair rent and provided for the determination of such rents in the case of verumpattamdars and cultivating Kuzhikanamdars. Later, in 1946, the Madras Tenants and Ryots Protection Act was passed which prohibited the eviction of a tenant by his landlord in pursuance of a decree or order for eviction, and the sale of any holding held by a tenant in pursuance of such decree or order or the proceeding for recovery of rent. In 1951 the Malabar Tenancy Act was amended giving fixity of tenure to all classes of tenants viz., cultivating verumpattamdars, customary Kanam-Kuzhikanamdars, Verumpattamdars, Kanamdars, Kuzhikanamdars and tenants of homesteads. It also reduced the fair rent and provided a larger allowance for cultivation expenses. A machinery was prescribed for the settlement of fair rents and the system of periodical renewals of leases in the

case of Customary verumpattamdars, Kanamdars and Kuz' kanamdars was abolished.

The Act was amended again in 1954, and this amendment further reduced the fair rent to garden lands and tightened the provision for eviction and limited fixation of fair rent in disputed cases.

44. The rate of land tax was based on soil classification as ordered in periodical settlements. An Income Tax for plantations was also in force. These have been recently replaced by the Basic Tax and the Agricultural Income Tax prevalent in the Travancore-Cochin area.

45. Survey of lands had been done except in the case of large private forests. The survey records are up-to-date.

46. The area and population of the Malabar region at the time of the States Re-organisation in 1956 were 6561 sq miles and 54.23 lakhs respectively.

CHAPTER III

THE NEED FOR REFORM AND THE NATURE OF APPROACH

Kerala State comprises what until recently had been three distinct administrative units (Travancore, Cochin and Malabar) with different systems of Government, which, though not dissimilar in fundamentals, had nevertheless important differences in regard to details. These differences extend to methods, procedures, organisational pattern, financial and administrative rules, pay, promotion and service conditions of personnel, etc. A few of these have no doubt been unified, but a great deal still remains to be done in this regard. Some differences as between even Travancore and Cochin systems have not been settled yet, though the integration of these two states took place over many years ago. The position which was already not too happy, has since been made more difficult after the addition of the Malabar area, because points of differences in details have now increased in number. The impression that we have formed is that, rightly or wrongly, some sections of the people in each of the three units consider that, whatever may have been the defects in the system of administration which prevailed in their respective areas, it was better in comparison with either the present position or what obtained in the other two units. This is a strong factor for the system of administration to which the people of the Malabar area have been long accustomed is, to some extent, responsible for the feeling of separatism which unfortunately persists. This feeling is found reflected, in some measure, in the services as well.

The absence of a unified system has affected the conduct of the day-to-day work and created positive difficulties in administration and we venture to observe that it is one of the factors which have impeded the growth of a feeling of oneness among the people and the services. The need for reform of administration for the sake of achieving uniformity in system, procedure and rules is, therefore, clear.

But this is not all; this is only one, and perhaps the less important aspect of the problem and applies only to the Kerala State. There are certain other matters of all-India importance which have taken place during the last eleven years. These

are:—first, the achievement of freedom from foreign rule in August 1947; second, the constitution of the country into a Sovereign Democratic Republic in January 1950; third, the coming into operation of the Five Year Plan in 1951; and lastly, the decision by the Nation that its goal shall be the establishment of a Socialist, welfare State in the country.

These momentous changes fundamentally altered the objectives of Government, its method and the manner of functioning of its machinery. Shortly stated, the objectives were not merely to collect revenues and maintain the peace, but to promote the welfare of all classes of people, particularly the poorer sections; the method was to be democratic and the machinery, which until the attainment of Independence owed allegiance ultimately to an alien power, had henceforth to be responsible to the people's representatives. These changes have created new tasks and new responsibilities for the services, requiring a thorough re-orientation in their attitudes, outlook, skill and training. It was to be expected that in the wake of these important changes will follow suitable changes in the administrative systems and procedures so as to enable the smooth and efficient functioning of the machinery and the early achievement of the objectives mentioned above.

This, however, did not happen. An examination of administrative organisations, methods and procedures is, therefore, necessary on this more important ground, apart from the need to evolve a unified system applicable to the whole of Kerala, which is, no doubt, urgent from the point of view of current administration.

4. One important characteristic of pre-independence administration in India was that it was over-centralised. This was probably due to the reluctance on the part of those in power to part with it and the distrust they had of the subordinate executive machinery. As was only to be expected, over-centralisation destroyed initiative at lower levels. The same feature exists to-day, in more or less different degrees, both in the Travancore-Cochin and in the Malabar areas forming this State. The existing rules, with the exception of a few which have been amended recently, are unduly rigid, restrictive and unsuited to the rapidly expanding functions of the executive. Our observation applies to the financial as well as to the administrative spheres. The permanent officials including the Heads of Departments and executive officers at the district and lower levels, have inadequate powers. Many official witnesses have expressed to us that they do not have adequate

authority to discharge their functions effectively and speedily and that often times they have to seek sanction from higher levels, including the Government, which process entailed inordinate delays. Members of the public have also represented about the inconvenience caused to them by the district authorities having to approach Government for sanction in respect of matters which are not very important. We consider, therefore, that an essential requisite for efficient administration is a wide delegation of powers to the officers at the lower levels of the hierarchy. Any proposal for reform should be calculated to achieve this end.

5. We have, no doubt, adopted the democratic system of Government, but this system, as it exists in India to-day, (it is not different in Kerala), has a major defect in that the effective participation of the people in general administration does not extend below the Central and the State levels. Democracy has not reached down to the village. There are, of course, District Boards, Municipalities and Panchayats, but they have only restricted powers and limited responsibility. Their character has not changed and they continue to be subject to all the inhibitions which existed prior to Independence.

6. The importance of the people's participation in administration even at the lowest level was emphasised by Gandhiji. He repeatedly declared that real India lived in the villages. In June 1942 he told Louis Fischer, the American Journalist:—"The centre of power now is in New Delhi, or in Calcutta or in Bombay, in the big cities. I will have it distributed among the 7,00,000 villages of India."¹ Referring to the fact that one of the earlier drafts of the Constitution of India did not contain any reference to the Panchayats, Gandhiji observed:—"It is certainly an omission calling for immediate attention if our Independence is to reflect the people's voice. The greater the power of the Panchayats, the better for the people".² Gandhiji continued to have the same opinion till the very last. He declared in the prayer meeting at New Delhi on January 6, 1948:—".....in the true democracy in India, the unit was the village.....True democracy could not be worked by twenty men sitting at the centre. It has to be worked from below, by the people of every village".

¹ A week with Gandhiji by Louis Fischer.

7. These observations underline the need for democratic bodies with substantial power at the lowest level in the scheme of administration. A Panchayat with real responsibility and power will enable the villagers to make their desires known and get quick results and thus to see democracy in action in the village itself. It will effectively ensure the participation of the village community in the Planning and implementation of the development programmes of the Government and make the Five Year Plan, in reality, a people's plan. It will also function as a body which will co-ordinate the work of the officers at the village level and avoid duplication of activities which now exists to some extent.

8. There should be democratisation above the Panchayat and below the State level also. Arrangements should exist for the association of people's representatives with administration either in an advisory capacity or in a more positive manner, according to the importance of the level and the nature of the subject. In matters of development they should have a definite and responsible role both in planning and in ensuring execution. Needless to say, all facilities for implementing the programme, including finances and staff should be made available to them.

9. The need for decentralisation of powers has already been referred to. We consider that democratisation is a necessary corollary to decentralisation because it constitutes an effective check on the proper exercise of delegated authority by the executive. Otherwise, the conferment of large powers is likely to develop in the permanent service an excessive 'executive mindedness'. A body of the people's representatives will also serve as an agency for the independent evaluation of work done by the permanent officials in the development field.

10. We should like to refer in this connection to a matter of some importance. The growth of the democratic spirit in the country has been greatly fostered by Independence, the provisions in the Constitution on Fundamental Rights, and the emphasis laid by all political parties on the rights of the common man. It is necessary that this spirit, to be productive of good results for the country, should be canalised for constructive work and that the system of administration should provide for this objective being achieved.

11. However, democratisation and decentralisation will not, by themselves, make the administration efficient or capable of answering the needs of the people. Planning and development have greatly expanded the scope of the Government's functions.

It has also greatly expanded the size of the machinery of Government. Administration is progressively becoming complex and it is clear that unless there is proper co-ordination which will ensure the adjustment of the parts of the administrative machinery to each other and the operation of all these parts in time, there will be confusion, waste and loss of efficiency. This co-ordination calls for an agency at each important level, capable of taking an integrated view of the work of all departments and with sufficient influence over the officers under its span of control, and a readiness on the part of the officers within the span to work as members of a single team. Co-ordination should extend to the ranks of the non-officials also because, in matters of development, and indeed, in matters of administration as well, the efforts of officials and non-officials should henceforth be complementary. The administrative system should be so ordered as to leave no room for compartmentalism and inter-departmental jealousies in Government service. There should be a proper adjustment of relationship amongst the Government Servants themselves, and between the Government Servants and the public.

12. There is another factor also which needs to be emphasised. Independence and the objective of a Welfare State should bring about a radical change in the relationship of the Government Servants vis-a-vis the Government and the people. Government Servants can no longer consider themselves as mere employees mechanically serving an alien employer, the quantity and quality of their work being conditioned by the amount of remuneration received. The motto should be that the State pays according to its capacity and the civil service gives of its best for the people. It should regard that employment under Government is an opportunity to discharge a duty which it owes to the public. The magnitude of the task facing the country is so great that it cannot adequately be performed unless the service becomes 'professionally inspired' and is spurred to action by the spirit of patriotism and a sense of social purposiveness. There should be a real awareness of the grim truth that our needs are many but that the resources are limited.

13. The output per capita must, therefore, increase greatly qualitatively and quantitatively, and there must be a cheerful willingness to undergo sacrifices for the sake of the country as a whole. Administrative efficiency will increase and mutual understanding between the Government and the service will improve to the extent to which these principles gain recognition.

A proper system of administration should be such as would promote such recognition.

14. To sum up, therefore, the guiding principles of administrative reform should be (i) to delegate greater and greater authority to the lower units of administration, consistent, of course, with the necessity for centralisation in matters of broad policy, (ii) to associate the elected elements at every level of administration, (iii) to ensure co-ordination of the activities of officials at all levels, (iv) to improve the morale and social purposiveness of the Services, (v) to effect proper adjustment of relationship between officials and non-officials and (vi) to provide, in general, for the canalisation of the democratic spirit for constructive work. It may be argued that the association of elected elements with administration would raise various difficulties like factionalism, party-rivalries etc. We are not unaware of the danger, but ask, can we for that reason be content with a completely officialised administrative set-up, and still claim to have democracy in action? The danger has to be faced, and should not be used as an argument against democratic decentralisation. It may be remembered that the defects mentioned above exist, to some extent, also at the State level. The proper attitude would be to try to remedy them through the united efforts of the nation. Any other method would mean a going back on the democratic system that has been established in our country. It is, however, admitted that there is need for great caution in introducing democratisation. It should be gradual and provision should exist for the proper supervision and control of the lower units by the higher units. There should also be arrangement for the proper recruitment and training of the personnel. The Second Five Year Plan has observed:—"As development goes forward, the expression 'administration' steadily assumes a broader content. It includes within its scope the building up of personnel, training of men, running the administrative machine, seeking the co-operation and participation of the people, informing and educating the public and, finally, organising a sound system of planning based as much on the participation of people at each level as on the best technical, economic and statistical information available". We approach the problem of administrative reforms in the light of the above principles.

CHAPTER IV

THE VILLAGE PANCHAYAT

General

Article 40 of the Constitution of India, under the heading "Directive Principles of State Policy", requires that "the State shall take steps to organise Village Panchayats and endow them with such powers and authority as may be necessary to enable them to function as units of Self-government". The "Directive principles of State policy" are meant to be the guiding factors in the policies and the administration of the State. The Panchayats which were in existence in different parts of Kerala, were reconstituted in 1950, under the laws* enacted in pursuance of Article 40 of the Constitution. The nature and scope of their powers have, however, remained essentially unaltered even today.

During the last few years, the co-operation and participation of the Panchayats have been enlisted, either directly or indirectly, in the working of the National Extension Service Programme and in the implementation of Local Development Schemes. The needed arrangements were made on an *ad hoc* basis, and the Panchayats have not been associated in the maintenance and improvements of the facilities which have been newly brought into existence. They have been functioning as mere Local bodies. For almost all activities of Government there are departmental agencies down to the village level. Thus, there are separate functionaries for different departments like Public Works, Public Health, Education etc., all of whom function independently of the Panchayat and, by and large, of each other also. The revenue administration of the village is done by the revenue staff which forms part of the general administrative arm of the Government. There is urgent need for co-ordinating the activities of these functionaries and bringing them under the control of a local and immediate elected body like the Panchayat, if the results of our planning and

*The Madras Village Panchayats Act, 1950 applicable to the Malabar and Kasargode areas and the Travancore-Cochin Panchayats Act, 1950.

development are to be lasting and permanent. As the Planning Commission has said:- "The development of Village Panchayats on the right lines has significance for several reasons. Under the impact of new developments including the growth of population, land reforms, urbanisation, spread of education, increase in production and improvements in communications, village society is in a state of rapid transition. In emphasizing the interests of the community as a whole...

..... Village Panchayats can play a considerable part in bringing about a more just and integrated social structure in rural areas and in developing a new pattern of rural leadership". It is obvious that all these tasks could be achieved by the Village Panchayats only when they are given the opportunity and authority to exercise their initiative to the utmost. The pattern of Panchayat powers and functions has to ensure this. We believe that the Panchayats can achieve this only if they are made basic units of administration at the village level.

2. We do not, by this, mean that the Panchayats should (or could) exercise the same degree and extent of powers in respect of all matters arising within their limits. Such a view would be inconsistent with the needs of modern Government. The nature and extent of powers that can be exercised by any body would obviously depend upon the specific requirements of the functions, as also on the human and material resources of the body and on the size of its unit of operation.

In our conception, the functions of the Panchayats may be divided into three categories:

- (i) those in respect of which they would have full devolution of powers, as Local Self-government units raising their own taxes, deciding policies and implementing them; •
- (ii) those for which the Panchayats would function as agents of Government with executive delegation of powers; and
- (iii) those involving a necessarily higher optimum level of policy-making and organisation in respect of which the Panchayats' role would be mostly advisory.

What is implied by saying that the Panchayats should be the units of administration is that, whatever be the extent of their powers in respect of specific functions, they should be the only organisations at the village level between the Government and the people and that they should be the media through

the villagers would come into contact with Government. That which takes place within their area should be done with Panchayats being associated with it in any one of the ways mentioned above. They should be the executive between the Government and the People.

Jurisdiction and Constitution of Panchayats

The Panchayats in the Malabar and Kasargode areas of the State have been formed under the Madras Village Panchayat Act, 1950. Under the Act, every village with a population of 500 and above is to have a Panchayat. Villages with a population of less than 500 are included within the jurisdiction of the adjoining Panchayats or grouped with other contiguous villages of similar population. As a matter of administrative convenience, the territorial unit for the purpose of the constitution of Panchayats has been taken to be a unit with a population of not less than 1,000. The Panchayats are classified into two grades. Class I Panchayats are those with a population of not less than 5,000 and an estimated annual income of not less than Rs. 10,000. All other Panchayats are Class II Panchayats. Part of the Malabar and Kasargode area is not covered by Panchayats. There are only 35 Class I Panchayats and 365 Class II Panchayats.

The basis of delimitation of Panchayats in the Travancore-Cochin area is entirely different. The whole of it is covered by Panchayats (495 in number) whose population varies from about 10,000 to 30,000, with an estimated revenue varying from Rs. 4,000 to Rs. 40,000. Though the Panchayats consist, for the most part, of one village or a whole number of villages, there are instances where Panchayat boundaries cut across revenue village boundaries.

We learn that the Government have recently constituted committees for the delimitation of Panchayats in the State. The delimitation is to be done in such a way that a Panchayat should have a population of not less than 10,000 and would also, as far as possible, consist of either one village or a whole number of villages.

It has been generally held that the unit of organisation for the Panchayats should be the 'Village' where the village denotes a 'natural residential unit', accepted by the people as such. Conditions in this State, however, differ from those in other parts of the country. Villages here are more administrative units than 'natural residential units' as the people live

more or less in one continuous habitation, in individual homesteads, all over the countryside, instead of in 'clusters of habitation'. This makes the search for a natural unit for organisation of Panchayats infructuous. The only alternative is to adopt the most convenient among the existing units. The revenue village offers a unit of administration which has been in existence for a number of years. It is larger and more viable than the 'residential units' accepted in some other States.

7. We, therefore, suggest that there should be one Panchayat for each revenue village. Where, however the population of a village is less than 5,000, two or more villages may conveniently be combined so that the unit becomes neither too small nor too large. In rare cases where, having regard to the existing local conditions, the jurisdiction of a Panchayat has to include part of a revenue village, the boundaries of the latter may be altered suitably. Where the population is above 25,000, the question of converting the unit into a Municipality may be considered provided the area is small, compact and has distinct urban characteristics and the resources are sufficient to support the larger expenditure of a municipal administration. There may be a few places which have urban characteristics but may not have sufficient area or resources to be formed into a municipal body. Such areas may be constituted into "Townships". We suggest that the proposals submitted by the Delimitation Committees be examined with reference to the above criteria.

8. We are of the opinion that the Panchayats should be constituted on the basis of direct election, by adult franchise, of one member for approximately every thousand voters. We do not consider it desirable to co-opt any member from any special groups or organisations. However, in addition to the reservation for Scheduled Castes and Tribes, we suggest that one woman member may be co-opted by the Panchayat, if no woman is elected.

9. At present, only the elected members of the Panchayats participate in their administration. This has two disadvantages. It does not ensure the maximum utilisation of all available talents in the locality. Also Panchayat administration will not be sufficiently broad-based. A larger section of the village community can, with advantage, be associated with their activities, which, as we shall explain later, are bound to expand appreciably. Panchayats in this state will also be

much larger in population than elsewhere. We, therefore, suggest that Panchayats should have functional committees for different subjects like Sanitation, Communications, Public Health, Education etc., consisting both of Panchayat members and others who are interested in public welfare. There should also be Ward Committees with the Ward Members and representatives of the local inhabitants nominated by the Panchayat to study and report on the needs of the wards. The work of the Functional Committees and the Ward Committees will be complementary.

10. We have considered the question of party politics influencing Panchayat elections and Panchayat administration. As stated by the Study Team of the Committee on Plan Projects 'one of the banes of democratic village administration in some areas has been the intensification of factions and feuds, often also of separatism arising out of caste distinctions. The system of electoral contests at village level has often added to this'¹. There is no doubt that those Panchayats which have eschewed party politics have succeeded to the maximum extent. It is learnt that in the Malabar area there have been some cases where agreed lists of members have been put up by different parties. We consider that this is a wholesome and healthy practice which could, with advantage, be emulated by others, but we cannot think of any procedure for ensuring this.

In a State where the people are generally literate and have developed a high degree of political consciousness, external manifestations of their urges to discover and align themselves with common ideals are only to be expected. They need not be interpreted as indicating the existence of any serious malady in the body politic and should not be viewed as a ground for denying democracy at the village level. We hope that the existing frictions will disappear in due course and that political parties will find it possible to make a united effort in the management of the local affairs of the village community.

Functions and powers of Panchayats

11. The draft Kerala Panchayat Bill, which seeks to unify the provisions of the Madras and Travancore-Cochin Acts (but does not add to them) enumerates the following as the mandatory and discretionary functions of the Panchayats:—

Mandatory Functions

(a) the construction, repair and maintenance of all public roads in the Panchayat area (other than roads classified as

¹ Vol. I, Page 18.

National Highways, the roads under the State P. W. D. and the roads under the District Board) and of all bridges, culverts, road-dams and causeways on such roads;

(b) the lighting of public roads and public places;

(c) the construction of drains and the disposal of drainage water and sullage;

(d) the cleansing of streets, the removal of rubbish heaps, jungle growth and prickly-pear, the filling in of disused wells, insanitary ponds, pools, ditches, pits or hollows, and other improvement of the sanitary condition of the Panchayat area;

(e) the provision of public latrines and arrangements to cleanse latrines whether public or private;

(f) the opening and maintenance of burial and burning grounds;

(g) the sinking and repairing of wells, the excavation, repair and maintenance of ponds or tanks and the construction and maintenance of water-works for the supply of water for washing and bathing purposes and of protected water for drinking purposes;

(h) preventive and remedial measures connected with any epidemic or with malaria;

(i) control of offensive and dangerous trades;

(j) construction and maintenance of petty irrigation works; and

(k) control of cattle pounds.

Discretionary Powers

(a) the planting and preservation of trees on the sides of public roads in the Panchayat area not being roads classified as National Highways, the roads under the State P. W. D. and the roads under the District Board;

(b) the opening and maintenance of public markets other than those classified as district markets;

(c) the control of fairs and festivals other than those classified as district fairs and festivals;

(d) the opening and maintenance of public landing places, halting places and cart-stands;

(e) the opening and maintenance of public slaughter-houses;

(f) the establishment and maintenance of choultries other than those classified as district choultries;

- (g) the extension of village sites and the regulation of building;
- (h) the registration of births and deaths;
- (i) improvement of agriculture and agricultural stock and holding of agricultural fairs;
- (j) the promotion and encouragement of cottage industries;
- (k) primary education;
- (l) the opening and maintenance of reading rooms and of libraries which are not classified as district libraries;
- (m) the establishment and maintenance of wireless receiving sets, playgrounds, sports clubs and centres of physical culture;
- (n) the establishment and maintenance of dispensaries and payment of subsidies to rural medical practitioners;
- (o) the establishment and maintenance of maternity and child welfare centres;
- (p) veterinary relief;
- (q) other measures of public utility calculated to promote safety, health, comfort or convenience of the inhabitants of the village; and
- (r) increased food production.

12. The Study Team of the Committee on Plan Projects suggested the following compulsory duties for the Village Panchayats:²

- (i) Provision of water-supply for domestic use;
- (ii) Sanitation;
- (iii) Maintenance of public streets, drains, tanks etc.,
- (iv) Lighting of village streets;
- (v) Land management;
- (vi) Maintenance of records relating to cattle;
- (vii) Relief of distress;
- (viii) Maintenance of Panchayat roads, culverts, roads, bridges, etc.
- (ix) Supervision of primary schools;
- (x) Welfare of backward classes; and
- (xi) Collection and maintenance of statistics.

13. We consider that the mandatory functions or compulsory duties of the Panchayats should be those which can be performed by them from out of their own resources and with their own staff, the Panchayats being responsible fully both for their formulation and execution. It follows that they will be the functions in respect of which there will be full devolution of powers to the Panchayats and that they should not include any of the agency functions or functions which are to be vested in a higher body. We are, therefore, of the opinion that the provisions regarding the mandatory functions as given in the Kerala Bill are more specific than those suggested by the Study Team and that they may be accepted. We also suggest that "Registration of births and deaths" may be included among the mandatory rather than the discretionary functions.

14. In the exercise of these functions, the Panchayats should have sufficient administrative powers to accord sanctions etc., so that they may not have to send proposals on minor matters to higher authorities for approval. The aim of any higher control should be only to ensure proper and effective utilisation of the funds and the authority should not, consciously or otherwise, take up the role of according sanction for each and every scheme.

15. The list of discretionary powers in the Bill includes several items which are far too general and broad to serve as descriptions of specific functions. Thus, whereas the Panchayats may undertake "Planting and preservation of trees on the sides of public roads" and "opening and maintenance of public markets and fairs", terms such as "Primary education", "Veterinary relief", "increased food production" etc., do not indicate the specific functions which should be exercised by the Panchayats. The extent of responsibility that the Panchayats will be able to undertake in these fields will be somewhat limited. In regard to education, the Panchayats may be made responsible for the administration of Primary Schools on behalf of Government for which they may receive grants. Within the funds allotted, they may also undertake expansion of primary education, the extra expenditure involved being met either from the surplus available with the Panchayats, or from private donations. In the field of medical relief, they may take over the maintenance of rural dispensaries, existing or to be opened, meeting part of the expenditure from Government grant and the balance from their own resources. They may also subsidise rural medical practitioners so that their

services may be available to the community. Towards increasing food production, they may arrange for the distribution of manures and insecticides either directly or through the co-operatives. It appears to us that in these fields of "Social Service Programmes" and "Development work" Panchayats should function with executive responsibility as agents of Government.

16. It follows, therefore, that the bulk of the new functions which we propose to assign to the Panchayats would come under this category. We do not think that there is anything in this which would detract from the democratic character of Panchayats. We consider, on the other hand, that the nature of these functions is such that the Panchayats can effectively attend to them only as agents of Government. There is yet another reason for urging that in these matters they should be given executive responsibility. We are already enlisting the cooperation of the Panchayats (in the form of contributions) in the construction of maternity wards, rural dispensaries, community centres etc. After their construction, the Panchayats cease to have anything to do with them and the institutions are run directly by Government. We believe that if the local people should show sustained interest as well as willingness to participate in the establishment and maintenance of these institutions, they should be actively associated with them.

17. While we do not suggest a detailed specification of such functions, we may indicate broadly the lines on which delegation of executive responsibility to Panchayats should be pursued in regard to existing institutions. In the field of education, Government-owned primary schools, and the primary schools run by the erstwhile Malabar District Board, should be maintained and run by the Panchayats. In the field of health, they should have the responsibility to maintain and run the rural dispensaries, primary health centres, child welfare centres and maternity homes. In the field of communications, the maintenance of local communications, (even which is now done departmentally) should be the responsibility of the Panchayats. Similarly the maintenance of existing rural water-supply sources, tube-wells, petty irrigation works etc., should also be entrusted to them.

18. These are only some of the functions in which executive responsibility may be delegated to the Panchayats. As and when new institutions are opened, the possibility of making the Panchayats responsible for their maintenance should be

examined, and consistent with the demands of the administration, as many of them as possible should be entrusted to the Panchayats.

19. In future, it will be the responsibility of the Panchayats to formulate the programmes of development in these matters and in other items of development work like agricultural production, animal husbandry, co-operative organisation, village industries etc. It will also be the responsibility of the Panchayats to execute as many of them as would lie within their sphere.

20. As Panchayats gain experience in the exercise of these functions and gather vitality and strength, the scope of the activities of the Panchayats will increase. We would urge a continuous search to effect greater and greater delegation.

Panchayats and Revenue administration

21. One major step that we suggest is that the village revenue establishment may form part of the Panchayat and that the Panchayat may be made the agent for collection of land revenue.* We are not suggesting this as a measure to augment the resources of the Panchayats, though we propose that 50 per cent of the basic tax collected by the Panchayat may be allotted to it and the remaining 50 per cent of the total for the State also be distributed to the Panchayats on the basis of needs. Our main reason for suggesting this has already been stated in paragraph 1 above. It is that in the place of a multiplicity of functionaries and organisations at the village level, the Panchayat should function as the one organisation between the people and the Government.

22. Fears have been expressed by many that this would lead to inefficiency and slackness in collection and to unsatisfactory maintenance of the land and survey records. Judging from the efficiency of collection of their dues by the Panchayats it may be stated that these fears are not entirely unfounded. The average percentage of collection by the Panchayats 1955-56 (Travancore-Cochin) was 77. It may, however, be mentioned in this connection that Panchayats in the Travancore-Cochin area, where the collection is more unsatisfactory, have no powers to recover the arrears of tax either summarily under the Revenue Recovery Act or by prosecution. If collection as is now made is of amounts voluntarily

* But please see the note of Sri G. Parameswaran Pillai and V. K. N. Menon.

the residents whom we met had all protested that it was unfair to blame the Panchayats for bad collection, without giving them powers to enforce payment. There is great force in this argument. We do realise that it is important to ensure the maximum possible efficiency in the collection of revenue and Panchayat dues and in the maintenance of the revenue records, and believe that the measures suggested below regarding the relationship between the revenue staff and the Panchayats would be adequate to safeguard against any possible deterioration in respect of these two matters.

23. The same revenue staff now attending to collection of land revenue and maintenance of land records should continue to do so in the new set up also. It is suggested that they be transferred to the Panchayats to form part of the latter's staff and be subject to their control and supervision. The present Village Officer may function as the Revenue Officer of the Panchayat and be responsible for the collection of land revenue. Collection of other dues and action under the Revenue Recovery Act in respect of arrears of Sales Tax, Abkari dues etc., may also be entrusted to the same staff. In order that the Panchayats may take an active interest in the collection of these latter dues, a suitable commission may, perhaps, be given to them. The Village Assistant or Menon will be the Revenue Assistant of the Panchayat and continue to be responsible for the maintenance of the village accounts and records. The work of the revenue staff in these matters will, as now, be inspected, supervised and reviewed by the Tahsildar and the higher officers, and they shall be competent to take disciplinary action against such staff for faults of omission or commission noticed.

24. In course of time, the officer at the Panchayat level who will be responsible for all these items of work to the Tahsildar will be the Panchayat Executive Officer. It is not, however, possible to implement this idea immediately as most of the Executive Officers do not have the necessary training in revenue matters.

25. The arrangement suggested by us will also do away with the need for continuing the conventional hereditary system of Village Officers now prevalent in the Malabar area.

Panchayats and Gramsewaks

26. We have suggested that the Panchayats should be responsible for the formulation of the village level programmes of the N.E.S. Blocks as well as their implementation. In other

words, the funds of the Block for the implementation of these programmes will be channelled through the Panchayats. The Block Programme is, thus, to be visualised as a combination of (i) the programmes of the constituent Panchayats and (ii) the inter-panchayat programmes.

27. In order to link the Panchayat organically with the extension and development work in the village and to enable it to effectively implement the programmes which it undertakes as part of a block area, we think it necessary that the Gram Sewak should also be attached to the Panchayat. Each Panchayat may be given the services of a Gram Sewak, who will function as its Extension and Development Assistant. In larger Panchayats where there would be sufficient work for two officers it may be necessary to have a Panchayat Executive Officer and a Gram Sewak. In Panchayats where after allocating work to other functionaries like Health Assistants, Gram Sewaks etc., the residual quantum of work will not be sufficient for a separate Executive Officer, the Gram Sewak or the Revenue Officer may function as the Executive Officer also.

Resources of the Panchayats

28. Our proposals lead to an enlargement, not so much in the local self-governing functions of the Panchayat as in those functions which the Panchayat will be performing as agent of Government. The direct expenditure of the Panchayat will be limited to the staff employed by it and the mandatory functions to be performed by it. For this purpose, the following may be the main sources of revenue of the Panchayat:—

- (a) House tax, Profession tax and Vehicle tax;
- (b) Cess on land;
- (c) 50 per cent of the basic tax collected;
- (d) Contribution from the Basic Tax Equalisation Fund;
- (e) Irrigation cess relating to petty irrigation works;
- (f) Any rate, tax, cess or any license or other fee which they may levy for the discharge of their mandatory functions;
- (g) Voluntary contributions;
- (h) A duty on transfer of property in the form of a surcharge; and
- (i) Revenue from remunerative enterprises.

In addition, receipts from Pilgrim tax, Cattle pounds, occupation of poramboke lands belonging to, or vesting in, Panchayats, Village Fisheries, and such other items as may be specified from time to time by the Government may also be credited to the Panchayat fund.

To ensure adequacy of resources for implementing the functions for which the Panchayats will be given executive responsibility, we would recommend the system of specific grants linked in suitable cases, with the provision of matching funds, through the mobilisation of local resources. For meet-special grants will be given for maintenance of roads, rural ing the expenditure on the maintenance of Primary Schools, for example, a special grant will be given which will be approximately equal to the amount of expenditure that would have been incurred by Government on the schools. Similar dispensaries, maternity and child welfare centres etc. For some time to come, diversion of funds to purposes other than those ear-marked will not be permitted. Later on, when Panchayats gain experience in the performance of these agency functions, they may be given a Block grant with discretion to allocate it among the different items according to needs.

For the implementation of the Programmes of the N.E.S. Block, the Panchayats should be given grants from the Block funds.

29. We have considered the suggestion made by the Study Team of the Committee on Plan Projects that the Panchayat budget should be approved by a higher body, like the Panchayat Samiti or Block Board. We think it undesirable that the budget of a democratic body should be approved by a higher body and suggest that in order to ensure that the Panchayat budget fulfils the statutory needs, as well as the needs of those functions now proposed to be delegated to them, it should be sent to the Tahsildar (who will also be the Development Officer at the Sub-district level) for preview and scrutiny, before it is approved by the Panchayat. The purpose of this scrutiny is only to ensure that provision has been made for the due fulfilment of statutory functions, for the proper utilisation of grants, for the payment of salaries to staff and for carrying out any purpose which may have been specifically enjoined on the Panchayat by the Collector or the Government. It should not lead to unnecessary interference with the discretion of the Panchayat. Once the Panchayat has accorded sanction to the budget, it should not be required to send it to a higher authority for approval.

30. Our proposals will result in the Panchayats being invested with substantial responsibility and power and link them up closely with general administration. Any lapse or default on their part will seriously affect governmental activities and the day-to-day life of the village community. It is, therefore, necessary to provide for their better supervision, control and guidance. To this end, we suggest that apart from the check on revenue collection and maintenance of revenue records and registration which will be done by the Tahsildar, there should be regular administrative audit by the Panchayat Inspector, who will hereafter function as an Assistant to the Tahsildar, for this purpose. If a Panchayat persistently defaults in its functions and is not responsive to instructions of correction, the Collector, who is responsible for the revenue and general administration, should have the power to supersede it, or to withdraw from it such of the functions as in respect of which default has occurred. He should also have the power to make *ad-interim* arrangements for the discharge of all or any of the functions of the Panchayat so that village administration may continue without interruption.

Panchayats—Staff

31. The services of different categories of staff would be required by the Panchayats for properly exercising their functions. The Panchayats will have, for example, the services of an Executive Officer, a Gram Sewak, the revenue staff, a Health Assistant, and perhaps also an Overseer. In addition, the Panchayats will have to employ their own staff for performing their mandatory functions. The institutions, the maintenance of which is proposed to be transferred to the Panchayats, will also have staff of their own. We suggest that the Panchayat Executive Officer, the Revenue Officer, the Revenue Assistant, the Gram Sewak, the Health Assistant and the Overseer (if any) as well as the staff of the institutions proposed to be transferred to the maintenance of Panchayats may be recruited by the Government on the basis of a district cadre, and that their pay and allowances may be borne by the State. The special grants given to the Panchayats will also include the cost of establishment. The Panchayats need have to pay from their resources only the staff directly employed by them for the performance of their civic functions.

While considering the question of the staff working under the Panchayat, it may be mentioned that a certain amount of administrative control over them should be vested with the

Panchayat. We do not propose, however, to define in this report to what extent this may be exercised, in respect of each category of posts, but would mention in a general way that the Panchayat (or its President) should have different degrees of disciplinary control not only over the staff employed by it, but also over certain categories of Government staff functioning under it. In the latter case, technical control and supervision should, however, vest with the higher departmental officers. The powers of the Panchayat and the departmental officers over these staff should be clearly defined and there should be no room for conflict between the two.

32. With the increase in the agency functions of the Panchayats, there would be considerable increase in the volume and variety of their work. At the present time, we understand that the Executive Officers are mostly lower division clerks, who cannot effectively function as Executive Officers of the Panchayats with their new powers and responsibilities. We would emphasize the need for a careful selection and proper training of the personnel to be posted as the Executive Officers of Panchayats.

33. These proposals will involve a complete reshaping of the pattern and mobility of staff in the Panchayats and in the department now in charge of them. With the Panchayats becoming basic units of administration, albeit in a somewhat restricted sense, their control and supervision will logically have to vest with the Collector who is in charge of the General Administration. The clerical staff in Panchayat Offices should be eligible for recruitment by transfer as clerks to offices in the Revenue Department and they, the Gram Sewaks, the Executive Officers of Panchayats, the existing Taluk Panchayat Officers, the Block Development Officer-cum-Tahsildars, the present Deputy Director of Local Bodies and the Deputy Collectors will all form different links of the same departmental chain. Some of them will be found superfluous and many may need suitable reorientation for the new tasks which they may be called upon to handle. These are, however, matters of detail which we prefer to leave for Government's careful examination and decision.

Village Courts

34. Village Panchayats in India played an important part in the settlement of village disputes. The elders of the community, who permanently lived in the village, and were fully conversant with the local affairs and knew almost every

one resident in the village performed a useful role in speedy arbitration of local disputes. The need for simple, cheap and speedy justice at the village level is as great now as ever before.

35. In this State, Village Courts are in existence in all parts, but there is difference in the constitution of these courts between the Malabar and Travancore-Cochin areas. The Village Courts of Malabar have been formed under the Madras Village Courts Act. In all villages, where there are Panchayats, the entire Panchayat sits as a court for settling minor civil disputes and trying petty criminal offences. Where there are no Panchayats the Village Headman functions as the Village Munsiff. Unlike the Panchayat Courts, he has no criminal powers, but has certain magisterial functions, like sending the First Information Report to the Police and the nearest Magistrate about any cognizable offence in the village. The Village Courts in the Travancore area have been formed under the Village Panchayat Courts Act and those of the Cochin area under the Cochin Village Courts Act. In both the areas they consist of nominated persons and have no connection, whatsoever, with the Panchayats.

36. The one factor that has to be borne in mind, while considering the question of Village Courts, is that in the settlement of minor disputes between the villagers, those amongst them who have their confidence and who are fully conversant with the facts of the locality should be able to dispense justice speedily, without having to take recourse to the lengthy process of the ordinary Civil and Criminal Courts.

37. The Kerala Village Courts Bill which has been introduced to frame a uniform law relating to the Village Courts for the whole State provides for the constitution of a Village Court for each Panchayat or a Village or a group of villages. As per the Bill, a Village Court shall consist of six members of whom four shall be persons elected out of the members of the Panchayat. The other two, one of whom will be the Chairman, and the other a legal member, will be appointed by nomination by Government.

38. We have considered the different possibilities regarding the mode of constitution of the Village Courts. Opinion in Travancore-Cochin area has been *uniformly* against entrusting elected persons, like Panchayat members, with judicial powers. In the Malabar area, however, experience of Panchayat Courts has shown that such fears are exaggerated. We believe that

the formation of a Village Court, by nomination of all the members and the Chairman from out of a panel of names suggested by the Panchayats would meet the requirements. Each Panchayat may send a panel of ten names (which will not include any of the Panchayat members) from which five may be nominated to constitute the Village Court. The general opinion in the Committee was that it would not be necessary to appoint a legal member to this Court, as the questions that would arise for decision would depend largely on facts and not on points of law. To ensure simple and speedy justice, we think we should rely more on the robust common sense of the people.

39. According to the Bill, the Village Courts will have the power to take cognizance of civil suits up to Rs. 200 and also the power to take cognizance of and try certain criminal offences. The powers of punishment are those imposing a fine up to Rs. 50 or in default to impose a sentence of imprisonment for a term not exceeding one month. We believe that these powers are adequate and that they may, therefore, be accepted.

CHAPTER V

THE SUB DISTRICT LEVEL

Above the Village, the taluk is the unit for purposes of revenue and general administration while the N.E.S. Block is the unit for development and extension. There are 55 Taluks in the State with an average area of 270 sq. miles and an average population of $2\frac{1}{2}$ lakhs. The State has been divided into 143 National Extension Service Blocks each having, approximately, a population of one lakh. Each taluk consists of 2 to 4 N.E.S. Blocks.

2. Different departments of Government have different basic administrative units. In most of them there is an intermediate level between the basic unit and the district. Within the district, therefore, there are a number of levels and units of administration. The need for different levels in the same department depends upon the volume of work and the amount of supervision and control necessary. The need for different units rests on the difference in the types of activities. The existence of a large number of units of varying sizes is inevitable, but any scheme of reorganisation should ensure two conditions:—

(i) The basic unit of all departments should, as far as possible, be a Panchayat or whole number of Panchayats. This arises from our recommendation to build up the administrative structure in the State with the Panchayat as the base, and

(ii) there should be some arrangement for co-ordinating the work of the several departments at certain levels; otherwise integrated development will be difficult, and delay and duplication will result.

3. We suggest that early steps be taken to implement the first condition. This is likely to involve only a re-arrangement of the existing set-up and no major changes.

So far as the second condition is concerned, arrangements now exist for the co-ordination of development activities at the Block level, by the Block Development Officer under the guidance of the Revenue Divisional Officer and Chairman of the Block Advisory Committee, and at the district level, by the

Collector. It may, however, be mentioned that the set-up of the several departments has not yet been revised on the basis of the Block.

Below the level of the Revenue Divisional Officer the Officers of the Revenue Department—which is the department of general administration—are not very much concerned or associated with development work. The question has arisen before, and it is progressively gaining in importance, whether it is necessary and desirable to keep the revenue and the development functions separate any longer.

Before answering this question it will be useful to examine the objections advanced against the suggestion.

4. The objections are based both on policy and on principle. It is argued that a taluk will be too large in size and the work load too heavy to be managed by a single officer. Quite apart from this, the more important reason urged is that it is wrong in principle to combine the so called regulatory functions (Collection of revenue involving adoption of coercive processes) and the developmental functions. The view has been expressed that at the point of active contact of the developmental and extension programme with the people, it will be unwise to combine the two functions of revenue and development in one officer.

5. This principle has not been observed in certain States. It is understood that in Bombay, Bihar, and Rajasthan the Taluk (Tehsil) Revenue Officer is also the Block Development Officer. Successive evaluation reports on the working of Community Projects and N.E.S. Blocks have, however, adversely commented on this arrangement. The Balwant Rai Mehta Team has commented as follows:—"In Bihar where the Zamindari system was abolished recently, the Block Development Officer has also been given the power of collection of land revenue as also certain other administrative powers in the revenue field, but not compulsive powers. These vest in the Deputy Collectors. The Block revenue unit has been made co-extensive with the development block In Rajasthan the integration is only at the block level. The Tehsil and the Block are co-extensive; the Tehsil being normally small in size, the block does not depart from the prescribed limits in area and population. The Tehsildar is given an additional Tehsildar to assist him in his revenue work, so that he can devote the major portion of his time to development work. With the increasing emphasis which the Government itself places on development, there is no fear that the Tehsildar

will do otherwise. In Bombay, on the other hand, the Tehsil was and is of a very large area covering a population some times exceeding even 2 lakhs. This was turned into a block for development purposes. The Mamlatdar who was already heavily over-worked was in addition made the Block Development Officer, substantially without the assistance of an additional Tehsildar. Lower down, the Revenue Circle Inspector was made the Gram Sewak. This arrangement in the State of Bombay has certain very serious drawbacks; the block is too large, the Mamlatdar has little time for the development work, the cadre of the Tehsildar recruited according to the present rule is unsuitable for development work. It is only when these defects are eliminated that it will be possible to combine the revenue and development functions in one functionary at the block level"¹

6. It is clear from this that the Team's objection to the merger of the revenue and development functions at the Taluk (or Block) level is based only on those points underlined in the quotation in the previous paragraph. We believe that it is unnecessary to create a clear-cut division between the revenue and the development functions at this level, when such a distinction is not made at the level of the district and the sub division. Moreover, it has all along been emphasised that National Extension and Community Development should not form a separate department but should be only a pattern of administration in which a team of Extension Officers work under the leadership and co-ordination of a General Administrative Officer. This concept of national extension is applicable as much at the Taluk (Block) level as at the sub-divisional and district levels. This argument gains greater force in view of the proposal made by us in the last chapter that development and general administrative functions should be combined at the lower level of the Panchayats as well.* We are, therefore, in agreement with the view expressed by the Ad Hoc Committee of the Government of Madras "On National Extension Service Organisation in the post-intensive stage" that "it would be appropriate and would secure the maximum efficiency if the developmental activities were entrusted to the same set of persons who function in the general administration—a principle already recognised in the case of Collectors and Revenue Divisional Officers". The only points to be borne in mind in effecting this integration are:—

1. Vol. I. PP. 38-39.

*But please see note of Sri G. P. Pillai and Sri V. K. N. Menon.

- (i) the optimum size of the unit;
- (ii) the volume of work to be done in the field of general administration and development by one officer in relation to the size of the unit;
- and (iii) the training of the officers of the Revenue (general administration) Department to undertake the functions connected with development and extension and of the Block Development Officers and Gram Sewaks to attend to revenue work.

7. The point that arises for consideration is whether the integrated unit should be co-extensive with the taluk or the block as at present delimited or with any other area. The observations of the Balwant Rai Mehta Study Team on the optimum size of the Development Block are relevant in this connection. The Team says:—

"The size of the block has been the subject of considerable discussion. Originally, each Community Project embraced a population of roughly 2 lakhs and the project was divided into three blocks. These figures were not based on any special study of the needs and requirements of the area nor on the capacity of the staff appointed to handle the work; they were almost accidental. When, therefore, it is said that the average population of a block should be 66,000, there seems to be no special basis on which this figure is arrived at. As a result of our various discussions, we have reached the conclusion that normally a Gram Sewak can cope with a population of about 800 families or 4,000 persons. For very sparsely populated areas, the figure would be necessarily smaller. We also feel that an extension officer cannot normally deal with more than 20 Gram Sewaks; with more trained personnel becoming available this number will have to be smaller. The sizes of the blocks as well as of the Gram Sewak circles at present show a wide range of variations from block to block. We do not suggest a wholesale re-demarcation of boundaries on the basis of any rigid prescription of size or population; but, in future demarcations all relevant factors, such as topography, density of population, its stage of development and the communications should be borne in mind together with the possibility of making the block co-extensive with an existing administrative unit provided that its size does not become excessively large. There is little doubt that a block with a population of appreciably more than 1 lakh is an unmanageable unit"² and again "variations would naturally arise with the density of population, the

2. *Ibid.* Vol. I P. 36.

nature of terrain, the system of communication etc. Even within the same region, blocks may differ in size and population. It is not unlikely that often a block can, by slight adjustments, be made to coincide with one of the existing administrative units like Tehsil, Taluk or Thana, the primary consideration being that the block does not become unwieldy either in size or in population."³

8. Conditions in this State differ quite substantially from those in other parts of the country. The density of population is very high and the size of the blocks as now delimited on the basis of an approximate population of about a lakh is relatively small. This applies equally to other administrative units like the taluks and the districts. There is also a well developed system of communications throughout the State.

9. The average population of a taluk is about $2\frac{1}{2}$ lakhs, and though its area itself may not be large, it would be difficult for one officer to perform the functions both of the Tahsildar and the Development Officer within this jurisdiction. Even as it is, the average taluk is not considered a light charge for revenue work alone and in almost all taluks a Headquarters Deputy Tahsildar is therefore employed to assist the Tahsildar. Development functions would make an impressive addition to the normal work of the Tahsildar, and a reduction in territorial jurisdiction will have to be made if the standard of efficiency should not suffer. We consider that an area consisting of about a lakh and a half of population would be an optimum area as the charge of a Tahsildar-cum-Development Officer. The existing taluks may be split up to arrive approximately at this area and population. It is neither necessary nor desirable, however, to follow this very rigidly. No large scale changes need also be made in the existing set-up. The purpose in view can perhaps be achieved if some of the existing blocks, where work is light, are clubbed together.

10. We have considered the question of a suitable nomenclature for this integrated unit. The term 'Block' is alien to the language of the people and of the nation and there is a considerable volume of opinion against the adoption of the term to refer to a unit of development. The name 'Taluk' on the other hand is a well-recognised and established one to which the people are already attuned. We, therefore, suggest that the integrated unit should be called "Taluk" and that its chief administrative officer should be called the Tahsildar.

3. Ibid. P-9.

11. According to the recent instructions of the Ministry of Community Development, issued on the basis of the recommendations of the Balwant Rai Mehta Study Team, there will be two stages in the implementation of the National Extension Service Programme—the Intensive Development stage and the Post-intensive Development stage. The first stage will cover a period of five years with an allotment of Rs. 12 lakhs, and the second stage another five years with an allotment of five lakhs. We recognize that it may not be possible for the Tahsildar to attend to both the revenue and the development functions single-handed during the intensive stage of development without impairing the very purpose of such intensive development. We, therefore, suggest that during the stage of intensive development he should be given the assistance of an Additional Tahsildar who will be subordinate to his control and help him in his revenue and general administrative work so that the Tahsildar can devote full attention to the co-ordination of the development work. During the post-intensive and the subsequent stages, however, this arrangement will not be necessary.

12. The question naturally arises as to the source of recruitment to the post of Tahsildar (Cum-Development Officer). With regard to the existing personnel we feel that the Tahsildars should be given an intensive course of training for a suitable period, say three months, in National Extension Service Programme. Similarly, those of the existing Block Development Officers who have been recruited from the open market or from departments other than Revenue should be given intensive training in revenue work for a period about nine months, besides the usual training in survey, as the posts will be borne on the department of general administration and the incumbents will be responsible for revenue work also. They should also be required to pass the prescribed departmental tests within two years of their undergoing the revenue training. Such of those as may like to opt back to their parent departments should be permitted to do so.

13. Regarding future recruitment to this category, we are of the opinion that it should be made:—(1) by promotion from the staff employed for General Administration which would include those of the Revenue Department and those functioning in the Panchayats or above them in a supervisory capacity; (2) by promotion of the Extension staff in Agriculture and Co-operation; (3) direct recruitment from the open

Chapter on "The Services". We think that it is neither necessary nor desirable to provide for the promotion of the Extension staff of the Technical Departments like Medicine and Engineering to the posts of Tahsildar (Cum-Development Officer). However, those of such technically qualified staff who have shown an aptitude for general administration may be made eligible for recruitment to these posts as part of direct recruitment from the open market.

14. There are at present Block Advisory Committees assisting the Block Development Officers in the administration of the N.E.S. Blocks. The constitution, functions and powers of these Committees are as follows:-

(i) *Constitution* - The Block Advisory Committees in the State consist of:- (a) Members of the Legislature and Parliament, representing the Block area (attendance being option with them) (b) representatives of the Panchayats in the Block area; (c) one representative of the Co-operative Societies; (d) one prominent social worker; (e) one representative of the Bharat Sewak Samaj; (f) one representative of the Social Welfare Board; (g) one representative from Mahila Samajams; and (h) two or three prominent non-officials whose association with the Block Advisory Committee will be beneficial. The Revenue Divisional Officer of the area concerned is the Chairman of the Committee and the Block Development Officer, the Convener. There is a non-official Deputy Chairman elected by the non-official members of the Committee.

(ii) *Functions*. (1) The Committee meets once in three months unless sooner convened by the Chairman.

(2) It reviews the work done in the Block in the previous quarter as reported by the Block Development Officer.

(3) It also approves the tentative programme for the next quarter as presented by the Block Development Officer after discussions with the Panchayats concerned and the Extension staff.

(4) The three year budget and programme of the Block are approved by the Committee subject to certain conditions imposed by Government.

15. With the formation of the Taluk as an integrated unit for general administration and development, it is necessary to review the position of the status and scope of these Advisory Committees. The Balwant Rai Mehta Study Team has chosen the Block as the Unit for 'development work' alone and has suggested the constitution of a Council at that level with full

devolution of powers regarding what it has defined as "development work". The recommendations of the Team do not lead to any great increase in the existing functions of the Panchayats as such.

16. We are of the view that Committees at taluk level should continue even after the integration of the development and the Revenue functions. The point for consideration is whether the Committees should have devolution of powers or be only advisory in character. We have recommended that the Panchayats should be made the basic units of administration at the Village level and that they would be the agents for the implementation of the developmental programmes in the village. The Panchayats, in this State, will be much larger and an integral taluk, as proposed by us, would consist of only 10 to 15 Panchayats. It has also been proposed that they should be invested with substantial powers. In regard to development, the work at the taluk level will consequently be mainly one of co-ordination of the activities of the Panchayats. We, therefore, suggest that the committee at the taluk level may continue to be only advisory in its role instead of being a body with devolution of powers or delegation of executive functions.

17. This Body may be called "The Taluk Council" and may be constituted by indirect election of one member from each constituent Panchayat. The representatives of the Panchayats need not necessarily be members of the Panchayats concerned. A woman member may be co-opted if one has not been returned by election. The officers of the development departments at the taluk level will be *ex-officio* members, who will attend and participate in the meetings of the Council, but will have no powers to vote. The Chairman of the Council may be a non-official elected by the members of the Council. The Tahsildar will be the Convener. The main functions of the Council will be to advise the Tahsildar on--

1. approval of the budget of the taluk in regard to National Extension and development work;
2. periodical Review of the work done in Extension and Development;
3. co-operating with the Tahsildar in the matter of organizing relief in emergencies like flood, fire, famine, epidemics, etc., and
4. taking over of the work now done by the Taluk Food Advisory Committee and any other advisory committees that may be functioning at the taluk level.

18. In certain matters in which the District Councils will have powers of decision, the Taluk Council may be asked to give its recommendations through the Tahsildar. The following are some of the items in respect of which the Taluk Council may be consulted:-

1. apportionment among the Panchayats of the Basic Tax Equalisation Fund;
2. distribution to the Panchayats of the grants from the local development allotments;
3. sanctioning of reallocation in Block budgets in cases in which sanction is required from a higher authority under the existing rules;
4. change of site of works;
5. alteration of the character of works;
6. reallocation of development grants as between Panchayats when there is reason to believe that funds allotted in any case will not be utilised in full; and
7. arranging for execution of any work in a Panchayat which is either inefficient or has ceased to function.

19. In general, it may be stated that the Taluk Council will be the only council at the taluk level, replacing all other *ad hoc* Advisory Committees and that it will have the powers to advise the Tahsildar on all matters of development and welfare work. The Taluk Council may have functional sub-committees for different subjects consisting of Members of the Council and others from outside.

20. We may here refer to the place of the Municipalities in the proposed set-up. They are now governed by a separate statute which gives them specific powers, responsibilities and sources of income. They are, however, outside the purview of the existing N.E.S. Blocks. This position cannot be allowed to continue. We, therefore, suggest that, without prejudice to their autonomous character, the Municipalities should also form an integral part of the Taluks (Blocks) in which they are included and that they should also be given representation in the Taluk Councils. The scope of the functions of these bodies is, however, limited. They are essentially intended to provide civic amenities and to administer the municipal law. We do not, therefore, suggest that they should form 'units of administration' in the same sense as the Panchayats. In municipal areas, the agencies of the Government should continue to operate as they do at present for revenue collection.

aintenance of records, etc. Addition of responsibilities to these bodies already overburdened with the manifold and difficult problems of urban life is undesirable. The aim should, on the other hand, be to enable them to discharge their existing functions with greater efficiency.

21. A minor point which arises for consideration is whether the Firka System which is in existence in the Malabar and the Cochin areas of the State should be continued. A firka is a territorial area consisting of about 15 to 20 revenue villages and constitutes the charge of a Revenue Inspector, whose duty is to supervise the work of the village staff regarding revenue administration like crop inspection, land conservancy, collection of revenue and maintenance of survey and land records. The Revenue Inspector also does miscellaneous inquiries and investigations, when so required by the Tahsildar, and attends to the preparation of the basic reports relating to land acquisition, alienation, etc. The firka has also served as the training ground for Deputy Tahsildars and Tahsildars in as much as the work in the firka covered all the aspects of the revenue administration. In the Malabar area a person is not eligible for promotion to higher ranks in the Revenue Department unless he has completed a term as Revenue Inspector. The need for the firka rested primarily on the large size of the taluks and on the fact that the village headmen of the Malabar area were part-time officials, not usually possessed of sufficient educational qualifications.

In the proposed set up of village administration, the Panchayats which would be the units would ordinarily be larger in extent than the revenue villages and each integrated taluk will consist of only about 15 Panchayats. The Executive Officer and the Gram Sewak, either of whom will be in charge of Panchayats, will generally be men of sufficient educational qualifications and training and the Tahsildar could depend on them for the work now done by the Revenue Inspectors. The work to be done by the Panchayat staff in the proposed set up would equip them better to take up, in course of time, the role of Tahsildar who will no longer be merely a Revenue Officer. We, therefore, suggest that the firka as it now exists in Malabar and Cochin may be abolished.

22. We have considered the need for the continuance of units between the taluk and the district, the Revenue Division, for example. In technical departments, the need for these depends upon the need for supervision and the quantum of work that can be effectively supervised by one officer. The Revenue

Divisional Officer, however, occupies a special position. As an officer in charge of general administration he has to assist the Collector in the administration of the integrated taluks and the Panchayats. Each district will have about 10 taluks. For effective supervision of the work of 10 Tahsildars, to whom added responsibilities will be entrusted, and to guide them in their early stages, the Collector would need the assistance of one or two officers. The Collector will continue to be the Chief Administrative Officer responsible for the maintenance of Law and Order, and the representative of Government at the district level. He would need the assistance of executive subordinates to help him in the discharge of these functions. Moreover, the structure of so important a department, which to put it shortly, forms the back-bone of the administration should provide for a level where persons can be trained, to assume the important responsibility of district administration, when their turn comes. The Revenue Division constitutes such a level and serves as a useful training ground for future Collectors. For all these reasons, we recommend the retention of this intermediate category of officers between the Tahsildar and the Collector.

23. In view of the small size of the districts in this State (which is no bigger than that of a revenue division in other States), we suggest that the system by which Revenue Divisional Officers are attached to the Collectorates instead of having separate offices of their own, away from the District Headquarters, may be tried. In those districts in which there is only one revenue division this arrangement may be implemented immediately. We believe that this would do away with a certain amount of delay that is inevitable in having an intermediate office between the Taluk and the District.

24. We have discussed so far only the structural changes necessary at the Sub-district level. The most important activity undertaken, at this level, during the last few years is the Community Development Programme. We have not studied its working in detail, but from the evidence that has come to us through the witnesses and written memoranda, we have no doubt that a reorientation of the scheme, its expenditure pattern, its method of work etc., is necessary. It is obvious that conditions being different in different areas, there can be no standardised programme or budget for all the Blocks in the country or in the State or perhaps even in a district. A great deal of elasticity in programme and expenditure will certainly be necessary. The scheme has been in force for over

five years now in certain areas and the concensus of opinion is that there is a great gulf between the avowed objectives and the achievements. It will be wise and proper to look back and make sure that we are on the right track before going further. One suggestion we wish to make is that apart from official reports of progress there must be an independent evaluation of performance, made from time to time by small teams of non-officials in respect of each Block with reference to its co-ordinated programme and its prescribed periodical targets and achievements.

25. Before closing this chapter, we would like to refer to an important matter which has arisen in the context of the implementation of the Community Development Programme. Some of the official witnesses have told us that the main reason for the lack of success in the programme is the diffusion of responsibility at the district and the Block levels, for the work of the technical departments. The extension officers of the technical departments are supposed to be under the technical control of the District Officers, but under the administrative and operational control of the Block Development Officer. According to some, this dual control has been ineffective with the result that Heads of Departments and their District Officers feel that they have no responsibility for the successful implementation of the programme in the 'Block' areas. This question has arisen before and has been repeatedly discussed. In the scheme of 'area development' in which a team of technical officers work under a general administrative officer, a certain amount of dual control is inevitable. This would apply not merely to the Sub-district level, but to the Panchayat and the district level as well. We do not think that there is anything unsound in this. Given the proper training and attitudes and mutual regard and understanding, there should be no difficulty in working out the programme.

CHAPTER VI

THE DISTRICT

SECTION I.

The 'district' has always occupied a pivotal position in the administrative structure of most of the States in this country. Its Chief Officer, the Collector, is the Government's representative and functions as their principal executive agency at that level. He is in charge of the collection of all the revenues due to the State. He is responsible for maintaining law and order and for taking such preventive measures as are necessary to preserve the public peace. His powers, however, are more undefined than defined. In a general way, he oversees the work of all the other departments except the judicial. The shift of emphasis to the developmental aspect in administration in recent years has high-lighted an important change which is taking place in his role; from an official of executive authority he is being rapidly transformed into the leader of a team of experts engaged in nation-building work in the district. He is, in a very real sense, the mainspring of all developmental activities on the official side in the district 'suggesting, promoting, advising at every stage'. It must however, be remembered that development work cannot continue to be the responsibility solely, or even primarily, of the officials. Its success and usefulness to the public will depend, in a large measure, on the extent to which it conforms to the needs and wishes of the people and on the fair and impartial manner in which the works are distributed over the different parts of the district on the basis of priorities and the most profitable utilisation of the material resources and personnel available. Obviously, therefore, representatives of the people must be associated not only at the stage of suggesting schemes at the village level, but also at the stage of pruning and consolidating them and directing their implementation at the district level. The first Five Year Plan declared that 'from now on, the primary emphasis in district administration has to be on the implementation of development programmes in close co-operation with the active support of the peoples'.¹ The Second Five Year Plan also has

1. P. 130.

emphasised the importance of strengthening the democratic set-up in the district.

2. We shall now proceed to examine whether action has been taken in furtherance of the above objective; if so to what extent it has been effective; and what suggestions have been made to improve the position. We shall also endeavour to indicate in what direction action should proceed to ensure, in the fullest possible measure, people's participation and responsibility in the fulfilment of the development programme.

3. In accordance with the suggestions in the Second Five Year Plan,² a Development Council has been set up in each district. It consists of:—

- (i) all Members of Parliament from the district;
- (ii) Members of Legislature of the district to be nominated by the Government, due representation being given to the various political parties in the State;
- (iii) Chairmen of important municipalities in the district;
- (iv) one member to represent the co-operative movement;
- (v) three members from among the Panchayat Presidents;
- (vi) three representatives of Social Services agencies, at least one of whom should be a woman;
- (vii) three or four representatives of Trade Unions;
- (viii) not more than two representatives of Kisan Organisations; and
- (ix) the Chairman of the Regional Advisory Committee of the Kerala Khadi and Village Industries Board.

Besides, all the District Officers of the development departments are ex-officio members.

4. The method of functioning of the Development Council and its powers and responsibilities are as below:—

- (i) The District Development Council shall meet at least once a month, ordinarily at district headquarters.
- (ii) The quorum for the Council shall be eight.
- (iii) The District Collector shall be the Chairman of the Council and shall preside over its meetings; in his absence any other member authorised by the Collector shall do so. The

Collector shall correspond with Government in all matters relating to the working of the Council.

(iv) The Personal Assistant to the Collector shall be the Secretary of the Council. He shall take orders from the Chairman regarding all matters connected with the Council.

(v) The Secretary shall prepare the record of proceedings of the Council which shall be authenticated by the Chairman. Copies of such record will be forwarded after each meeting to Government in the Planning Department as also to the members.

(vi) The Council may form sub-committees for speedy transaction of business, when considered necessary.

(vii) The Council may conduct local enquiries about schemes proposed to be undertaken or schemes in progress through one or more members, not exceeding three in number, of whom at least one shall be an official.

(viii) The District Collector, as Chairman of the Council, shall have powers to call for any information from any officer in the district or to require the presence of any district officer or any other officer in the district to assist in the investigation or execution of any development scheme dealt with by the Council.

(ix) The Council shall study the progress of the Five Year Plan and the Community Projects, N. E. S. and training schemes in the district each quarter and forward copies of its proceedings to the Government in the Planning Department before the 15th of April, July, October and January each year.

(x) The Council may make recommendations to the Government with a view to securing the speedy and efficient execution of the Five Year Plan, Community Projects, N. E. S. and training schemes or the initiation of any scheme of development.

(xi) The Officers of all departments concerned with the Five Year Plan, Community Projects, N. E. S. and other development schemes shall be bound to give the Collector information regarding the initiation and progress of schemes under the Five Year Plan, Community Projects, N. E. S. and other development schemes and shall give him all facilities to inspect the works in progress.

(xii) It shall be the duty of the Collector to submit to Government suggestions to secure the prompt execution of the Five Year Plan, Community Projects, N. E. S. and other

development schemes and also to bring to the notice of Government instances of delay, negligence or incompetence in the implementation of the scheme. Such reports should be addressed to the Chief Secretary to Government by demi-official letters.

5. Opinion among the official and non-official witnesses who appeared before us was fairly unanimous that these councils constituted an important landmark in the direction of associating people's representatives with development work. Prior to their formation, the official machinery was functioning in isolation from the public, not subject to the responsibility of even formally explaining to them what the programme was, what progress has been made and what is proposed to be done in the future. There was a gulf between the people and the implementing machinery of the people's programme. The Development Councils have bridged this gulf to some extent. They have furnished a forum to the official members to explain the details of the work to the non-officials and to assist the latter in the formulation of the plans and to ascertain the progress of implementation from time to time. In certain districts, Standing Committees have been formed to be in charge of specific subjects like Public Health, Irrigation, Rural Electrification, Rural Water Supply, Communications, etc. In these circumstances, it may be admitted that the District Development Councils do mark an improvement over the position which existed formerly.

6. The question for consideration is whether the *status quo* may be maintained in regard to them or whether they should be reconstituted and given larger powers. We are clear that they should be reconstituted but are not agreed about the manner of doing so and the powers and functions to be assigned to these councils. The divergence of views among us is only a reflection of the divergence that exists among the people themselves. It indicates a basic difference in approach and in the assessment of what is expedient in the interests of the people in current conditions. It is the latter factor which is really important because there is obviously no purpose in blindly adhering to a dogma if it does not further the people's interests. We are aware that important parts of our report will be placed for consideration before the Legislature which is the body most competent to decide

what is good for the people. We propose, therefore, to state in full the views of both the schools of thought in the following two sections. Section II represents the views of Sarvasri P. S. Nataraja Pillai, G. Parameswaran Pillai and V. K. Nandan Menon and Section III contains the views of the other Members of the Committee.

SECTION II

7. The problem that arises in connection with the administrative organisation at the district level is whether a democratic body constituted on the basis of direct election should be set up at intermediate levels of administration, especially in the context of co-ordination and implementation of Plan Projects and Development Schemes. The Study Team on Plan Projects set up by the Planning Commission deals with this question at length in its report. The report says 'so long as we do not discover or create a representative and democratic institution which will supply the local interest, supervision and care necessary to ensure that expenditure of money upon local objects conforms with the needs and wishes of the locality, invest it with adequate power and assign to it appropriate finances, we will never be able to evoke local interest and excite local initiative in the field of development'*.

8. After examining the working of the existing local bodies, the Study Team has stressed the need for 'a single representative and vigorous democratic institution to take charge of all aspects of development work in the rural areas'**. The Report further says that decentralisation is a process whereby the Government divests itself completely of certain duties and responsibilities and devolves them on to some other authority. Such duties and powers are proposed to be devolved on what are known as Panchayat Samithies which comprise a group of Village Panchayats. The Study Team has preferred the Panchayat Samithi as in many States a district consists "literally of hundreds of Village Panchayats".

*Vol. I P. 5.

**Ibid P. 8.

9. The Study Team is also of the view that having assigned large powers to Village Panchayats and Panchayat Samithies in various fields, there is very little left for any higher administrative executive body other than the Government***. The District Board, the District School Board and similar bodies become superfluous. As local interest, supervision and care necessary to ensure that the expenditure of money upon local bodies conforms with the wishes and needs of the locality are provided by the Panchayat Samithies, the functions which the District Boards are at present performing will, according to the Study Team, be performed with greater efficiency by the Panchayat Samithies. To ensure the necessary co-ordination between the Panchayat Samithies, the Study Team has suggested a Zilla Parishad composed of Presidents of Panchayat Samithies, Members of the State Legislature and of Parliament representing the district level officers. We generally agree with this view.

10. The Village Panchayats proposed to be constituted in the Kerala State are comparatively bigger in area and population than corresponding units elsewhere.

In the Chapter on Panchayats we have recommended even more comprehensive powers that are sought to be vested in Panchayats or Panchayat Samithies elsewhere. A District Council composed of elected representatives of the State Legislature and with functions mainly of an advisory character, does not cease to be a democratic body. There is no reason why democratic decentralisation should be limited to outright transfer of powers. Any reform which enables elected representatives of the people to play a more effective part in the maintenance and development of any public service which the people need, should be regarded as furthering the process of democratic decentralisation. "Advisory association of representatives of the people", "delegation of responsibility and power", in respect of certain functions and "devolution of powers" in certain others, are all different forms of

*** Ibid. P. 19.

democratic decentralisation. The creation of an elected body at the district level almost parallel to a similar body at the State level (though without legislative powers) in which the Government will vest all their functions including executive responsibility in the field of development activity within its jurisdiction, will not be conducive to efficient administration and might lead to perpetual conflicts between the State Government and the District body. The devolution of power to 'local bodies' with defined spheres of activity of local interest can, no doubt, be contemplated. But such devolution of responsibility can never be effective and real without control over necessary resources and powers of taxation. No local body to which complete devolution of powers is granted could survive if it is made to depend on a system of financial subsidy and grants either from Government or other sources. In fact, an elected body with substantial powers but with no powers of taxation is likely to act irresponsibly and will come into constant friction with the State Government. The question of creating local self-governing bodies with adequate responsibilities and financial powers at intermediate levels of administration may be considered after gaining some experience of the working of the Panchayats that are proposed to be organised.

11. Further, we are having a democratic form of government in which the policies of administration are laid down by the Legislature and are translated into action by the permanent Civil Service, under the direct control of Ministers responsible to the Legislature. We believe, and this is the most important reason for the position we have taken, that projection of elected representatives into the field of day-to-day administration by the permanent Civil Service will not only hamper good Government but may lead to the demoralisation of the services. In a parliamentary democracy, the responsibility for day-to-day administration should rest with the permanent Civil Service subject to the direction and control of Ministers. We do not envisage or encourage any *joint* responsibilities, in this respect, between the Civil Service on the one hand and the

elected representatives on the other. We conceive of the District Council as a body for review and co-ordination of development schemes initiated by Panchayats and Block Organisations and for initiation and scrutiny of development schemes of district importance. The District Councils will also have a voice in the implementation of development schemes once they are finalised at the State level. A District Council which is designed to function neither as a local body with well defined spheres of duty and with power to impose taxes to discharge its functions nor as a body constituted mainly to advise and co-ordinate, will serve as a fifth wheel to the coach.

12. The Collector is said to be the head of the team in charge of the development activities in the District. Associating popular representatives with the Plan Projects and development works will produce better results and bring about democratic decentralisation as well.

13. The District Council need only be an advisory and co-ordinating agency to being with. Our democracy is still in an infant stage and in the conditions now existing in the country it would not be advisable to invest the Council with administrative responsibilities. As already indicated, it is also wrong in principle to give such responsibilities to an elected body which has no powers of taxation. It is sufficient if the Council contemplated functions as a co-ordinating agency during the Plan period. At the district level there should be no other agency to function in an advisory capacity.

14. The Council to be constituted will be composed of:—

- (i) Members of the Legislative Assembly of the district
- (ii) one member representing the Panchayat in each administrative unit at the Sub-district level (whether it be Development Block or Taluk); and
- (iii) one or two members to represent the Municipalities of the district.

The representatives of Panchayats and Municipalities will be returned by indirect election. The District Collector will be the Chairman.

15. The presence of Members of the Legislature in the Council will help to iron out difficulties, if any, that may arise between the State Government and the District Organisation. The presence of Members of panchayats will link the District Councils organically with the panchayats. For the harmonious working of the development schemes and the Plan Projects as a co-ordinating agency, this Council will have a useful function to discharge.

SECTION III

16. The position which has finally emerged from the discussions in the preceding section is that the District Councils proposed to be established will have the same functions and powers as those existing now, though the manner of constituting them will be somewhat different. The essential point in the difference is that excepting Members of the Legislative Assembly of the district, all of whom will be in the Council *ex-officio*, the others will be returned by indirect election through the Panchayats and the Municipal Councils.

17. The question of constitution may be taken up first. It is intimately related to the nature of the tasks proposed to be assigned. Having due regard to this fact we suggest direct election. No additional expense or trouble will be involved because it can be conducted along with the election for the Panchayats, each voter being given two votes, one for the Panchayat and the other for the District Council. The reasons in favour of direct election are: —

Firstly, the exercise of the right to vote is one of the main supports to democratic education. *Ex-officio* representation or indirect election will not fulfil this purpose. Direct election will throw up new talents and, in course of time, build up a second line of democratic leadership.

Secondly, the District Councils with responsibilities for planning, review of implementation,

evaluation etc., will, of necessity, have to function through a system of sub-committees and the quantum of work to be done by the members will be appreciable. Members of the Legislative Assembly have, in addition to their work in the Assembly and in the Committees constituted by it, their professional and political engagements and it is extremely doubtful whether they will find the time to apply themselves to the work connected with the District Councils as well. It is a salutary principle that a person is not a member of a large number of committees.

Thirdly, it is better to widen, rather than narrow, the range from which people's representatives may be drawn for participation in government at different levels.

18. The points urged in favour of the method suggested in Section II are that the presence of Members of the Legislature will help to iron out difficulties, if any, that may arise between the State Government and the District Organisation and that the representatives of Panchayats will organically link up these bodies with the District Council. So far as the maintenance of good relationship between the District Council and the State is concerned, we feel that, for one thing, it need not be presumed that difficulties will arise between the two levels so often or in such serious form as to require any special arrangement for their being ironed out; and for another, the good offices of the Members of the Legislative Assembly will always be available for any such purpose whether they are members of the District Council or not. We are also not sure that the one member returned on behalf of the Panchayats of each taluk will be any strong link between them and the District body. The advantages claimed for the system appear to us, therefore, to be somewhat doubtful.

19. We wish to make it clear, however, that there is no need to be dogmatic in the matter of how the Councils should be constituted. It is a matter of comparatively less importance. What really matters is the scope of responsibility and

power proposed to be given to them. We only suggest that, if it is intended that these councils should function as vigorous democratic institutions and take charge of all aspects of development work, in which case the scope of their authority and activities will be much larger than that of the District Boards set up under the Madras Local Boards Act, then the method of direct election will be appropriate. If, however, they are to be only consultative or advisory, then indirect election, or even the present method of nomination providing representation for all interests, will do.

20. The point that requires serious discussion therefore, is what should be the role of the District Councils, whether they should be only advisory or also responsible for taking decisions and ensuring their implementation. The case for keeping them to their present role, as set forth in Section II above, rests mainly on the following grounds:—

(i) Village Panchayats in Kerala, as envisaged in this report, will be fairly large units and with greater powers. There is no need to interpose between them and the State Government any other body with devolution of responsibility for any aspect of administration, development or otherwise. Decentralisation as defined in the report of the Study Team need be applied only to Panchayats and not to other organisations at higher levels.

(ii) Any organisation with such responsibility should be a local self governing body with specified fields of work and powers of taxation; otherwise, they will act in an irresponsible way and come into conflict with the Government.

21. On a rough calculation, it is estimated that there will be well over one thousand five hundred Panchayats in the Kerala State, at the rate of about 100 to 200 in each district. Very important functions are proposed to be entrusted to them. They will need supervision, co-ordination and guidance. Several Inter-panchayat questions will also arise. Some of them may involve dispute between the Panchayats themselves. Allocation of

funds, assignment of priority, distribution of the Basic Tax Equalisation Fund etc., are instances in point. There may be institutions and works which are too big to be entrusted to Panchayats. For all these and similar items of work an agency at an intermediate level is necessary. This agency should be a democratic one with powers of management and control and not merely consultative. Then only will it be able to function efficiently and wield the necessary influence among the Panchayats and evoke enthusiasm among the people. The Balwantrao Mehta Team also has recognised the need for such an intermediate body and recommended it at the level of the Block. The Blocks in Kerala will comprise only a very few Panchayats, about 10 or so, while the district will have about 100—200 Panchayats. The blocks and the Panchayats are too close here. The district offers, therefore, a convenient level for the formation of this intermediate agency.

The present District Council is an organisation without power to take decisions and without control over the machinery and the finances to implement them. It can only advise, and advice devoid of responsibility is likely to become impractical and extravagant. It cannot even co-ordinate or correct, because these are undoubtedly incidents of control and cannot be done without authority over the lower units and the executive machinery. An advisory body like this will not attract action-minded people imbued with the zeal for reform and development. It is unlikely to secure that degree of participation and co-operation from the public which is implicit in the concept of district planning. It remains to be seen whether, with the passage of time, the councils now functioning will continue to have even the present character of limited usefulness, or whether they will become purely ornamental bodies. Experience in the past has, however, been that advisory bodies show some activity in the early period and then become moribund. We, therefore, think that it is necessary to confer real power and responsibility on the District Councils, and that the principle of decentralisation may be

extended to them also, instead of being restricted to Panchayats.

22. We agree that it is necessary to specify the field of work of the District Councils and suggest that, as recommended by the Balwantrai Mehta Study Team for the Panchayat Samithi, full responsibility involving devolution of powers and decentralisation of machinery may be given to the District Councils in this State for development work. It has been explained that the term "development work", covers Agriculture, Animal Husbandry, Co-operation, Minor Irrigation Works, Village Industries, Primary Education, Local Communications, Sanitation, Health and Medical relief, Local amenities and similar objects. What the last item should include has also been specified in the Report of the Study Team. The councils will have a dual role: in respect of work which exclusively falls within their purview, they will have the power of taking decisions and of implementation and in regard to work under the direct charge of the State Government, they may function as the latter's agencies.

23. We now turn to the question of finances. So far as works within their direct purview are concerned, expenditure will be incurred from a Fund which will have to be created in favour of the councils. To this will be credited the finances made available by the Government and donations or grants raised by the councils from private sources. The question whether these councils should have the power to raise taxes is to be decided after careful consideration, bearing in mind that as matters stand at present, after meeting the demands of the Panchayats, the State and the Municipal Councils, there will be very few sources left for the District Councils to avail themselves of without causing annoyance and even hardship to the people. The Panchayats proposed are themselves not self-sufficient in the matter of finance. The amount they will get from the Government as grants on various items will be much more than their internal resources. The theory that local units must raise

all the funds that they require for expenditure within their area is not tenable under a system of planned economy and pooling of resources. Here again we do not wish to be dogmatic. Whether the State may decentralise some sources of revenue in favour of the District Councils, in due course, when they become full-fledged local self-governing units (vide para 24) is a matter for consideration by the Legislature. What we wish to urge here is that lack of powers of taxation need not be considered as an objection to the decentralisation of powers and responsibility at the district level. The fear that it will lead to perpetual conflicts between the District and the State seems to be somewhat unreal. On the same token, it may be stated that there will be constant friction between the State Government on the one hand and the one thousand five hundred and odd Panchayats on the other. By a stretch of argument, it may be stated that the same possibility of friction exists in the present set-up even as between the State and the Centre.

24. Having carefully considered the matter in all its aspects, we are of the view that the establishment of District Councils with responsibility for taking decision and implementing them and with the required finances and control over the executive machinery is a necessary and desirable reform. This proposal, however, is a far-reaching one. It involves the transfer of power, authority and responsibility in respect of a wide field of Government's activity, from the officials to the people's representatives. We consider that it is advisable to phase the implementation of the reform so as to allow some time for the development of proper relationship between the Government, its officials and the District Councils, and for the latter to gain experience in administration. We therefore, propose that the transition be effected in three stages.

First Stage.—The District Councils will function as the agents of Government in respect of all development work—both social services and production—exclusively pertaining to their sphere, and

generally direct, co-ordinate, supervise and review the activities of the official and non-official agencies in the district in this regard.

Second Stage.—They will take over and assume full control and responsibility over the Social Services branch of development, continuing to function as in the first stage in regard to other items of development work.

Third Stage.—They will assume full charge over development work in the district except very important schemes which may be specifically retained in Government's direct control, and function as full fledged local self-governing units for their area.

25. The following tasks may be assigned to the Councils during the three stages:—

(A) First Stage

- (i) Scrutiny of Panchayat plans.
 - (ii) Apportionment among the Panchayats of the Basic Tax Equalisation Fund.
 - (iii) Apportionment among the Panchayats and/or other organisations of grants from the local development allotment.
 - (iv) Administration of the local development works allotment.
 - (v) Approval of the co-ordinated programme, and of major deviations from the approved programme of the development blocks.
- Note:*—By the term 'major deviations' is meant those for which the sanction of the Collector or other higher authority is required under the existing rules.
- (vi) Approval of Block budgets.
 - (vii) Sanctioning re-allocation in Block budgets in cases in which such sanction is required from a higher authority under the existing rules.
 - (viii) Review of the work done by Block Development Officers and Extension Officers.
 - (ix) Scrutiny of the review made by Block Development Officers of the work done by Panchayats and Gram Sewaks.

(x) Scrutiny and formulation of the district plan.

(xi) Scrutiny of the draft departmental budgets prepared by the District Officers of the development departments before submission to the officers at the next higher level.

(xii) Allocation of budget grants to approved works of district importance.

(xiii) Re-allocation of grants once made, to alternative schemes in the approved list.

(xiv) Change of site of works for reasons to be recorded. In the case of sites already approved by Government the latter's sanction should be obtained.

(xv) Alteration in character of works so as not to exceed the total approved capital or recurring expenditure by more than 5 per cent.

(xvi) On the spot inspections and enquiries by small sub committees when required for fixing or changing sites or for ascertaining need for schemes.

(xvii) Monthly review of progress of work done by the District Officers of the development departments.

(xviii) Arranging for execution of any work in a Panchayat which is either inefficient or has ceased to function.

(xix) Re-allocation of development grants as between Panchayats when there is reason to believe that funds allotted in any case will not be utilised in full.

(xx) Co-operating with the Collector in the matter of organising relief in emergencies like flood, fire, famine, epidemic etc.

(xxi) Taking over work now done by the District Food Committee, District Harijan Welfare Committee and any other committee that may be functioning in an advisory capacity at the district level.

(xxii) Evaluation of development work done in any Block or Panchayat.

(xxiii) According administrative sanction for works coming within their sphere, upto certain limits which should be higher than those fixed for the District Officers and not less than those fixed for the Heads of Departments.

(B) Second Stage

The Councils may assume responsibility for the administration of the following:—

(i) The Health Services Department in the district including the management of Hospitals, Dispensaries, Child Welfare and Maternity Organisations, Health Centres, Family Planning Centres, etc., other than

- (a) special institutions for T.B., Leprosy etc.;
- (b) institutions under the management of Panchayat or other local bodies;
- (c) Hospitals attached to Medical Colleges;
- (d) District Headquarters Hospitals and General Hospitals;
- (e) institutions maintained exclusively for the Police or under the Employment Insurance Scheme; and
- (f) any other institutions which the Government may specifically exclude from the control of the Council.

(ii) The Secondary and Craft Schools now run by the Government except those attached to training institutions.

(iii) All institutions for treatment or service now run by the Veterinary Department except the main ones in the Headquarters of the district or those attached to any training or research institutions or under the control of any other local body.

(iv) All roads except National Highways and those vested in other local bodies or those which Government may, on public grounds, decide to retain under their control.

(v) Minor Irrigation Works or preventive bunds pertaining to the area of more than one Panchayat.

(vi) Housing and Colonisation Schemes.

(vii) All schemes for the benefit of the Backward Classes or Scheduled Castes and Tribes.

(viii) Any other work which may be transferred to them by the Government.

They will continue to attend to all items mentioned under the first stage which are not covered by items (i) to (vii) above:

(C) Third Stage

In the third stage, in addition to what is stated above, the Councils will assume responsibility for similar items of work under Agriculture, Cottage Industries, Fisheries and Co-operation. We do not think it necessary to go into minute details of these in this report.

26. The manner of working of these Councils may also be indicated in the barest outline.

The President will be a non-official. The Council may elect a non-official as Vice-President, to preside over its sittings in the absence of the President. The President and the Vice-President shall be elected by the non-official members of the Council. All the District Officers of the development departments and the Revenue Divisional Officers will be members. The Deputy Director of Local Bodies (whose designation may be changed suitably so as to bring out prominently the development aspect of his work) will be the Secretary of the Committee and its Chief Executive Officer. He will have to be given appropriate status under the Collector's authority to enable him to maintain smooth contact with the other officers in the district and to function successfully as the Chief Executive Officer of the Council. Official members should not have the power to vote, because, for one thing, it is likely to mar the cordial relationship between the officials and the non-officials, and for another, the decisions taken by the Council should be, and should appear to the public to be, purely and solely the decisions of the elected members. It is hoped that a body

like this with the people's representatives and the Departmental Officers acting in mutual consultation, and with powers to implement decisions, will be able to function as an effective agency for the quick fulfilment of the felt needs of the locality.

27. In order to discourage frequent or frivolous motions of no-confidence against the President or the Vice-President it may be insisted that no such motion will have effect unless it is supported by at least three-fifth of the total number of non-official members.

28. The Collector will not be a member but may attend any meeting of the Council at his discretion and address the members or explain any point.

29. The Council may form sub committees for various subjects like Health, Education, Agriculture, Irrigation, Communications, Finance etc. Any Revenue Divisional Officer selected by the Council may be the convener of the finance sub committee, while the District Officers of the departments concerned may be the conveners of the other sub committees. These sub committees will be primarily responsible for the implementation of the programme within the frame work of the district plan, subject, of course, to the overall control and authority of the Council.

30. The devolution of administrative responsibility contemplated in the second and third stages has to be accompanied by the devolution of authority for the appointment of staff upto a certain level and for the exercise of a certain amount of control over officers beyond that level. It will also be necessary to create a Fund for the Council for meeting expenditure on works and administration.

31. The President may make an annual assessment of the work done by each Development Officer at the district level as soon as may be practicable after the close of the financial year, or at any intermediate stage, and communicate his remarks *confidentially* to the Collector, the Head of the Department and to the Secretary of the appropriate department in the Government. These remarks

with the comments of the Collector and the Head of the Department will be incorporated in the Personal File of the officer concerned.

32. The Secretary to the Council should prepare and submit to the Collector periodically a comprehensive and detailed note touching the progress of all aspects of development work. It is expected that where performance is not upto the mark, the Collector should take adequate steps to improve it, in consultation with the President. The success of the administration under the proposed arrangement will, for a long time to come, depend mainly on the co-operation, good relationship and understanding existing between the Collector, who symbolises the official machinery and the President of the Council, who is the First Representative of the people of the district.

33. The Council will, for the present, be located in the office of the Collector. The Development section of the Collectorate with its strength suitably augmented by diversion of staff from other offices or otherwise and with the Deputy Director of Local Bodies as its Chief will constitute the 'Secretariat' of the Council. It is recognised that during the third stage the Council will need a separate office and a separate establishment of its own.

The changes suggested will require Legislative sanction.

CHAPTER VII

REGIONAL OFFICES

Regional Offices are those functioning below the State level and above the district or other similar territorial unit of administration. A number of such territorial units are grouped under a regional office. The function of a regional officer, shortly stated, is to help the Head of the Department in the supervision and control of the officers at the district or other corresponding level included in the region.

2. There are regional officers in the following departments:-

(i) Agriculture		
Department	Deputy Directors	.. 2
(ii) Forest Department	Conservators of Forests	.. 3
(iii) Public Works	Superintending	
Department	Engineers	.. 7
(iv) Health Department	Deputy Directors of Health	
	Services	.. 2
(v) Police Department	Deputy Inspectors-General	
	of Police	.. 2

The posts of the two Deputy Inspectors-General of Police have been kept in abeyance for the time being. There were four regional officers in the Education Department, called Divisional Inspectors of Schools, which posts have recently been abolished.

3. Some witnesses have expressed the opinion that Regional officers are mere intermediaries, that they perform no useful functions and that they can be abolished without any loss to efficiency. We have carefully considered this opinion. The question whether a regional officer is necessary in a department will depend on two factors: the size of the State and the workload of the department. If a State is extensive or if the number of district officers is large, it will obviously be impossible for a single officer at the State level to supervise the work of his department effectively without assistance. It may appear at first sight that, as the size of the Kerala State is comparatively small, corresponding roughly to the size of the jurisdiction of a regional officer in some of the bigger States, there is *prima facie* no need for regional officers here. But this view overlooks the

point that generally the workload of the departments in this State is proportionately large, taking the area of the State into consideration. It should also be remembered in this context that responsible officers will be necessary at intermediate levels in the hierarchy for the proper exercise of delegated authority under the system of wide decentralisation of powers envisaged by us. The question whether it is necessary to continue the above regional officers or to revive those abolished or kept in abeyance, will be discussed when we deal with the individual departments, and our recommendations in this regard given in Part II of this Report.

4 There is, however, one point which we wish to emphasise. Regional officers will not serve their intended purpose if they function merely as a link in the hierarchy. They should be assigned specific powers and responsibilities in matters of financial and administrative control, and should prove to be of real help to the Heads of Departments and relieve the latter of much of the less important work pertaining to the regions. The Regional Officers should be held responsible for the inspection of the offices and the field work of the subordinates in the region and for the maintenance of efficiency within the region. Much of the criticism now levelled against them appears to be due to the fact that these officers have not yet begun to discharge the responsibilities pertaining to their posts.

CHAPTER VIII

THE DEPARTMENTS.

The Heads of Departments are the technical advisers to Government and function as the agencies for the implementation of the policies of Government. They are responsible for the proper utilisation and accounting of the funds placed at their disposal and for the day-to-day working of the departments in their charge.

2. We do not propose to deal in detail with all the departments but shall discuss in this Chapter, in general terms, how they may be enabled to function more promptly and efficiently. In Part II of this Report, we shall indicate how some of the important departments may be reorganised. Factual details about the set up, functions, etc., of the several departments are given in Volume II.

3. We shall group our suggestions about Heads of Departments under the following heads: delegation of powers, organisation and methods, inspection and control, and co-ordination.

(a) Delegation of powers

(i) An essential requisite for the efficient functioning of the Heads of Departments is that they should have adequate financial and administrative powers; otherwise the progress of their work will be halted at every stage. In this respect the position here is not very satisfactory. It was noticed that certain Heads of Departments did not have even the powers which their subordinates in the Malabar area (which formed part of the Madras State) possessed. Power and authority here are concentrated in the Secretariat and the Heads of Departments have to approach Government for sanction even in respect of unimportant matters. The result is that the Secretariat is filled with routine references and naturally finds it difficult to deal with them with any degree of promptness, notwithstanding the progressive expansion of staff within recent times. Steps have, however, been taken recently to delegate powers, on a generous scale, to the Heads of Departments in respect of matters of general application. This, if we may say so, was a measure long overdue and should be followed up by similar delegations to all officers down the line.

It should also be remembered that each department has got its own special features and that appropriate powers should be delegated to the Head of the Department concerned to cover them as well.

(ii) We, however, notice that there are certain factors which tend to render even the existing delegation of powers infructuous in practice. The failure to make appropriate changes in systems and procedures is one such. The case of an officer who is authorised to make promotions to certain grades, or to grant leave to certain categories of his subordinates, but is unable to do either, because the State is still the unit for promotion and posting is an instance in point. There are also cases in which Heads of Departments are reluctant to exercise the powers given to them and are content to refer even unimportant matters to the Government for orders. This tendency to evade responsibility should be firmly curbed. We also learn that in some cases delegation of powers has been rendered infructuous by the Government themselves exercising the powers delegated to their subordinates. This procedure is irregular and should not be continued. Another practice which tends to destroy the sense of responsibility of departmental heads, and incidentally swells the volume of unimportant work in the Secretariat, is of the Government calling for reports on petitions and representations which are within the competence of subordinate officers to dispose of. It is necessary for the higher officers of Government and the Ministers themselves to develop a proper attitude towards delegation of powers on the basis that action should be taken initially at the lowest level competent, that subordinate officers should be left to exercise their powers without hindrance, the higher authority interfering only in appeal or revision or where there has been gross abuse of powers, and that in the latter contingency, the proper remedy is not to resume the powers delegated, but to replace the erring officer.

(b) Organisation and Methods

Almost all departments have expanded considerably within the last two years, but their size had not been determined with reference to actual needs ascertained after a careful examination. Additions have been made on *ad hoc* basis resulting in an amorphous growth of Departments. Posts have been created without the functions and responsibilities attaching to them being defined in precise terms and without the necessary powers being delegated. There has been no attempt at a

comprehensive examination of procedures and methods of work with the result that efficiency has progressively declined and arrears of work have steadily accumulated in spite of increase in staff. Efforts have recently been made to prescribe proper procedures and methods of work in the Police Department and we suggest that similar action should be taken by the other departments also. An Organisation and Methods unit should be set up in the offices of each major Head of Department and the Collectors of districts, which should constantly review progress in the despatch of work and take steps to eliminate causes of delay and inefficiency. We are suggesting elsewhere that a similar unit should be set up in the Secretariat as well.

In this connection we would like to refer to a matter of some importance in administration. The laws, rules and procedures in force are still different in the Travancore-Cochin and in the Malabar areas. In some cases differences exist even between the Travancore and the Cochin areas. The confusion resulting from the same department having to administer different sets of rules in different areas may well be imagined. It may be that the unification of laws will take some time, but efforts should be made to effect, by executive orders, parity in procedure in all the areas as the first step in departmental reorganisation. There is now no unified manual for any department. Its compilation has to await unification of procedure. This work must, therefore, be taken on hand immediately. Some departments have, no doubt, begun it, but the progress has been indifferent. It should be speeded up. Where this has not yet been started, it should be done at once and completed with the utmost possible expedition. We suggest that some agency under the Chief Secretary should keep a watch on the progress achieved in this respect and review it from time to time.

(c) Inspection and Control

Delegation of authority should be accompanied by proper provision for review and control. Heads of Departments should, therefore, be required to send periodical returns to Government showing particulars of the exercise of delegated authority beyond a certain level. Some unit in the Secretariat, preferably the O & M Division, should verify whether important orders issued by the Government from time to time are promptly implemented and take steps to curb delays in this respect. It should also arrange for the periodical inspection

of the work of the O & M Units in the offices of the Heads of Departments, with a view to ensure that they function properly and efficiently, and to suggest measures for changes in methods, procedures or staff pattern.

Heads of Departments should, in their turn, conduct periodically detailed inspections of their subordinate officers. The system of inspections by higher officers of their subordinate offices has slowly run into disuse. We cannot overemphasise the need for thorough periodic inspections of all offices.

(d) Co-ordination

Efficiency in Government is largely the result of team work at all levels, which depends for its success on effective co-ordination. The need for such co-ordination is nowhere greater than at the State level. It is now achieved in some measure at periodical conferences held by Secretaries, and also by the Chief Secretary. We suggest that such conferences which should be attended by all Secretaries and Heads of Development Departments should be a regular feature and that they should invariably be presided over by the Chief Secretary. The progress in the implementation of the programme and the achievement of the financial and the physical targets by each department should be critically examined in these conferences and effective action taken to remove causes of delay.

4. Our recommendations on the reorganisation of some of the major departments will be given in Part II of this Report.

CHAPTER IX

THE SECRETARIAT

The Secretariat is the highest office of the Government in the State. The existence of a Secretariat in addition to the offices of the Heads of Departments arises from the need for separating questions of policy from actual details of administration and the need to attend to the work connected with financial control and legislation. The Secretariat is divided into departments each of which is in the charge of a Secretary. For every important activity of Government other than General Administration, Planning and Development, Anti-Corruption, Stamp Revenue and Employment Exchange, there is an office of the Head of the Department separate from the Secretariat. This does not apply to the departments of Finance and Law. The Finance Department exercises budgetary control and also gives financial advice to the other departments. The Law Department attends to the drafting of legislation and also offers legal opinion. A department is divided into Sections, each in the charge of a Superintendent, who is assisted by 3 to 5 clerks, all of whom attend to noting and drafting. The work of two or three Superintendents is supervised by an Assistant Secretary. Each department has an "Office Section" attached to it, under an Assistant Superintendent, where the work of initial registering of receipts and of issues, typing etc. is done.

2. The following were the Departments in the Secretariat till recently:—

1. Public and Home Department;
2. Planning and Development Department;
3. Finance Department;
4. Revenue Department;
5. Education Department;
6. Health Department;
7. Public Works Department;
8. Industries Department;
9. Labour and Local Administration Department;
10. Agriculture Department;
11. Anti-Corruption Department; and
12. Law Department.

A separate department has since been created to deal with the work now done by the Home branch of the Public and Home Department, thus making the total number of departments thirteen.

The details of the organisation of each of the departments are given in Volume II.

3. The procedure followed in the Secretariat is laid down in the 'Kerala Secretariat Manual', (which has been introduced on 1st January, 1958), the 'Kerala Secretariat Instructions', and the 'Rules of Business' framed by the Governor under Article 166 of the Constitution.

The basic structure of the Secretariat of this State is thus similar to that obtaining in other States.

4. During the course of our enquiry, we found that there is a general opinion that the Secretariat has become slow-moving, leading to great delays. The other complaints that have been made are that it has disproportionately increased in size during that last few years and that there is very little of co-ordination in the activities of its different branches. We have considered the causes which have led to this opinion about the working of the Secretariat and in this Chapter we propose to give some suggestions designed to improve the existing condition.

5. It cannot be denied by anyone that there is ample scope for speeding up the work in the Secretariat. It is, however, true that, as Government work involves public interests, detailed examination of the course of action to be taken is necessary. The actions of Government are also open to criticism by the Legislature, and Audit as well as by the Press. The problem, therefore, is to find out to what extent delay in Government business can be reduced consistent with these special features.

6. The causes for delay are various and depend on the 'nature of work' done in the Secretariat and on 'how' that work is done. By 'nature of work' we mean the types of matters with which the Secretariat deals. By the term, 'how the work is done', we refer to the techniques and procedures, the structure of the organisation, the quality of the personnel, etc.

7. As stated by us elsewhere, a considerable volume of Secretariat work is, due to over-centralisation, concerned with detailed and minor matters which should be disposed of at

lower levels. In the mass of such minor matters, important aspects of Secretariat work do not get the attention necessary. We have already suggested that there should be wider delegation of powers to the Heads of Departments and that they should be allowed to exercise these powers without interference. Apart from the lack of sufficient delegation, there is an important factor which has resulted in increasing the volume of work of the Secretariat, particularly in those matters of details of administration. As almost all the aspects of public administration are attended to by Governmental agencies and as people's representatives are associated with Government only at the State level, people approach Ministers direct for redress of individual grievances. The Ministers also want to do their best to redress such grievances, thus adding to the work of the Secretariat. We have suggested earlier some measures towards decentralisation, which if worked in the proper spirit, would reduce the volume of work at the State level. We believe, and would like to emphasise, that there can be no great improvement in the despatch of business in the Secretariat until the work done there is reduced in volume and is restricted only to those purposes for which a Secretariat is intended.

8. Secretariat work should be confined to the framing of policies, laying down rules and principles of procedure, financial control, work connected with legislation, general direction and also evaluation of the work done. The Head of the Department should be responsible for carrying out the policies into effect, and should, for this purpose, be given sufficient delegated authority. This does not mean that Heads of Departments will have no right or responsibility or role in the framing of policies. Conversely, it does not mean that the Secretariat is divested of all responsibility for seeing that the policies laid down are carried out. The responsibility for framing policies and for their proper implementation, rests with the Ministry and it is, therefore, necessary for Government to ensure that its policies are carried out properly and in time by the departments. Only, the way this should be done is not to retain all the powers which are necessary for execution with Government, but to see that delegated powers are properly exercised.

9. The question of "how work is done" in the Secretariat has also an important bearing on delay. Some witnesses who appeared before us have held that the main cause of delay is the fact that the office of the Head of the Department and the Secretariat are separate entities and that a proposal made by

the Head of a Department is examined once again in the Secretariat from the clerk upwards. To obviate this, they have suggested some changes in the procedure now adopted. The suggestions may be broadly grouped under two heads:—

- (i) Changes in the relationship between the Secretariat and the Heads of Departments; and
- (ii) Changes in the internal procedure of the Secretariat.

10. Regarding the changes in the relationship between the Secretariat and the Heads of Departments, it has been suggested by some that, either the role of the Secretary to Government and the Head of the Department may be combined in one officer or the Head of the Department may function as ex-officio Joint Secretary or Additional Secretary to Government so that he can circulate files direct to Ministers.

11. We have carefully considered both these suggestions. The reasons advanced in support of the combination of the functions of the Secretary or Joint Secretary and the Head of the Department can be summarised as follows:—

The existing procedure leads to much avoidable delay and friction. The combination of the functions will lead to a more expeditious despatch of business and avoid the delay that inevitably occurs in an unnecessary, and often times, unprofitable scrutiny of the proposals of the Head of the Department in the Secretariat. The main reason for the separation of the functions is that the proposals of technical experts should be scrutinised by a general administrative officer. But, any independent non-technical scrutiny which is necessary could be done by the Minister who, after all represents the people. Moreover, the assumption that all Heads of Departments are, or should be, technical experts is not quite correct and is belied by the actual practice obtaining in this State and elsewhere. The posts of Registrar of Co-operative Societies, Director of Industries, Director of Transport, Commissioner of Labour, Director of Agriculture and Director of Local Bodies are all included in the cadre of the Administrative Service, which is proof of the fact that the functions pertaining to these are more administrative than technical. The nature of the work done by these officers and by many others like the Director of Tourist Department, the Director of Public Relations, the Director of Public Instruction, etc., is also not so technical as

say, that of the Chief Engineers, the Director of Animal Husbandry, the Chief Conservator of Forests or the Director of Fisheries. In other States the posts of Director of Industries, Director of Agriculture, Director of Fisheries, Commissioner of Labour, Registrar of Co-operative Societies, etc., are even now held by members of the Indian Administrative Service, and some of them do have Secretarial status and responsibility. The outlook and objective of an administrator will not change by the circumstance that he is functioning as a Head of the Department and it is somewhat difficult to believe that if he is also given Secretarial responsibility he will not conduct himself with that degree of detachment and objectivity, which it is expected he will show, had he not been a Head of the Department as well. Besides, proposals involving financial commitments will be scrutinised by the Finance Department, which should be a sufficient check on any tendency to be extravagant or indiscreet. The combination of the functions of Secretary to Government and Head of the Department, which has already been effected in certain departments in this State and elsewhere is itself proof of its intrinsic acceptability, need and usefulness.

12. The arguments against such combination may be summarised as follows:—

In framing policies and implementing them, the Minister, the Secretary to Government and the Head of the Department have each of them their respective role. The extent to which a Minister can exercise direct control over the details of administration is limited. Firstly, though the distribution of portfolios amongst the Ministers is made with regard to their personal aptitudes or special interests, it remains true that generally a Minister has limited experience of the details of the activities of his department. The Minister has also to give a considerable portion of his time to the Legislature, to the Party and to the public in explaining the policies of Government. The Minister, therefore, needs the assistance of an administrator "who can advise him in the formulation of policies on the basis of the proposals made by a Head of a Department and to discover from time to time with what fidelity and success the policy laid down is carried out."¹

1. Report of the Administrative Enquiry Committee, Bombay 1948, P. 69.

"A serious objection to the appointment of a Head of a Department as Secretary to Government is that this would involve Government's depending on a professional or technical man for final advice in the shaping of policies. A specialist, by reason of his preoccupation of a single problem or activity, is likely to press for the adoption of his own technical schemes regardless of their administrative repercussions or financial implications".² There is need, therefore, for scrutinising the proposals of the Heads of Departments from the point of view of the Government as a whole. This is the function of the Secretary, who is significantly designated as "*Secretary to Government*". The appointment of Heads of technical departments as Secretarial officers would also result in a waste of technical experience without compensatory advantages. Their preoccupation with Secretariat work would leave them little time to undertake supervision of the work in the field. It would lead to their complete withdrawal from the functioning of their department in the field, a development which is wholly undesirable.

13. We do not propose to embark upon a discussion of the merit of the arguments mentioned above. We have carefully considered the conditions prevailing here, and are of the view that it is not desirable to combine the functions of Secretariat officers and Heads of Departments except in cases in which the system is already in vogue.

14. The procedure suggested by the Bengal Administrative Enquiry Committee (1944-45) to eliminate delays retaining the separate roles of the Secretary and the Head of the Department, is worth examining in this connection. The committee observed that though the Head of the Department and the Secretariat may have their different functions, the procedure followed in the Secretariat was capable of much simplification and acceleration. Pointing out that the source of delay, as well as of annoyance and friction, was mainly the method by which the Head of the Department addressed Government in the form of a letter while initiating a proposal, the Committee suggested that the Head of the Department should not address Government by a letter but should send his entire file to the Secretariat. The proposals originating in the Department should be prepared in such a form as to show all relevant

² Ibid. P. 67.

facts, precedents and reasons, for and against. In the Secretariat there should be no clerical noting whatever and only officers should note on this file. The orders of the decision-taking authority will be passed on the file itself. Files which originate in the Secretariat will also be marked directly to the Head of the Department for his remarks and will be subsequently dealt with as indicated above.

15. The outstanding advantages claimed for this procedure are: speed, a greater understanding of the Government's policy by the Heads of Departments and by Government of their executive problems, cutting down of unnecessary and dilatory work and, therefore, economy. We understand that the recommendations of the Rowlands' Committee were not put into effect in Bengal but were introduced in Bihar about four years ago and in Uttar Pradesh during the last year. According to the scheme adopted by the Uttar Pradesh Government, Heads of Departments will send their files to the Secretariat officers on all matters excepting those relating to Establishment, Departmental Enquiries, etc.

16. The procedure would certainly do away with a great deal of delay that is now caused by the repetitive noting indulged in by the clerks upwards in the Secretariat on the proposals of the Heads of Departments, and we have considered its applicability to this State. It would place a great responsibility on the offices of the Heads of Departments. The organisation of these offices in this State is for the most part unsatisfactory. The office routine and procedure, if any, cannot be said to be suited to the work which these offices will have to do if the entire secretariat work is to be done by them. Records are not properly kept in any of the offices. In fact, we understand that in some cases, there is no Record Room even. We believe that any attempt to transfer to the existing organisation of the offices of the Heads of Departments the responsibility for carrying out secretarial work will result in near-chaos and all round inefficiency. Another important problem to be taken into account is that in some Departments there are different Heads of Departments for different branches. It is also inadvisable to scatter the maintenance of records of Government to the sixty-four or so offices of the Heads of Departments.

17. There is urgent need, however, to cut down repetitive and duplicate noting done in the Secretariat. To be sure

even according to the existing procedure, noting and offering of opinions should be done only by officers of the Secretariat, the office assisting them only in putting up the facts, previous orders and precedents. But it has always been difficult to enforce this and it is the general feeling of all of us that unless there is a change in the procedure which would do away with clerical noting, there could be no improvement in the speed of disposal in the Secretariat. We, therefore, suggest that the following modified procedure be adopted when the Head of the Department sends his proposals to the Secretariat.

Details of the distribution of the work from Assistant Secretaries upwards should be communicated to each Head of the Department. Details of the subjects and items in respect of which the different officers will pass final orders should also be worked out as far as possible and the information communicated to the concerned Heads of Departments. Depending upon the importance of the subject and on the delegation of powers to the Secretariat officers, the Head of the Department should send his proposal to Government, not in the form of a letter, as at present, but in the form of a fully referenced note containing all relevant facts, precedents and reasons, for and against. The note should be sent in duplicate to the officer who is competent to consider it. The proposal should be examined initially in the Secretariat only by the officer to whom it is so sent, or by any higher officer. Any information called for or query raised will be communicated to the Head of the Department by copying it as such in the duplicate of the note, instead of in the form of a Memo or a letter as is at present done. The Head of the Department will give his reply also only in continuation of the note. After final orders are issued by Government, the copy containing the remarks of the Secretariat and the original orders passed will be retained by Government as record and the other copy will be returned to the Head of the Department with the order of Government.

The procedure will not, however, apply to matters regarding Establishment, Postings, Promotions, Departmental Enquiries, etc., in which cases the present system of addressing Government by letters will continue. During the initial stages, there will have to be some noting on the precedents by the Secretariat Sections, but this should be in the form of a routine note and not as a note in the reference sent by the Head of

the Department. In course of time, when the offices of the Heads of Departments will have the copies of the records on which Government orders have been passed, even this routine noting in the Secretariat, would, in practice, become unnecessary.

18. We suggest that this procedure may be introduced in a few departments in the beginning and its working investigated, examined and improved upon by the Organisation and Methods Division which we propose should be organised in the Secretariat.

19. Even before the new system is implemented in full, it is possible to effect considerable improvement in the working of the existing procedure itself. At present, the functions and powers of different officers in the Secretariat have not been clearly defined in all cases. As a result, many of the files pass through all the rungs and travel all the way up. The system of "jumping of levels" by which all files do not pass through all the levels, has been tried recently in one or two departments. It should be introduced in all the departments of the Secretariat.

As stated by us elsewhere, most of the defects attributed to the system, are the result of failure to work it properly. The working of a system must be properly followed up and steps should be taken to continually improve it, on the basis of experience. The normal Departments are unable to do this in addition to their work and at present there is no agency in the Secretariat to find out whether the procedures prescribed are being followed and if so with what effect, and to suggest changes and improvements to overcome the difficulties. This is the function of an Organisation and Methods Division, and we, therefore, suggest the formation of such a division in the Secretariat as part of the Public Department.

20. The O. and M. Division will help each department to improve its organisational structure, the distribution of functions and the allocation of duties to each post. It will work out the simplest procedure by which these duties will be performed. It will suggest measures for standardisation of forms etc., estimate the workloads and assess staff requirements based on this. It will also suggest the proper location in the Government of any new activity which Government undertakes, suggesting also the pattern and procedure to be followed by such new organisations.

21. There is a general feeling that the Secretariat has grown greatly in size during the last few years. A certain amount of increase in the strength is inevitable due to the vast increase in the activities of Government, but the complaint is that this increase has been disproportionate to the increase in work. Officers of the Secretariat and representatives of the Secretariat Associations have, on the other hand, told us that the present staff is itself inadequate and overworked. It appears to us that substantial reduction in the strength of the Secretariat may not now be possible. We are convinced, however, that if the recommendations made by us on delegation of powers, decentralisation and changes in the Secretariat procedure are adopted, there will be considerable scope for reduction in staff.

Regrouping of Secretariat Departments

22. As we have proposed the merger of Panchayat administration with Revenue administration in the districts, we think it logical that the Revenue Department in the Secretariat should also take over the work relating to the Panchayats and Municipalities from the Labour and Local Administration Department. The Health Department which has been newly formed is rather a small unit and we, therefore, suggest that Labour, Harijan Welfare and Housing which are now attended to by the Labour and Local Administration Department may be taken over by Health. We are suggesting elsewhere (Chapter on "The Services") that the Anti-Corruption Department may be merged with the Chief Secretariat. We are of the opinion that there is no need for separate departments for Home, and Planning and Development, and that the nature of work dealt with in these departments is such that they should form part of the Chief Secretary's Department viz., the Public Department. The following will, therefore, be the Departments in the Secretariat:—

1. Public Department (Public, Home, Planning and Development, Anti-Corruption and Organisation and Methods);
2. Revenue Department (including Local Administration);
3. Finance Department;
4. Agriculture Department;

5. Industries Department;
6. Public Works Department;
7. Education Department;
8. Health and Labour Department; and
9. Law Department.

Interchange of District and Secretariat Officers

23. We consider it desirable to provide for interchangeability of personnel between the Secretariat and other offices in the State for the purpose of increasing the alround efficiency and usefulness of the services. Our proposals are:-

(i) A certain percentage of Lower Division and Upper Division Clerks in the Secretariat may be drawn from other offices like the Collectorate, the Judicial Offices, Offices of Heads of Departments, etc., an equal number of similar clerks from the Secretariat being sent in return to the offices concerned. The period of transfer may be limited to three years ordinarily.

(ii) Upper Division Clerks of the Secretariat who have passed the requisite revenue tests and undergone training in survey may be posted as Revenue Inspectors or to corresponding executive posts in the mofussil for a period of two years.

(iii) Superintendents of the Secretariat who have completed the period of 2 years' field duty mentioned above may be posted as Tahsildars. Tahsildars from the districts may also be posted as Superintendents in the Secretariat.

(iv) Superintendents in the offices of Heads of Departments may be posted as Superintendents in the Secretariat and Secretariat Superintendents may likewise be posted in the offices mentioned above.

(v) Assistant Secretaries who have worked as Tahsildars and who are technically qualified for being invested with magisterial powers of the first class, may be appointed Deputy Collectors and Additional District Magistrates (Permanent Assistants to Collectors).

(vi) Deputy Collectors may be posted as Assistant Secretaries to Government.

It is also necessary that Secretaries to Government, except the Secretary to the Law Department, should have experience as District Collectors.

Secretariat Accommodation

24 The Kerala Secretariat is housed in the building of the old Travancore Secretariat without any substantial addition to it. The increase in the size of the State, firstly due to integration and then due to States Reorganisation, the advent of popular Ministries and the multiplication of Secretariat departments and the increase in the size of the staff have led to great congestion in accommodation. Many spacious rooms have been partitioned forming cubicles with insufficient lighting and ventilation. The officers and the concerned Sections are located in different parts of the building and in different floors with the result that there is no adequate supervision over the staff. A department should be located as a homogeneous unit and its lay-out should be such that at least the Assistant Secretary is able to supervise the work of the staff. It is, therefore, essential that another building should be constructed as early as possible to provide additional accommodation.

Secretariat Library

25 Our enquiry has shown that the Sections and the officers are not supplied with up-to-date copies of the Acts and Rules and Standing Orders. In most cases, they have not been prepared, but, even in cases where they are available, their distribution has not been proper. We cannot overemphasize the need for the supply of copies of Acts and Rules to the concerned officers.

At present the Law Department alone has a well-organised and well-equipped library. The Finance and Planning Departments have a small collection of books for their own reference. The only library to which the Secretariat Officers can have recourse is the Legislature Library which luckily is housed in the same building. We believe that there is need for a Central Library for the Secretariat, in addition to the Legislature Library and propose that early steps may be taken to organise one.

Secretariat Reception Office

26 There is no proper arrangement now for the reception and guidance of visitors to the Secretariat. There is a small 'Enquiry Office', but it has not been properly organised. Visitors have free access to all parts of the Secretariat and it is a common sight during office hours to find groups of them

loitering about in the verandahs and Sections. The Secretariat building itself is so constructed that regulation of entry is rather difficult. It is clear, however, that the absence of such regulation creates an unbusiness like atmosphere in the office. It also leads to considerable inconvenience to the visitors who find themselves at a loss to know where they should go and whom they should approach. We suggest that the reception arrangement in the Secretariat be re-organised immediately by allotting a spacious room and providing a small staff for receiving visitors and dealing with enquiries. The Reception Officer should assist the visitors in contacting the particular officers whom they have to meet. It will be useful to exhibit in the Reception room materials for information and publicity.

CHAPTER X

THE SERVICES

An efficient, impartial and honest Civil Service is a *sine qua non* for any modern Government. Great importance is, therefore, attached to the recruitment and processing of personnel in all countries. It is proposed to examine in this chapter the conditions obtaining here in this regard and to suggest what measures may be taken to improve them with a view to enhance the usefulness and efficiency of the Civil Servants.

Recruitment

2. Recruitment to almost all posts in the State's pay roll is done by the Kerala Public Service Commission. It is a Statutory body set up under the Constitution and consists of three members, including the Chairman. Its scope is advisory and extends, besides recruitment, to promotions and disciplinary action in regard to Government Servants in certain cases. There are, however, some matters specifically excluded from its purview and these are cited in the Kerala Public Service Commission (Consultation) Regulations 1957. As is only proper, its advice is almost invariably accepted by the Government.

3. Recruitment is done by the method of open competition, involving written, and some times, oral tests. For technical, scientific or teaching jobs, interviews alone are held to test personal qualities and suitability. In the case of last grade servants, however, selection for appointment is made by scrutiny, in the office, of the applications and the certificates appended to them.

4. The procedure followed is, by and large, satisfactory. There is, however, a considerable volume of opinion in official circles and outside that it is neither necessary nor desirable to assign to the Commission the task of selecting candidates for the sub-clerical and last grade posts including such minor technical jobs as Drivers, Boatmen, Cleaners, Fitters, etc.

5. The Chairman and the members of the Commission who were good enough to meet the Committee did not agree with this view. They contended that consultation with the Commission will obviate suspicion of favouritism and ensure a

stricter observance of the rule regarding reservation of posts for the weaker sections of the community. They added that under Article 16(1) of the Constitution (which guarantees equality of opportunity for all citizens in the matter of Government appointments), read with Article 320(1) (which relates to the holding of examinations for appointments by the Public Service Commission), it is obligatory that selection to all posts is made by the Commission and by no other agency, and that it would not be correct or proper to exclude from its purview any category of posts, however small. We do not propose to enter into a discussion of the legal issue whether the provisions in the Constitution lend themselves to be interpreted in the manner stated by the Commissioners or not, but only wish to point out that a different procedure being in vogue in the other States of India, a contrary view is not untenable. We, however, appreciate the other argument of the Commissioners about possible local reactions to any change in the existing practice. Conditions of employment opportunities in Kerala have been difficult for a long time and Government service continues to be the obvious occupation for large numbers of her unemployed young men. There are always too many qualified candidates chasing too few jobs, and in the vicious atmosphere created by this desperate competition, suspicion grows spontaneously and allegations of nepotism and patronage are quickly made and readily believed. The opinion held by some that recruitment for all jobs, however small, should be through the Service Commission should be viewed in this context. We are reminded in this connection about the bitter criticisms that were voiced forth in the press and on the platform against the orders passed towards the end of the President's rule, excluding certain posts from the sphere of the Commission's advice. The fact, however, remains that these minor jobs do not call for any special skill or aptitude to be judged on a competitive basis by the Commission and that the number of applicants will be so large that it will be impossible for the Commission to select the suitable without devoting a substantial part of its time in interviewing them. The alternative will be to make the selection on an *a priori* basis. It is pointed out as an instance that recently over 60,000 persons applied for 400 posts in the lower grade service, and that the Commission, being in no manner able to pick out the required few on any test of individual fitness—interviewing this large army of applicants even in batches being entirely out of the question—had to resort to the expediency of confining the selection to those who fail

in the School Final Examination. The prescribed qualification was only ability to read and write and the claims of tens of thousands of candidates who possessed this qualification, and incidentally of those who had passed the School Final or any higher examination, were, in the result, struck down summarily. The difficulty which the Commission had to face in this case, was, no doubt, real and understandable, and in the circumstances no other method less open to objection could perhaps have been adopted to get through the work. However, it is doubtful whether the procedure may be considered as satisfactory or commended for acceptance as a precedent in future selection for such posts. The Chairman of the Commission stated that usually he and the members sat from 11 a. m. to 5 p. m. and had to interview about 200 candidates on some days for certain categories of posts. This gives roughly a minute and a half for each candidate, which is admittedly too short for even a psychologist to discover the personal qualities of the interviewee. The system, therefore, calls for a change towards decentralisation of the Commission's functions with adequate safeguards to ensure fairness and impartiality in selection. We, accordingly, suggest that a District Recruitment Board be formed for recruitment to all lower grade posts with a member of the Commission as Chairman and the Collector as member. The District Officer of the department for which recruitment is made may also be associated with the selection. Applications for vacancies arising within the district will be called for by the Board and the selection made should be final and no further approval by the Commission as such should be necessary. If, however, there is any difficulty in the matter of associating the Commission in the manner stated above, we would suggest that the Recruitment Board, without a member of the Commission but with its strength augmented by the addition of a non-official member, may be entrusted with the responsibility of selecting the personnel for these minor posts. In the latter case, the posts will have to be excluded from the purview of the Commission.

6. A feature connected with recruitment which came to our notice was that there was a tendency to prescribe higher qualifications for posts while lower qualifications would adequately meet the purpose, for example, Graduation for routine clerical posts. This procedure will result in the exclusion of persons who are eligible to compete, and should, in our opinion, be discontinued.

7. We have considered the question of reservation of posts for backward classes. In this State, 40 per cent of the posts in Government service are reserved for Backward Communities. This is in addition to the reservation of 10 per cent for Scheduled Castes and Scheduled Tribes. Within this 40 per cent there is a "principle of sub-rotation" by which a certain percentage is reserved for a community or group of communities.

The system, as it now exists, ^{is on a rotating basis} has several disadvantages. Firstly, there is a continuous clamour to include more and more communities in the list and the basis for the assessment of their backwardness is not entirely satisfactory. Secondly, there are among the "backward classes" communities which are "relatively advanced" and those who are truly backward. The latter have a feeling that the benefit of the reservation generally goes to the former. The 'principle of sub-rotation' has not met this to a satisfactory extent. Thirdly, there is the consideration, that such reservation inevitably brings down the quality and standard of the services. The most important point, however, is that the system creates a psychology amongst all the communities by which caste and communal consciousness is perpetuated.

On account of these, it has been suggested by some that the criteria for backwardness should be economic rather than those based merely on communities. This suggestion looks attractive. But, apart from the fact that over 80 per cent of our people should be considered to be economically backward, it ignores the historical fact that economic backwardness in our country, has, in most cases, been the concomitant and result of social backwardness. ^{from 1931}

It is exceedingly difficult to suggest a simple solution to this complicated problem. A certain amount of protection and encouragement to the backward classes is necessary for some time more to come, so that they may get over the handicaps to which they have been subjected for centuries. The grievances of the economically backward sections of the so-called "forward classes" are also real. Their complaint is that under the garb of the reservation, richer persons of less merit belonging to the backward communities are able to get better facilities in education and recruitment to services, which are not available to persons of merit in the "forward classes", who are really poor. The object of these concessions is obviously

economic upliftment, which, it is hoped, will lead automatically to social upliftment. The concessions should therefore, be given only to those who are really poor in the communities now described as 'backward'. We are, therefore, of the view that the benefit of the reservation for backward classes should be given only to those individuals who fall below a prescribed economic level. We suggest this as a first step towards the recognition of economic backwardness as the index for giving State protection.

8. The question whether direct recruitment should be made to higher, responsible, executive and technical posts was considered by us. At present direct recruitment is made only to technical posts and others for which persons with the necessary qualifications are not available in the departments themselves. The higher executive posts of the departments have invariably been filled up by promotion. We are of the view that direct recruitment is necessary and that the service structure should provide for the introduction of fresh blood at intermediate levels. In this connection the question of constituting a Kerala State Civil Service recruited in part by competitive examination and providing for adequate training, is worthy of consideration. The needs of each department will, however, vary, and it is necessary to fix statutorily in each case, the levels to which direct recruitment will be made and the percentage of such recruitment in relation to the departmental promotion. This percentage should be conditioned by the need to provide encouragement for incentives among departmental personnel. One important point which we wish to stress in this connection is that the rule of reservation for backward classes should not be applied to direct recruitment at intermediate levels. It will stultify the very object of such recruitment which is to secure the services of persons of merit to fill up higher and responsible posts in the administrative hierarchy. The reservation for Scheduled Castes and Scheduled Tribes may, however, continue so long as there is provision for it in the Constitution.

9. It is necessary to insist that every entrant to a job, whether he is a direct recruit or a promotee, should be on probation for a short period, during which he will be under close observation. This will facilitate discharge in the case of direct recruits and demotion in respect of promotees, if they are found prima facie unsuitable by reason of unsatisfactory performance or lack of aptitude.

Training

10. The practice of giving training exists now in the case of direct recruits to some executive posts like probationary Deputy Collectors, Extra Assistant Conservators of Forests, Deputy Superintendents of Police, Probationary Deputy Tahsildars, Forest Rangers, Sub Inspectors of Police, Co-operative Inspectors, etc. Persons selected for appointment as Block Development Officers and Gram Sewaks also are given an intensive course of training in development work. Since 1956, a school for the training of Clerks and Accountants has been functioning in Trivandrum, the trainees being drawn from the several offices, mostly situated in the city. There is a whole time Principal for the Institution who is a Deputy Secretary. Some officials of the State Secretariat and the Comptroller's Office do part-time work as lecturers in specified subjects. The duration of the course is three months and the intake of candidates for each course is 100.

11. It is the view of the Committee that, quite apart from the general question whether, and if so what kind of, post-recruitment training should be given to clerks and accountants, the purpose served by the present school in Trivandrum is of doubtful value, that the intake is so small that its influence on the 'broad mass of the clerical class' is insignificant, and that to duplicate it in other centres in the State would be sheer waste of money, having regard to the nature and method of training imparted. It is learnt that the Government have since decided to close down the school, and so we do not propose to comment further upon its working. The Committee considered in this connection the relative merits of institutional training and 'training on the job' so far as the ministerial service is concerned. The time honoured method of leaving a new entrant 'to learn the job by doing it' and to generally flounder about 'in the deep end until one has somehow taught oneself to swim' may not be suitable in current conditions. For one thing, officers and their assistants have now an ever increasing work load to handle, and are in practice unable to afford the time required for grooming raw recruits into shape. For another, administration is rapidly becoming a complex and technical matter and a measure of acquaintance with the 'basic tools of his trade', derived from books and manuals, is indispensable to the fresh entrant. It is, however, recognised that mere institutional training, however efficiently and carefully imparted

unaccompanied by a concurrent course of practical on-the-job-learning will be of little use. We, therefore, suggest that institutional training in general principles be combined with practical training in offices preferably of the departments to which the trainees are allotted. It will be necessary to run such training courses at the Head Quarters of each district. Before the recruits selected by the Public Service Commission are posted to the offices, they should undergo training for about three months in a district school during which period they will be attached for practical training to the offices of the different departments situated in the District Head Quarters. This period should be counted as part of their probation, and the diligence and attention shown during the training should be taken into consideration in judging whether the allottee has satisfactorily completed his probation.

12. We wish to emphasise that the scope of training should include training in objectives as well. The role of the services in a welfare State is a very important one. They are not merely members of an organisation but a body of persons who greatly influence the day-to-day life of the citizens outside. As has been said often, there is a human problem behind every file, and this profound truth must be recognised in a greater measure by our Government servants, especially of the clerical and the lower executive grades. In the huge pyramidal structure of the Service they form the base. The common man comes into frequent contact with this part of the structure and his impressions of the Service and the Government will be influenced to a large extent by his experience of such contact.

13. Initial training apart, it is necessary to organise refresher courses and seminars to enable the officials to exchange ideas and to keep abreast of up-to-date trends in organisations, methods and procedure. Senior Officers of Government should participate in these gatherings and encourage free and frank discussions on matters of administrative importance.

Promotions

14. A good and well-planned promotion system is an important factor contributing to efficiency. The hope for timely promotion is natural and widespread and a well-organised Government should provide for a structure in which the lowest in the rung of official hierarchy can rise up to the highest positions and also ensure by periodical reviews that this vertical movement, in fact, takes place. It is understood that in

Australia, recruitment to all top administrative posts, and in France half of it, is by promotion. The Hoover Commission has also underlined the need for posts in the senior Civil Services being filled up from serving personnel on the basis of demonstrated competence and integrity. The accompanying statement (Table I) shows the position of vertical mobility in the Secretariat Service and in the Revenue Department of the Kerala State.

It will be seen that in the general Secretariat, out of 194 persons who joined as Lower Division Clerks, only 165 got into the Upper Division in 15 years, and 14 reached the Assistant Secretary's grade and one, the Deputy Secretary's grade, in 25 years. In the Revenue Department, the position is worse; out of 358 who entered as Lower Division Clerks 131 still remain so though they have put in more than 15 years of service. These figures indicate a state of poor mobility in service which is not conducive to the encouragement of incentives and is, therefore, detrimental to efficiency. It is necessary to ensure that there is no 'imbalance between age and incentives' and that stagnation, which does exist at certain levels of the services, is avoided. These are widely accepted principles which may not seem to require reiteration. Nevertheless, we feel compelled to restate them because we notice that the rules and conditions governing promotions here need a thorough overhauling. To take for instance the Revenue Department which is the general executive and administrative arm of the Government, there are cases of subordinate officers becoming Tahsildars without working as Deputy Tahsildars, Deputy Collectors without working as Tahsildars or in any other subordinate capacity in the Department, and Collectors and Secretaries in charge of administrative departments, without doing a term in lower levels in the hierarchy. Such a system is ill-planned and haphazard and is not conducive to the gradual growth of maturity and experience which senior Civil Service personnel should acquire, to be able to guide and supervise the subordinate officers effectively, and to win their confidence and respect. We, therefore, recommend that the principles, criteria and procedure for departmental promotions be fixed and made widely known and that, by their faithful implementation, implicit confidence be created in the services that they will not be departed from.

TABLE I

Statement showing the position of vertical
in the Revenue

Total No. of posts	Still remaining as L.D.Cs.	Promoted as U.D.C. within					Promoted as Asst. Supdts. or Dy. Tahsildars within				
		10 years.	15 years.	20 years.	25 years.	30 years.	10 years.	15 years.	20 years.	25 years.	30 years.
(1)	(2)	(3)					(4)				
Secretariat (Administrative Departments)											
194	..	99	66	20	3	6	..	..	..	..	..
Finance Department)											
43	..	22	..	..	..	..	..	..	..	..	..
Revenue Department											
358	194	77	47	23	13	4	1	26	..	1	1

NOTE.—In the Revenue Department 194 persons still remain as L.D. Cs.

Of these, 3 are Graduates, 2 below 10 years of service and 1 below 20 years of service.

The remaining 191 are non-graduates of whom 61 are below 10 years of Service

125 are having 15 years "

1 having 23 " "

1 having 27 " "

2 having 28 " "

1 having 35 " "

mobility in the Secretariat Service and
Department.

Promoted as Supdts. or Tahsildars within					Promoted as Asst. Secretaries B.D.Os, B.D.Os or Dy. Collectors within					Promoted to higher posts (Dy. Secretaries, etc.) within				
10 years.	15 years.	20 years.	25 years.	30 years.	10 years.	15 years.	20 years.	25 years.	30 years.	10 years.	15 years.	20 years.	25 years.	30 years.
(5)					(6)					(7)				
14	44	7	3	..	..	7	..	14	..	..	..	..	1	2
12	6	2	1	..	..	..	..	..	..	..	..	..	..	..
..	2	3	6	1	..	1	2	2	3	..	..	..	..	1

15. The first question that naturally arises in this regard is: what should be the basis of promotion, seniority or merit or both? if both, what should be the relative weightage to be attached to each? Should it be uniform for all levels in the hierarchy, or should the emphasis change from one to the other with reference to the nature of work and responsibility? These are matters relevant to the consideration of the principles and criteria for promotion.

16. Advocates of seniority argue that while seniority has at least the advantage of definiteness and is easy of application, merit is an abstract quality, difficult of objective appraisal, and its acceptance as the basis of promotion is likely, in the long run, to lead to the 'spoils' system which will undermine the confidence of the services in the impartiality of the Government, demoralise them and impair the very efficiency which is sought to be promoted by the merit system. One witness humorously remarked that if merit is given importance, then it ~~must be given~~ outside the range of the Gift-Givers' sons ~~and their family~~.

17. The arguments in favour of merit can be summarised thus:—Promotions by the strict rule of seniority will destroy incentives. The tendency in a large organisation like the Government is for the pace to be slowed down to that of the last member. Subordination of merit to seniority will result in the rapid decline in performance standards and the perpetuation of an inferior quality of administration in the country, which is unfair to the tax-payer. Rules of punishment in Government service are cumbersome and it is not always possible to bring to book the slack and the inefficient and deal with them in a manner which will effectively disqualify them for further rise. Added to this, there is an increasing degree of reluctance on the part of the principal officers to deal deterrently with the delinquent subordinates. It must be remembered that inefficient performance in Government service entails no personal loss to anyone and indulgence, even where it is demonstrably ill placed, is seldom visited with any positive punishment. The tendency will be to pass on the 'dud' to some one else and not to get rid of him finally, and the bad coin will be in quick circulation, causing frustration, discontent and disloyalty all along its course. Service rules are such that a Government servant, even if he is most inefficient, can continue to remain in his berth until he attains his age of 55,

without any serious jolting or fear of displacement. Promotion rules should, therefore, be so framed as to counterbalance this immunity. The view that merit is difficult to assess is no argument against merit itself and what is required is to devise a suitable method, which will ensure an objective evaluation of efficiency, with safeguards against abuses.

18. It may be readily conceded that there is much to be said on both sides. The case for merit is most forcefully expressed in the statement that 'a man should be promoted not because those above him are unfit, but because he is the best man for the job'. It is a fascinating argument, but its applicability is conditioned by two factors—one, the adequacy of the materials and the method for the assessment of varying degrees of fitness, and two, the nature of work at the level in question. The accepted evidence of efficiency is the confidential record or the personal file. It is either not maintained in the Travancore-Cochin area, or, is maintained only in a perfunctory manner. The remarks recorded do not enable the grading of personnel into different degrees of fitness. Till a system is devised to make this possible and it is enforced, it may not be proper to rule that the best man should get the first chance even if he has come last. Besides, in lower grades where tasks are repetitive and there is more scope for habit and experience and less necessity to take thought, display skill and initiative, undue importance need not be given to merit. The Committee will, therefore express its view in a general way that both merit and seniority should be taken into consideration and that greater weightage should be given to merit at higher levels and to seniority at lower levels. It, however, emphasises the need for the Government declaring with reference to the conditions in each department, the posts for which seniority or merit will be given greater weightage.

19. Whatever may be the criteria and conditions for promotion adopted, they must be embodied in the statutory rules governing the service. It should be clearly known what tests a person should pass, what training he should undergo and what minimum service he should put in, in the immediately lower category to make him eligible for promotion, and selection should be made from the whole field of eligibles. Nothing harms the morale and efficiency of the service more than the practice of picking up people at random and pitchforking them to higher posts on an *ad hoc* basis, over the heads of others. "A well organised service is an organic unit. It has traditions, an *esprit-de-corps* and a common outlook of its own. It has,

If I may say so, a kind of collective soul. A single promotion or demotion, a rebuke or a compliment meant for no more than one member of the service has its effects on the whole system and affects its morale for better or worse". In the case of promotions, justice should not only be done but should also appear to be done. Personnel requirements at each higher level should be calculated every year on the basis of existing strength, possible additional requirements during the year with reference to vacancies expected, leave, retirements etc., and the number of persons to be promoted should be decided well in advance. The case of *everyone* who is technically qualified for promotion should be considered and a list prepared by a Selection Board to be constituted for each department. This list should be sent to the Public Service Commission for concurrence, where necessary, and posting should be made from among the persons included in it according to the order or priority approved, as and when vacancies occur.

20. There is no doubt that merit is a factor to be reckoned with in the matter of promotions, the only difference being the degree of importance to be attached to it at particular levels. The need for adopting a satisfactory system of recording service efficiency and assessing merit is, therefore, self-evident. The most common method is for the superior officers to leave a full and clear record of the subordinates' work and conduct and for a higher authority to make an objective evaluation of such record made over a period of time.

21. This system has, however, been criticised by those in service and outside. The points urged by them are that the remarks in the personal files are made behind the back of the subordinates concerned, that they are apt to be coloured by the prejudices and predilections of the officer writing, that even where they are not so, they cannot be depended upon for adjudging efficiency on a competitive basis because standards of judgment may differ from person to person. One may be quite generous and his "geese" may all be swans". Another may be a hard marker. Besides, it is usually difficult to obtain uniformly explicit answers to questions like 'tact', 'energy', 'initiative', 'judgment' etc. Opinions on these points are often expressed in laconic terms like 'fair', 'average' etc. which convey no definite impression of the correct position. More than anything else, the task of assembling and giving due weight to a variety of subjective judgments is a difficult one.

22. The answer to these criticisms is very simple; the fault lies not in the system itself but in the method in which it is worked. According to the existing rules, opinions expressed in personal files should be substantiated by concrete instances and adverse remarks relating to defects which are remediable should be communicated to the subordinate concerned. Inspecting Officers are required to examine the personal files maintained at lower levels and ensure that this procedure is complied with. The acknowledgment of the subordinate affected, indicating the receipt of the copy of such remarks together with any representations which he may have made in relation to them, should also be kept in the relevant file. The superior officer examining the file is expected to correct any remark which he considers *prima facie* unsustainable and add his own assessment of the subordinate's work and conduct. We consider that these instructions constitute sufficient safeguards against any abuse of the system and recommend that the Government may reiterate them and insist on their faithful implementation by the custodian officers of personal files and reporting officers. It is also necessary that for different posts in different departments, as many objective criteria as possible should be laid down for assessing the merit of an individual. The details have to be worked out for each department and for each post.

23. A suggestion made from certain quarters that the 'open access system' of maintaining personal files by which the subordinates concerned will be permitted to peruse them, may be introduced to avoid any suspicion of unfair remarks being recorded in them, was considered. We are unable to commend this system and consider that the practice of communicating remediable defects, if followed with a liberal interpretation of the term 'remediable', would meet the needs.

24. We would suggest that it be impressed on the higher executive and administrative officers that their responsibility extends not merely to the discharge of the work which pertains to their personal sphere, but also to the insurance that their subordinate officers also do theirs properly and promptly. The need for taking punitive action for indifference, slackness, inattention to work etc. is just as important, from the point of view of administrative efficiency, as it is for rewarding merit and industry. An officer declining to punish proved incompetency or misconduct should be presumed to be indifferent to, or negligent of, his duties and rated low in point of administrative ability.

Incentive awards

25. We have considered the suggestion recently made by Sri D. G. Karve recommending the institution of a system of incentive awards based on a similar practice obtaining in the United States of America. It consists of making a cash or honorary award to a Government servant for any outstanding performance or useful suggestion made by him to reduce the cost of administration, or to simplify its procedure or to improve its efficiency. Rules of promotion in Government service are generally rigid and would not enable immediate and suitable recognition of individual acts of merit. The hope for promotion will not, therefore, furnish sufficient incentive to encourage originality and initiative in the rank and file, which awards of the kind mentioned are likely to do. They will also influence promotions indirectly because the acquisition of a number of awards by a person will, by itself, constitute proof of continued efficiency justifying permanent promotion. We recommend that the suggestions of Sri D. G. Karve may be adopted here.

Government Servants' Conduct Rules

26. We consider it necessary that the Rules of Conduct prescribed for Government servants should be revised so as to be in accord with the changing role of the services in an era of democratic development. It is not suggested that the rules regarding personal conduct, official secrecy and decorum, acquisition of property, participation in trade or business etc. should be less stringent; on the other hand we urge that their enforcement be tightened and any tendency to disregard or dilute them be firmly curbed. Involvement in local factions or disputes, communication with the press except to the extent authorised by the Government, speaking on public platforms about controversial issues, publishing articles, books or pamphlets without prior permission from the Government, and above all, criticising policies of the Central or State Government are all matters fundamentally opposed to proper conduct and rectitude and should not be lightly viewed. The observance of the rules enables the services to preserve their anonymity, which is of great importance in a system of parliamentary democracy, and also to conduct themselves with demonstrable impartiality and integrity. What we, however, wish to point out is that it is not desirable to encourage in the Government servant an attitude of aloofness from the people

or an impression that he is not of the general citizenry but some one different from, or superior to, them. This is opposed to the principle of the 'mastership of the public' which is the very basis of modern democracy. The recognition of this principle should reflect, in an ever-increasing measure, in all that a Government servant does or says.

Integrity of services

27. Service integrity is as important as efficiency. In fact, the least that the State and the Public expect from a civil servant is honesty. It may not be given to one to be brilliant or efficient, but it should be possible for him to be honest. Failure to ensure integrity in services would undermine the structure of administration. There is need, therefore, for a continuous war against every species of corruption within the administration.

28. We may here briefly review the arrangements which now exist for the detection, investigation and prosecution of cases of corruption. The Anti-Corruption Department has been organised in this State, with effect from 1st June, 1957. It is in the charge of a full time Secretary to Government, whose duties consist chiefly of directing investigation and taking 'effective measures for the active prosecution of cases of corruption on behalf of Government'. The following acts, if committed by Government servants, would come within the purview of this department.

- "(a) Illegal gratification in any form.
- (b) Nepotism.
- (c) Misappropriation or misuse of any Government property.
- (d) Causing wrongful loss to Government property or revenue or claims or dues.
- (e) Personation of, or by, Government servants.
- (f) Making false claims against Government (such as false Travelling Allowance, House rent etc.).
- (g) Any dishonest or intentionally improper conduct of a Government servant in the discharge of his duties as a Government servant or abuse of his powers as a Government servant.

(h) Abetment of the above offences.

(i) "Causing avoidable delay in the disposal of Government business".

The Secretary, Anti-Corruption, works under the overall supervision of the Chief Secretary. There is a Special Police establishment working under the Secretary, Anti-Corruption for detection and investigation of cases.

29. Investigation is started on information conveyed through petitions by private parties, or on reports sent by Heads of Departments. The Anti-Corruption Staff does very little detection work on its own. The large majority of cases consists of petitions. We understand that reports direct by departments are comparatively few and that even these are, in most cases, based on petitions received by the officers concerned. It would appear that, while in the beginning these petitions were either anonymous or pseudonymous, the tendency to conceal their authorship is gradually disappearing and that the signatories now come forward to help in substantiating the allegations made by them.

There is a separate one-man tribunal for the disposal of corruption cases. He is of the grade of a District and Sessions Judge. He acts in a dual capacity, functioning as a Special Judge in regard to the cases charged before him judicially under the Prevention of Corruption Act, and as an Enquiry Commissioner in respect of cases referred to him for enquiry under the Kerala Public Service (Classification, Control and Appeal) Rules.

30. We have generally considered the set up, powers and method of functioning of this department and would make the following suggestions for its better working.

(i) While agreeing that there is need for a separate Police establishment for anti-corruption work, we confess we are not clear that there is need for a separate Secretary for it. It would be sufficient and indeed more appropriate, if the Chief Secretary held charge of this department directly, with an Under Secretary to assist him, if necessary. Such an arrangement will be more in consonance with the nature and importance of the functions attaching to this department. Admittedly there is greater appropriateness in the seniormost civil servant in the State being entrusted with the responsibility of dealing

with allegations of misconduct on the part of the services. We are confident that no undue strain is likely to be felt by the Chief Secretary by this small addition to his charge.

(ii) We considered the question whether the functions of the Special Judge and the Enquiry Commissioner should be bifurcated, and recommend that it need not be done. Our reasons are twofold:— One is that the present arrangement secures a certain uniformity in approach and in evaluation of evidence. Differing scales of values might sometimes lead to anomalous results. The other reason is that there is not sufficient work at present for two officers.

(iii) In the cases enquired into under the Kerala Public Services (Classification, Control and Appeal) Rules, the Commissioner sends his report to Government with his findings on the charges against the delinquents, indicating also what punishment, according to him, would be appropriate in each case. Normally it should not take longer than a month for the Government to dispose of any case after the receipt of the Commissioner's report, because the post enquiry proceedings are very simple, involving only (a) the sending of a notice to the delinquent subordinate indicating the punishment proposed to be awarded and directing him to show cause why it should not be done, and (b) passing orders after considering his explanation and consulting the Public Service Commission. It is understood, however, that the Government actually take many months to do this, because of the practice now obtaining of the whole case being examined again in the Secretariat, sometimes in consultation with the Head of the Department concerned. This is unnecessary. Time is the essence of disciplinary proceedings and delays defeat their purpose. We, therefore, suggest that subject to Article 311 (1) of the Constitution the Enquiry Commissioner may be authorised to pass final orders himself in the cases referred to him, and the relevant service rules amended suitably.

(iv) It is necessary that the Anti-Corruption Department should detect more cases on its own initiative. For this, it is imperative that the personnel to be drafted for the work should be carefully chosen from the Police service, and that they should have a well established reputation for fearlessness, honesty and integrity. Any dilution of this establishment with men of doubtful precedents will impair its efficiency and bring it into contempt in the eyes of the people.

31. Some methods of preventing corruption may also be indicated. They consist of more effective enforcement of the existing rules.

(i) A Government servant should invariably be required to obtain the sanction of the competent administrative authority for acquiring immovable property. It is expected that before such sanction is accorded, the authority concerned will satisfy himself that with reference to the income of the official concerned the capital proposed to be invested represents what a reasonably thrifty person could have saved. Acquisition of property in relation to a house should include the construction of a new house as well.

(ii) Every Government servant should be asked to declare immediately, and once a year hereafter, whether he or any of his dependants is directly or indirectly interested in any business, trade or industry and if so, what the nature of the interest is. We do not propose to define here what the exact scope of the expression 'dependants' should be, because whether a person is dependant or not has to be inferred from the facts of the case. We suggest that the Government may examine existing cases of this type and decide whether the Government servants having any such interest should be directed to terminate it, or action can be taken to ensure that such interest does not interfere with his efficiency or integrity as a Government servant. It is necessary that, in future, Government should have prior knowledge of any such interest being created.

(iii) The pay scale of no category of Government servants has any margin for large savings. Sudden prosperity in the case of any Government servant or his dependants should, therefore, receive notice. As Sri A. D. Gorwala has indicated in his 'Report on Public Administration' to the Planning Commission, it is not normally possible for a man on a salary of Rs. 1,000 or his wife or his daughter to build a house costing a couple of lakhs or ride about in a car worth Rs. 20,000.

(iv) There should be a correct code of behaviour for Government servants, which, among other things, should discourage their closely associating with persons in charge of trade or industry or others who may have to approach them for permits or licences or for certain discretionary advantages.

We hope it should be possible for a Government servant who is discreet and circumspect to maintain contact with the public and still keep himself at a distance where necessary, so that he may be able not only to discharge his duties with integrity and impartiality, but also to create confidence among the public that he will do so.

32. An argument is sometimes advanced that one reason for corruption is the low pay scale of the services. It is true that every one, including a Government servant, should get a living wage, but there can be no preferential treatment for the latter. A Government servant is only a part of the community as a whole, and the satisfaction of the demand for a living wage should come about as part of the general improvement in the economic condition of the country. A Government servant, however low-paid, cannot, therefore, seek to balance his budget by accepting illegal gratification, any more than, for instance, a factory worker can, by committing theft or misappropriation. Besides, the argument does not appear to be intrinsically correct, because, if it were so, corruption should be confined to the ranks of low-paid officials only, which, by all accounts, does not appear to be the case.

33. We realise that the measures suggested by us will not completely eradicate corruption from official ranks. It must be remembered that corruption among officials is not an isolated phenomenon, existing by itself, but is only part of a more wide-spread malady which has affected the body politic. The real remedy, therefore, is a raising of the social standards among the people in general. That people get the Government servants they deserve is a true enough saying. It must be recognised, however, that a distinction must be made between a person who, to obtain an unfair advantage over another or to satisfy his greed for money or power, influences a Government servant by corrupt means to do him a favour and another who, in duress, to avoid personal harm or injury to the interests of himself or of any one related to him, is compelled to resort to bribery. It is the duty of society to shun the former and go to the rescue and protection of the latter. Public opinion should organise and assert itself in an aggressive manner in this regard, and relentlessly pursue both the greedy and the opulent bribe giver, and also the bribe taker. A climate of opinion should be created in which the two mentioned above will be isolated for public contempt. This can be achieved

only in a period of time by the patient efforts of public spirited persons and organisations. Their efforts should also be directed to the protection of the poor man who may have been compelled by circumstances to purchase relief. We welcome, in this connection, the steps proposed by the Bharat Sevak Samaj to rivet public attention on the evils of corruption.

CHAPTER XI

ADMINISTRATIVE EXPENDITURE AND FINANCIAL CONTROL

The terms of reference set out by the Government did not specifically include examination of administrative expenditure and financial control. We, however, felt that this matter was inherent to the scope of our enquiry, because a proper appreciation of the existing system would not be possible without an examination of the cost of administration and the existing arrangements for financial control. The following question was, therefore, included in the questionnaire issued by the Committee: 'Do you consider the growth of expenditure since 1950 on the administrative machinery justified? If not, what suggestions would you make to limit or control the growth of expenditure without loss of efficiency or integrity in the services?' Judging from the written answers and the evidence given by the witnesses before us, it is clear that this matter has aroused considerable public interest. The general view is that the growth of expenditure on staff in recent years has been enormous, and that it is capable of substantial reduction. There is, if we may say so, expectation among the people, that the Government will take effective steps to do it.

2. We confess we have not had the time to make a detailed study of this matter. Our observations in this respect are, therefore, somewhat general in character. Assessment of staff requirements and investigation of economy measures will require a separate agency, and we are recommending elsewhere in this chapter that a small committee may be set up by the Government for this purpose.

3. It may be observed at the very outset that, by far the most important factor in determining the size and cost of the civil service is the scope of governmental activity. The conception of Government as a Welfare State has shifted the emphasis from the regulatory to the developmental functions. New departments have been created in recent years and old departments are now called upon to perform positive and creative tasks. Consequently, the size of the staff has greatly expanded within recent times, but it must be remembered that additional tasks do require additional hands. The progressive rise in

expenditure on service personnel which has, no doubt, been appreciable, should be viewed in this context.

4. Particulars of actual expenditure on pay and allowances of officers and establishment under the several heads of account for the years 1954-55, 1955-56 and 1957-58 and of the estimates for 1958-59 are given in Statements I to IV. The figures for 1954-55 and 1955-56 relate to the erstwhile Travancore-Cochin State and those for 1957-58 and 1958-59, to the newly formed Kerala State. 1956-57 is a mixed year because the Kerala State came into being on the first of November that year, comprising the whole of the former Travancore-Cochin State minus a small area, the whole of the Malabar District and the Kasargode taluk of the South Kanara District, originally forming part of the Madras State. The budget for 1956-57, therefore, consisted of two parts, that from 1-4-1956 to 31-10-1956 relating to the Travancore-Cochin State and that from 1-11-1956 to 31-3-1957 relating to the newly formed Kerala State. These separate figures for broken periods would not be of any use for the purpose of comparison and are, therefore, not given in the statements.

5. The abstracts of the figures given in the statements are given below:—

Year.	Pay of officers (Rs. in lakhs)	Pay of establishment. (Rs. in lakhs)	Allowances (Rs. in lakhs)	Total service expenditure. (Rs. in lakhs)	Total revenue (Rs. in lakhs)	Percentage of expenditure to revenue. (Rs. in lakhs)
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1954-55	46.20	258.21	222.00	526.41	1,751.49	30.05
1955-56	61.46	321.01	252.88	635.35	1,863.75	34.09
1957-58	105.17	561.55	457.24	1,123.96	2,967.88	37.80
1958-59 (Budget estimate)	130.10	599.99	531.29	1,261.38	3,362.44	37.57

A perusal of the figures will show that in 1954-55 (Travancore-Cochin) service expenditure amounted to Rs. 526.41 lakhs against a total revenue of Rs. 1,751.49 lakhs, working to a percentage of 30.05. For the subsequent year, i.e., 1955-56 (also Travancore-Cochin) the relevant figures are Rs. 1,863.75 lakhs under 'Revenue' and Rs. 635.35 lakhs under 'service expenditure', the percentage of expenditure to revenue being

34.09. For 1957-58 (Kerala), figures of revenue and service expenditure are Rs. 2,967.88 lakhs and Rs. 1,123.96 lakhs, respectively. The percentage of expenditure was 37.8. In the estimate for 1958-59 (Kerala) the total anticipated revenue is Rs. 3,362.44 lakhs and the estimated expenditure is Rs. 1,261.38 lakhs. The percentage of expenditure to revenue is 37.57. The main reason for the increase in expenditure during the period subsequent to 1956-57 is, of course, the increase in the State's area and in its administrative responsibilities resulting from the emergence of the State as a larger unit. The steep rise in 1955-56 was due to the rather liberal increase in pay and allowances sanctioned with effect from 1-4-1955. The anticipated increase in 1958-59 is attributed to the additional commitments caused by the formation of new districts, increase in pay sanctioned to the panchayat staff and the normal expansion of staff strength and service activities. The most noticeable and steady increase is under Education and Medical and Public Health. It must be remembered that the progress in respect of these two items has been more advanced in this State than in most others, and so, the rise in the cost of administration in these two departments cannot be considered as *prima facie* unreasonable. The increase in 1958-59 in the percentage of salaries of officers and the reduction in this respect under 'Establishment' are accounted for by the fact that some categories of officers like Tahsildars, Circle Inspectors etc., which were formerly non-gazetted in the Malabar area, were converted into those Gazetted with a view to evolve a uniform pattern for the whole State.

6. The relevant figures for Madras for three of the four years for which particulars regarding Travancore-Cochin and Kerala have been given, are:—

Year.	Revenue. (Rs. in lakhs)	Expenditure. (Rs. in lakhs)	Percentage.
(1)	(2)	(3)	(4)
1955-56	5,209.48	1,636.71	31.41
1957-58	6,641.07	1,960.67	32.45
1958-59	6,390.28	2,075.19	32.47

Expenditure on staff salaries and allowances in relation to revenue is no doubt lower in Madras than in Kerala. It may not, however, be correct to conclude from this that the cost of administration in Kerala is higher than that in Madras to

the extent indicated by the difference in figures. The amounts given in Madras for purposes like Elementary Education, Roads, etc. to Local bodies as grants-in-aid are much larger than those in this State, as most of such expenditure is undertaken directly by the Government here. Salary scales and allowances of the non-gazetted staff, who form the largest section of the services, are also higher in Kerala than in Madras. Even allowing a margin for these differences, it would still appear that the cost of administration in Kerala is comparatively higher and that a search for economy will pay good dividend. The results shown by the casual examination of one or two departments by the Secretary of our Committee confirm this impression. We believe that the structural and procedural changes suggested by us would lead to a reduction of staff, which alone would result in a substantial reduction in expenditure. There are instances of uneven staffing as between departments and also as between different branches of the same department. We recommend that a small committee consisting of not more than two non-officials and a senior official be set up to investigate in detail about expenditure on staff, contingencies, travelling allowance and other items constituting 'administrative cost' and suggest measures for economy, consistent with the requirements of efficiency of service and an expanding economy. Pending such investigation, it is necessary to take steps to prevent undue expansion of staff. We, therefore, suggest that all proposals for additional staff may be got scrutinised by the Organisation and Methods Division hereafter and that, until the effect of our proposals on staff strength is finally known, recruitment to office staff in the Secretariat and elsewhere may be kept in abeyance. It may also be remembered that economy is possible in other directions as well. A rigorous scrutiny of the expenditure on stationery, Government vehicles, postage, telephone charges and similar items will disclose possibility of effecting substantial savings. We suggest that the examination of these items also be undertaken by the Committee recommended above.

7. We shall next examine existing measures of expenditure control exercised by the Finance and Administrative Departments in the State. Finance exercises control in two ways:--

- (a) annual scrutiny of estimates before the preparation of budgets, and
- (b) later, detailed scrutiny of proposals involving -
 - (1) every new item of expenditure;

- (2) every new service;
- (3) any change in policy likely to result in increase of expenditure; and
- (4) variations in the conditions of original sanction necessitating additional expenditure.

8. As regards (a) above, it is understood that in a number of cases budget provisions are made without detailed estimates being prepared and examined before hand. The procedure adopted is to provide lump sum allotments in the budget in the first instance, and later, after appropriations are passed, departments prepare proper estimates and seek afresh financial approval for each specific scheme. This practice gives rise to two defects: one is that generally the lump sum provided presents an unreal picture of the actual proposal being based on insufficient data, and the other is that it leads to needless delays as the proposal has to go through the whole gamut of the Secretariat sections again, often taking long to move from one point to another. Doubts arise, questions are asked and further clarifications are furnished, and by the time sanction is finally accorded, the financial year nearly comes to a close. This is perhaps the most important single factor which is responsible for the non-expenditure or under-expenditure of sanctioned grants, leading eventually to the much criticised lapses. The Committee would, therefore, urge that departments should be required to formulate detailed estimates before the relevant schemes are included in the budget.

9. Reference may be made in this connection to the suggestion that the Budget for each department should show all the expenditure provided on behalf of that department. This may be explained by an example. Provision made under 'Civil Works' may include amounts required for construction of Police Lines, Colleges etc. It is considered desirable that these figures are shown under 'Police' and 'Education' respectively, so that information about the total expenditure on this department may be readily available to the Members of the Legislature and others. Similarly, it is desirable that the budget for each department, gives details of the plan and non-plan expenditure, in addition to the details of Part I and Part II schemes and Revenue and Capital Accounts.

10. As regards expenditure control referred to in point (b) above, the questions that arise are (i) should Finance be consulted for sanction of schemes after the budget has been passed in the Legislature? and (ii) should approval of Finance

be sought for employing personnel of all grades, their strength, scale of pay, allowances etc?

11. The answer to point (i) is simple and is already contained in paragraph 8 above. In cases where the inclusion of a scheme in the Budget is based on a detailed estimate prepared by the department and already scrutinised by Finance, there should be no need to seek fresh sanction, unless the original estimate is proposed to be materially altered; in other cases, Finance should have the opportunity of examining the proposal in detail in the light of the commitments involved.

As regards point (ii) the arguments for liberalising the existing rules can be summarised thus:—The Administrative Departments should be presumed to know better than Finance, the strength and categories of personnel and the equipments required for implementing any given scheme and, so long as the overall provision in the budget is not exceeded, Finance should not concern itself with other minute details; economy must be enforced from within the departments themselves and not imposed by Finance from outside; expenditure is now incurred by Government on a large scale as a result of the great expansion of developmental activities, and the rigid procedures which were in force during a period of static economy are inapplicable in present day conditions; and strict control by Finance in respect of such minor matters as staff etc., will impede the progress of development works.

12. We agree that the growth of economic responsibility within the departments themselves should be encouraged, but the enforcement of economic discipline should also be insisted upon, simultaneously. Finance has an overall responsibility for ensuring that expenditure in respect of all matters incurred by the several departments of Government conform to certain uniform standards and limits. The departmental man's view is generally coloured by enthusiasm which may run away with discretion and judgment. Apart from these general principles, there are certain special features in Kerala which should also be taken into consideration. This State comprises three units which had administrative systems, procedures, service and financial rules etc., not uniform in all respects. The background and training of service personnel in the three units were also somewhat different. Common traditions are lacking and appropriate precedents are not always available to guide decisions. Rapid expansion of staff rendered necessary by the great increase in developmental activities has led to service personnel getting promotions to posts at the summit of administrative

and technical departments long before the normal period and long before they have had time to gather sufficient experience. Generally speaking, regard for the canons of financial propriety is not so rigid even at high levels. Great caution is, therefore, necessary in introducing any change which may lead to the weakening of financial control. We would accordingly suggest that the existing financial control should continue, subject only to the alterations which may be necessary for the purpose of unification of the financial rules, and that delays in obtaining sanctions or financial approval may be avoided by suitable changes in procedure.

13. Turning to the need for developing financial consciousness and responsibility within the departments themselves, we suggest that a small but strong financial unit be set up in each department to attend to the formulation of proposals involving financial commitments and the internal check of the accounts of the subordinate offices. It is understood that the nucleus of such a unit in the form of a Financial Assistant and staff does exist now in some departments, but that it is functioning only as a routine accounts section of the office, thus playing an ineffective role. These units should be reorganised, and strengthened, qualitatively and quantitatively, and the Financial Assistant or Adviser held fully responsible for the budgeting, expenditure control, internal audit and the scrupulous observance of financial rectitude in the department. There should be a separate cadre of Financial Assistants so that they could be transferred from one department to another. The Financial Assistant should work under the administrative control of the Head of the Department who should consult him in all matters involving finance. Where his advice is not accepted, the Head of the Department should invariably refer to the difference of opinion and state his reasons in full in the relevant proposals submitted by him to the Government.

14. Our attention has been drawn to a practice prevalent in the Secretariat, of administrative departments sending direct to the Finance Minister for sanction, cases involving financial commitments. This procedure detracts from the responsibility of the Finance Department as such, and the control it should properly exercise over public expenditure. We suggest that it be discontinued and that all such files be invariably routed through the Finance Department. At the same time, it is necessary for finance also to show itself to be helpful, impartial and earnest about economy. Any air of intellectual superiority

or attitude of obstructive criticism will tend to destroy the confidence of the departments in Finance and militate against its success in exercising effective economic control. We consider that a readjustment of relationship between the Finance and the administrative departments based on mutual understanding and sympathy will enable the former to exercise its control with greater success and less friction.

15. At present, the Finance Department forms a separate unit by itself in the Secretariat for the purpose of recruitment and promotion. There is no interchange of personnel between the administrative and the Finance Departments at any level, except that of the Secretary, who belongs to the Indian Administrative Service. This probably is the most important reason for lack of adequate appreciation of each other's point of view as between these two wings of Government. We would, therefore, suggest that horizontal mobility may be introduced between the Finance and other departments, at the level of the Assistant Secretary and above. While posting a Deputy Secretary of any administrative department to the Finance Department it is desirable to select one who has already had some experience as Assistant Secretary in the Finance Department. We consider that, as the work of the Finance Department is somewhat technical, its efficiency will be affected if interchange of personnel is made in lower grades.

16. It seems to us that the review of receipts is not effective. We suggest that the Finance Department should prepare a monthly statement of ways and means indicating clearly any shortfall in expected receipts and pin-point responsibility for it, and submit it for the consideration of the Cabinet.

17. We shall now briefly deal with matters relating to non-official co-operation in financial control. We have already suggested that the Budget of the departments should be approved by the District Councils before they are sent up to the Head of the Department concerned and the Government. At the State level, there are now two Statutory Committees of the Legislature viz. the Estimates Committee and the Public Accounts Committee. We consider that it would be useful to have a non-official Standing Finance Committee also, to scrutinise the budget proposals before they are finalised by the Finance Department of the Secretariat for presentation to the Legislature.

A long time is generally taken now to examine and answer the remarks of the Estimates Committee and the Public

Accounts Committee. There should be greater expedition in this respect and very severe notice should be taken if defects once pointed out recur.

18. We understand that, despite the instructions repeatedly issued in the past by the Government, there is still great rush of expenditure towards the end of the financial year. This is an unhealthy practice and should be put down with a firm hand. Spending departments should be required to prescribe for achievement quarterly targets, and review the progress of implementation with reference to these targets. Any shortfall should be visited with appropriate action promptly.

19. It was represented to the Committee that the system of having the financial year from 1st April to the 31st March is very inconvenient from the point of view of expenditure of allotments. The working season in the monsoon conditions of Kerala ranges from October to June. The months of April and May, which follow the sanction of grants, are now devoted to the distribution of funds and other preliminaries, though they are eminently suitable for execution of works. The suggestion has, therefore, been made that the financial year should close with the natural working season, so that the monsoon months may be utilised for distribution of allotments, obtaining sanctions, finalising contracts etc. We agree with this view and suggest that the question of changing the Financial year to the period from the 1st of July to the 30th of June may be considered in consultation with the Government of India.

20. The Secretariat of any modern State should have a unit for economic research which should engage itself in a study of the taxation proposals, the impact of the Government's socio-economic policies on the country's economy, the effect of the development schemes on the standard of living of the different classes of people, the general economic trends in India and outside and other allied problems. We recommend that such a unit be set up in the Planning and Development Department of the Secretariat.

Statement I.

EXPENDITURE ON PAY AND ALLOWANCES

ACCOUNTS 1954-55—TRAVANCORE-COCHIN
(In lakhs of Rupees.)

Head of Account	Pay of officers	Pay of establish- ment	Allowances	Total
4 & 13. Taxes and Duties ..	0.85	3.19	2.65	6.69
7. Land Revenue ..	0.14	10.68	10.54	21.36
8. State Excise duties ..	0.24	6.21	5.91	12.36
9. Stamps ..	0.06	0.31	0.24	0.61
10. Forests ..	0.77	5.84	5.79	12.40
11. Registration ..	0.21	6.58	4.28	11.07
12. Taxes on vehicles ..	0.17	1.58	1.41	3.16
18. Other Revenue Expenditure ..	0.86	2.96	2.46	6.28
25. General Administration ..	8.33	17.43	14.98	40.74
27. Administration of Justice ..	7.39	14.18	12.69	34.26
28. Jails ..	0.18	0.87	0.85	1.90
29. Police ..	2.90	31.87	34.20	68.97
36. Scientific Depts. ..	0.10	0.60	0.47	1.17
37. Education ..	6.30	103.73	78.38	188.41
38. Medical ..	9.91	12.85	12.47	35.23
39. Public Health ..	0.90	5.35	5.38	11.63
40. Agriculture ..	0.98	3.34	3.82	8.14
40 A. Rural Development ..	0.41	3.00	3.10	6.51
41. Veterinary ..	0.17	1.32	1.00	2.49
42. Co-operation ..	0.20	1.60	1.28	3.08
43. Industries & Supplies ..	0.30	1.20	1.04	2.54
47. Miscellaneous ..	0.64	2.61	2.67	5.92
50. Civil Works ..	3.30	12.40	8.46	24.16
56. Stationery & Printing ..	0.23	4.76	4.17	9.16
57. Miscellaneous ..	0.13	0.75	0.77	1.65
63 B. Community Projects ..	0.53	3.00	2.99	6.52
TOTAL : ..	46.20	258.21	222.00	526.41

Total Revenue	Rs. 1,751.49
Service Expenditure	Rs. 526.41
Percentage of Expenditure to Revenue	Rs. 30.05

Statement II

EXPENDITURE ON PAY AND ALLOWANCES

ACCOUNTS 1955-56—TRAVANCORE-COCHIN
(In lakhs of Rupees)

Head of Account.	Pay of Officers.	Pay of establishment.	Allowances.	Total.
7. Land Revenue ..	0.17	13.20	11.41	24.78
8. State Excise duties ..	0.25	7.56	6.36	14.17
9. Stamps ..	0.07	0.38	0.26	0.71
10. Forests ..	0.79	7.02	6.18	13.99
11. Registration ..	0.18	7.94	4.76	12.88
12. Charges on account of Motor Vehicles Act ..	0.27	1.96	1.66	3.89
13. Other taxes and duties ..	1.23	3.78	2.99	8.00
18. Other Revenue expenditure financed from ordinary revenues—Irrigation ..	0.98	4.10	2.71	7.79
25. General Administration ..	10.60	21.78	16.74	49.12
27. Administration of Justice ..	9.33	18.78	15.43	43.54
28. Jails and convict settlements ..	0.24	1.27	1.15	2.66
29. Police ..	2.93	38.49	37.87	79.29
36. Scientific Depts. ..	0.14	0.70	0.52	1.36
37. Education ..	7.48	120.32	81.48	209.28
38. Medical ..	12.66	16.48	16.00	45.14
39. Public Health ..	1.24	7.58	6.46	15.28
40. Agriculture ..	0.99	3.69	3.81	8.49
40-A. Rural Development ..	0.94	4.38	4.07	9.39
41. Veterinary ..	0.44	1.80	1.42	3.66
42. Co-operation ..	0.57	2.18	1.42	4.17
43. Industries & Supplies ..	0.53	1.76	1.59	3.88
47. Miscellaneous Depts. ..	0.62	3.98	3.53	8.13
50. Civil Works ..	7.10	19.51	14.35	40.96
56. Stationery & Printing ..	0.26	5.33	5.02	10.61
57. Miscellaneous ..	0.35	1.18	1.11	2.64
63. Extraordinary charges ..	0.17	1.63	0.97	2.77
63-B. Community Development Projects ..	0.93	4.23	3.61	8.77
Total ..	61.46	321.01	252.88	635.35
Total Revenue ..				Rs. 1,863.75
Service expenditure ..				Rs. 635.35
Percentage of expenditure to revenue				34.09

Statement III
EXPENDITURE ON PAY AND ALLOWANCES
 (ACCORDING TO REVISED ESTIMATE 1957-58 (KERALA))
 (In lakhs of Rupees)

Head of Account.	Pay of Officers.	Pay of establish- ment.	Allowances.	Total.
7. Land Revenue ..	0.28	24.58	30.41	55.27
8. State Excise Duties ..	0.32	8.86	8.14	17.32
9. Stamps ..	0.08	0.47	0.39	0.94
10. Forests ..	1.45	12.83	10.60	24.88
11. Registration ..	0.27	14.19	7.55	22.01
12. Taxes on Vehicles ..	0.41	2.69	2.16	5.26
12-A. Salestax ..	1.48	7.59	5.84	14.91
18. Irrigation ..	0.12	1.77	1.41	3.30
25. General Administration ..	18.61	41.57	40.34	100.52
27. Administration of Justice ..	11.73	28.51	23.45	67.69
28. Jails and Convict Settlements ..	0.45	2.66	2.57	5.68
29. Police ..	5.91	69.14	72.86	147.91
36. Scientific Departments ..	0.15	0.85	0.67	1.67
37. Education ..	17.77	205.50	125.20	348.47
38. Medical ..	19.06	27.69	30.38	77.13
39. Public Health ..	5.67	21.80	17.98	45.45
40. Agriculture ..	2.92	14.74	12.75	30.41
40-A. Rural Development ..	1.46	6.05	5.91	13.41
41. Veterinary ..	0.85	3.42	2.84	7.11
42. Co-operation ..	0.53	5.01	3.67	9.21
43. Industries & Supplies ..	1.46	8.22	4.91	14.59
47. Miscellaneous Departments ..	2.67	12.20	11.68	26.55
50. Civil Works ..	6.49	21.10	16.36	43.95
56. Stationery & Printing ..	0.30	7.13	7.30	14.73
57. Miscellaneous ..	0.66	2.38	2.22	5.26
63-B. Community Development, Projects, etc. ..	2.07	10.61	7.65	20.33
Total ..	105.17	561.55	457.24	1123.96

Total Revenue .. Rs. 2,967.88
 Service expenditure .. Rs. 11,23.96
 Percentage of expenditure to revenue 37.8

Statement IV
EXPENDITURE ON PAY AND ALLOWANCES
 (ACCORDING TO BUDGET ESTIMATE 1958-59 (KERALA))
 (In lakhs of Rupees)

<i>Head of Account.</i>	<i>Pay of Officers.</i>	<i>Pay of establishment.</i>	<i>Allowances.</i>	<i>Total.</i>
7. Land Revenue ..	0.29	25.30	34.31	59.90
8. State Excise Duties ..	0.32	8.99	8.15	17.46
9. Stamps ..	0.07	0.44	0.36	0.87
10. Forests ..	1.39	13.22	10.76	25.37
11. Registration ..	0.36	16.10	8.17	24.63
12. Taxes on Vehicles ..	0.43	2.79	2.36	5.58
12-A. Sales Tax ..	2.22	7.96	6.36	16.54
18. Irrigation ..	0.18	2.09	1.55	3.82
25. General Administration ..	20.90	42.73	40.67	104.30
27. Administration of Justice ..	13.93	30.21	27.14	71.28
28. Jails and Convict Settlements ..	0.46	3.41	3.06	6.93
29. Police ..	5.74	71.44	84.81	161.99
36. Scientific Departments ..	0.22	1.50	1.31	3.03
37. Education ..	26.61	190.61	144.36	361.58
38. Medical ..	26.71	41.06	41.27	109.04
39. Public Health ..	6.76	31.94	27.47	66.17
40. Agriculture ..	3.88	18.01	15.71	37.60
40-A. Rural Development ..	1.39	6.19	4.92	12.50
41. Veterinary ..	1.32	5.12	3.97	10.41
42. Co-operation ..	0.84	5.48	3.99	10.31
43. Industries & Supplies ..	1.86	7.92	5.79	15.57
47. Miscellaneous Departments ..	3.17	15.19	14.71	33.07
50. Civil Works ..	7.04	23.64	17.09	47.77
56. Stationery & Printing ..	0.31	8.43	7.65	16.39
57. Miscellaneous ..	1.05	3.25	3.04	7.34
63-B. Community Development Projects, etc. ..	2.65	16.97	12.31	31.93
Total ..	130.10	599.99	531.29	1261.38
Total Revenue ..				Rs. 3362.44
Service expenditure ..				Rs. 1261.38
Percentage of expenditure to revenue				37.57

CHAPTER XII

CIVIL SERVANTS, MINISTERS AND THE PUBLIC

Civil Servants and Ministers

In the system of Parliamentary Democracy which we have adopted, the Cabinet and the Services constitute the two important limbs of the administration. The relationship between the two and the co-operation and understanding with which they function are very important. It occurred to us that it would be desirable to discuss briefly the different aspects of the question, for many of the witnesses who appeared before us had, while commenting on the present administrative system in the State, directly or indirectly referred to it.

It is generally said that Ministers are responsible only for framing the policies, and that once the decisions on policies are taken, their implementation should be left to the Civil Servants. This is a 'conventional half-truth', because in Government, ends cannot always be separated from means. 'What should be done' is, of course, policy-making, but how to do it, when to do it and where to do it, are all as much part of policy as of implementation. It is, therefore, difficult to draw a line between policy and implementation and say where one ends and the other begins. Moreover, it is proper implementation that makes policy significant. The Minister, who is constitutionally responsible for all the executive action of his department, has to ensure that the Policy laid down by him is properly implemented.

3. The fact remains, however, that the Minister's function is not so much to run his department as to see that it is run well. If a Minister ordered that, as he was the person responsible for taking decision and for implementation, he should see all the papers in the Secretariat, he would soon find that he was surrounded by files and that the working of the department had come to a stand still. It should be remembered that a Minister has several functions apart from merely passing orders on files. As a member of the Legislature, he has to attend the sittings of the Legislature and take part in discussions even on subjects not directly under his control. As a member of the Council of Ministers he has to take part

in the discussions of all subjects which may come up before the Council. As a member of the Government working in a democracy he has to explain the policy of the Government as a whole including that of his own department on various public occasions. By virtue of his position he is called upon to take part in several ceremonial functions. He has to give a considerable portion of his time to the party to which he belongs. He has also to see visitors who may come to him on various public questions. When all these are taken into account it is obvious that he can give only a limited time to the details of administration. A Minister, therefore, must permit and encourage the execution of delegated authority by officers without hindrance or interference. A major portion of administration is non-political and it is essential to ensure that departmental decisions are impartial and equitable. The anxiety to redress individual grievances should not go against this. All representations look plausible when they are made by persons who are interested in reversing a decision of the department, but it would be unwise to pass an order on them without consulting the departments and taking into account the implications of such an order. It would be a good policy for a Minister not to question ordinary acts, with which he may not fully agree, if they have been done in the Civil Servant's discretion and good faith.

4. The making of policy is the responsibility of the Minister and of the Cabinet. But, before coming to a decision on policy, the existing position and the possible effect of any change in policy on administration has to be studied carefully and in this the Minister should consult his senior Civil Servants. He should not look upon them merely as instruments of implementation.

5. The Civil Servant, on his part, should understand his role properly and the role of the Ministers and the limitations under which they work. It is his duty to give the Minister impartial advice and to point out the *pros* and *cons* of the steps proposed by the Minister. In doing so he should not hesitate to express his views freely for fear that he would displease the Minister, nor should he give advice which he believes to be wrong merely because such advice would please the Minister. He should be 'free, frank and fearless' in the advice given by him and the Minister should encourage the Civil Servant to give such advice. Once the decision is taken by the Minister, the Civil

Servant should faithfully implement it, even if his advice had not been accepted. A Civil Servant defaults in his duty, both when he fails to give free and impartial advice and when he fails to implement the policy once the decision has been taken by the Minister.

6. We have elsewhere stated that a Civil Servant should be completely free from political bias. But this does not mean that he should be blind to the facts of democracy. He cannot be indifferent to the political convictions of the Minister or the policies of his party, but at the same time he cannot allow himself to be overshadowed by such factors. He should never depart from the attitude of political neutrality expected of him.

7. Modern democratic Government is based on partnership between the people's representatives in power—the Ministers, and the people's servants—the Civil Service. The role of the Minister and the Civil Servant is complementary rather than conflicting. A wise and efficient Civil Servant can unobtrusively but none-the-less effectively, influence the decision of his Minister. A capable Minister who knows what he wants and is intelligent in going about it, can command the understanding co-operation and support of his officers.

8. "The relationship between the Minister and the Civil Servants should be—and usually is—that of colleagues working together in a team, co-operative partners seeking to advance the public interest and efficiency of the department. The Minister should not be an isolated autocrat, giving orders without hearing or considering arguments for alternative courses, nor, on the other hand, should the Civil Servants be able to treat him as a mere cipher. The partnership should be alive and virile, rival ideas and opinion should be fairly considered, and the relationship of all should be one of mutual respect—on the understanding, of course, that the Minister's decision is final and must be loyalty and faithfully carried out, and that he requires efficient and energetic service."^{*}

The concept of "ministerial responsibility" has an important bearing on the relationship between the Ministers and Civil Servants. Recent events have highlighted this. The principle that the Minister is constitutionally responsible for all the executive actions in the department under his control, raises the question of the attitude the Ministers should take towards the actions of his officers. While considering this

^{*} "Government and Parliament" by Herbert Morrison. Pp. 318-319.

question we cannot do better than quote the following statement made in the British Parliament, in connection with the well known Crichton Case:—

"(1) Where a Civil Servant carried out an explicit order by a Minister, the Minister must protect the Civil Servant concerned.

(2) Where the Civil Servant acts properly in accordance with the policy laid down by the Minister, the Minister must equally protect and defend him.

(3) Where the Civil Servant makes a mistake or causes delay but not on an important issue of policy and not where a claim of individual rights is seriously involved, the Minister acknowledges the mistake and he accepts responsibility although he is not personally involved. He states he will take corrective action in the department.

(4) Where action has been taken by a Civil Servant of which the Minister disapproves and has no prior knowledge, and the conduct of the official is reprehensible, then there is no obligation on the Minister—to endorse what he believes to be wrong or to defend what are clearly shown to be errors of his officers. The Minister is not bound to approve of action of which he did not know, or of which he disapproves. But of course he remains constitutionally responsible to Parliament for the fact that something has gone wrong".

Civil Servants and the Political Parties

9. We now briefly refer to the relationship between Civil Servants and political parties. In a democratic set-up, the members of the Cabinet will belong to one political party and the other party or parties will be in opposition. The members of all parties in their capacity as citizens may often come into contact with the Civil Servant and bring to his notice grievances for redress. In dealing with such representations the Civil Servant has to be absolutely impartial. He should not give any impression that representation from members of one party would receive greater attention from him. His action should not be such as to give the impression that he would go out of the way to please a member of one party in order to secure his personal advancement. Nor should a Civil Servant feel that by acting properly in regard to representation from a member of an opposition party he would incur the displeasure of the Ministers.

Civil Servants and the Public

10. It is said that Civil Servants seldom 'meet the public, in any sense, face to face'. This might have been true, even in the literal sense, in the period prior to the Second World War. Its impact, however, created conditions compelling interdependence and co-operation between the officials and the public. Trade control, procurement and rationing of food grains, distribution of consumer goods, price stabilisation measures and a host of other war-time restrictions brought large numbers of people to the public offices, while the need for winning public support for the war, stepping up recruitment, popularising loan schemes, augmenting war funds, and generally intensifying the war effort, in an atmosphere not free from hostility and suspicion, compelled Government servants to contact the public and make themselves generally agreeable. The two sections came closer than before, but the barrier between them still remained. After independence the need and the opportunity for contact between them have greatly increased, thanks to the welfare and the development schemes under the Five Year Plans, and the gulf between them is being narrowed down. New tasks have arisen, a new atmosphere has been created and a new attitude is called for on the part of all. We believe it may be useful at this stage to indicate how the public and the public servant may be enabled to meet 'face to face', not merely in the literal sense, but in the sense of understanding each other's difficulties and developing mutual sympathy.

11. We shall first approach the matter from the angle of the public. The services should bear in mind that the public are generally not conversant with the ways of Government and the rules and procedures governing the conduct of business in Government offices. They are often perplexed and sometimes horrified at the complexity of the Government machine. Some may be impatient of official delays, even when such delays may have perfectly valid explanations; some may have become irritated, perhaps by the action of a particular Government servant or perhaps by the general course of events, and would like to 'let off steam'; some may feel slighted and be smarting under a sense of injured dignity; some may pretend to have a grievance and try to impress, while others may be in real difficulty but too unsophisticated and ignorant to explain themselves. And, above all, there is a widening circle of people who are becoming increasingly conscious of their political importance and rights, and are in no mood to tolerate any attitude of patronage or superiority.

A Government servant has to deal with all these kinds of people. He must develop the patience and the tact required to do so. He should meet them as often as he can, and learn to look at problems not only from the official angle but from the point of view of the public as well. The capacity to put oneself in the other man's place is a great asset and is worth acquiring, if need be, by conscious and continuous effort.

12. Every Government servant who has to deal with the public should set apart some time every day or on specified days in the week for seeing them and must invariably see them too, unless something very important interferes, in which case, the officer next in rank to him must deputise for him. There should be no annoying restrictions in the matter of access to the official, and accommodation facilities should be provided in public offices so that waiting, when unavoidable, is rendered as little irksome and inconvenient as possible. It is important that representations are heard with sympathy and understanding and that any impression of indecent haste in terminating the interviews is avoided. Parties might have come from distant places at considerable personal inconvenience, in the hope of being able to present their case and obtain, if possible, quick relief for their difficulties. If the matters are simple, they should, therefore, be disposed of immediately; where this is not possible, the party should be told at what stage the case is and when he may expect a final reply, and care should be taken that a final reply does, in fact, issue on or before the date mentioned. On no account should it be made to appear that the initiative for taking or influencing a decision rests on a subordinate in the office and that the officer is himself not likely to take any positive action, until the case is placed before him by the subordinate staff, at their discretion. That will destroy the confidence of the public. In their anxiety to get things done quickly, they will be compelled to make direct approach to the levels from where alone, they believe, action can emanate. The result will be widespread corruption, inefficiency, and delay and a general contempt for the administration among the public at large.

13. Among the factors that still keep the Civil Servants and the Public apart, none is perhaps more decisive than the language employed in official correspondence. It is a needlessly formal jargon, sometimes curt to the point of being rude, at other times evasive and round-about. A person may have made a number of requests in his petition and at the end of an unconscionably long period of waiting, interspersed by

innumerable reminders, he would get the short and unhelpful reply that 'the petition is lodged'. 'Lodging' is a manner of official disposal of a case in which the petitioner is not interested. What he would be anxious to know is why his requests could not be granted and what further action, if any, he should take to obtain relief. Pompous communications sometimes issue inviting petitioners' attention to some obscure rules of notification and informing them that they should 'approach lower levels for relief in the first instance, before coming up to the Government!'. Nothing is more exasperating than this kind of vague and indefinite 'officialese'. An ordinary unsophisticated citizen cannot be expected to know the intricate rules of Government procedure. The proper thing would, therefore, be to tell him straight whom he should approach.

Mentoff may be made here of the existing practice of sending official communications in the form of endorsement and Memorandum (Memo for short) to members of the public, addressing them in the third person. The language in such forms of communications inevitably tends to assume a tone of command and authority, which is not in keeping with the spirit of the times. We recommend, therefore, the discontinuance of this practice and the adoption of the letter form which, apart from being more courteous, is more natural and less pompous.

14. Technical officers often exhibit a strange preference for high sounding expressions which confuse people rather than help them to understand the knowledge of science which is sought to be imparted to them. The officers will do well to remember that their object should be to inform, and not to impress, people, and that if they have themselves understood what they talk about, they should be able to put it in the language of the ordinary man.

15. We had occasion to peruse the tour journals of certain Heads of Departments and found that, in most cases, the tours consisted of rapid marches through a major part of the State at one stretch, touching a few places for brief halts. There is reason to believe that the nature of tours in the case of the subordinate officers also is not very different. Official tours are, among other things, intended to enable the officers to meet the public, know their needs and their reactions to the measures in progress and their problems and difficulties, and to generally maintain contact with them. Merely flitting through the countryside will not serve these purposes and will also not enable the officers to exercise efficient supervision and

control over the work and official conduct of their subordinates. We would, therefore, urge on the Government to take effective measures to discourage such tours. The fixing of a proportion between 'marches' and 'halts', the insistence of a minimum number of halts, the restriction regarding the grant of mileage beyond a certain maximum distance, are some of the suggestions which may be considered. We have recommended that the Panchayats should be the units of administration. Under ideal conditions, all offices at the Panchayat level should be located in the same building as the Panchayats themselves, a point which may be borne in mind when designing the construction of public offices in villages in future. All officers of Government visiting a village on official duty, whether for office inspection or local inspection or enquiry, should make it a point to call at the Panchayat Office, meet representatives of the people there, spend some time with them and find out how the subordinates at the village end function in relation to the Panchayats. We suggest to Government that it may be made clear to their officers that any lapse in this regard will not be overlooked. Such visits will be of great help in disposing of, at the village level, matters which may take long to finalise by ordinary correspondence. They will also serve to raise the status of the Panchayats to the proper level. Needless to say that a copy of the tour programme of the visiting officer should be communicated before hand to the Panchayat concerned.

16. Respect for law and authority can be better promoted by taking care that official directions issued are such as could be complied with by the parties concerned without undue difficulty. The restriction imposed during the control period in certain areas that crops should not be harvested until the prescribed authority gave permission for doing so, was, in practice, incapable of faithful compliance, even where the willingness to do so was not lacking, because harvests have to be done within a period of time and cannot brook postponement consequent on official delays, without causing heavy loss to the farmer. The result was large-scale evasion of the order with no action being taken except in stray cases where subordinate officials probably wanted to harass. We observe that the same defect vitiates certain orders issued even in recent times. As a matter of general principle, two important points have to be borne in mind when regulatory or prohibitory orders are issued. One is that they should be practicable of enforcement by those responsible for it and capable of observance by those

to whom they are directed; and the other is that the responsibility for their enforcement and the authority to grant the licence or permission, if any, under them, should be vested in the lower levels of the administrative machinery appropriate to the nature and importance of each case.

17. In this connection we wish to invite the attention of the public to certain difficulties inherent in the discharge of his functions by a Government servant. He has to conform to certain rules and procedures and has seldom the discretion to depart from them without laying himself open to blame. Indeed, it would be undesirable to encourage such departure except under emergent circumstances. The nature of a Government servant's work is such that he cannot function in the same way as a business man does, because the conduct of the latter is governed solely by the interests of the business he represents, whereas a Government servant is accountable to his superior, to the Government and ultimately to the Legislature. What he does or says is likely to affect the interests of the public and will form the precedent for similar cases in future. To compare the work of a Government servant with that of his counterpart in the business to the disadvantage of the former, is, therefore, not quite fair.

18. One important fact which we would commend for a wider recognition is that the change in the relationship between the Government servants and the public, which should reflect the change in the character of the Government after the attainment of Independence, should be a reciprocal one. A Government servant can no longer be considered as a limb of a machinery that subserves the interests of a foreign rule. He is, on the other hand, part of a vast organisation, working in co-operation with the members of the public, to establish a socialist, welfare State which the Nation has set before itself as its goal. He is as much a citizen as anybody else, sharing the urges, hopes and aspirations of the community for the improvement of the country. It will not be proper, therefore, to look upon him as a mere wage earner, just doing some allotted work in a mechanical way, or to publicly criticise him for any fault of omission or commission irrespective of its gravity or importance. He is constitutionally incapable of defending himself against criticisms, however unjustified, and it may well happen that in doing the thing complained about, he was only carrying out the orders of a superior authority. Sometimes, therefore, it may be a case of beating the wrong

horse. The normal method of initiating corrective action against a Government servant is to report him to his superior officers or Government rather than criticise him in public. It should not be understood that in making this observation we have any doubt about the right of the press or the public to criticise or comment on the administrative machinery in general, or any part of it, in particular; we only suggest that, for building up proper traditions in the relationship between the Civil Servants and the public and for enabling the former to discharge their duties free from all inhibitory influences, comments, whether congratulatory or condemnatory, may be confined to matters of great public interests or importance. It is only by developing mutual trust and understanding between the two sections of the public, can we hope to build up an administration which is efficient and devoted to the service of the people.

CHAPTER XIII

MISCELLANEOUS

1. Despatch of Business

The Public judge the administration by their experience of contact with the Government Offices and officers. Non-official opinion is almost unanimous that the efficiency of the Governmental machinery has declined in the post-independence period. The complaint most commonly heard is that there is unconscionable delay in the despatch of business in Government offices. We are satisfied that this allegation is, in essence, true. There is a lack of even ordinary promptness in the transaction of work in Government offices. This is very much to be regretted. Our report will not be complete without definite suggestions for improvement of the position in this regard. The recommendations made by us in the other chapters contain some suggestions. The Manuals or orders about office routine now in force also contain instructions to eliminate delays. We wish to enumerate here only some of those which are important with a view to focus attention on them.

(a) Delegation of authority.—The most effective method of reducing delays is to give larger powers to the Heads of Departments and the subordinate officers. The objectives of Government have radically changed during the last 10 years and the yardsticks, rules and procedures applicable to the pre-independence period will not suit present day conditions. Our programme of work is now related to a time-schedule with definite physical and financial targets and its fulfilment requires much wider authority for the executive machinery at all levels. Even in normal administrative matters, subordinate officers should be given greater powers for taking decisions, proper provision being made for appeal or revision. Scrupulous care should be taken to see that every officer to whom power is delegated is allowed to exercise it without interference by any higher authority, except under the provisions of appeal or revision. The rule that business should be disposed of at the lowest level competent should also be faithfully observed. All petitions or letters addressed to a higher authority should be forwarded to the appropriate officer below for disposal and

ordinarily no report should be called for in respect of them. Unnecessary work in all offices can be appreciably reduced by doing so and the strain of handling a large volume of correspondence and of interviewing a large number of visitors on comparatively unimportant matters which the Ministers have now to bear, can be avoided.

(b) **Associating people's representatives.**—We consider that democratisation will ensure not only the enlistment of people's participation in development work, but also (1) a quickening of the Government machinery and (2) the proper exercise of the delegated powers. If people's representatives are associated with administration at important levels they will draw attention to delays in disposal of work and thus act as a wholesome corrective against complacency among Government officers. The pressure of petitions and personal appeals from members of the public now falling on ministers will also be less to the extent to which the need for them is minimised as a result of the association of the people's representatives with the administration at lower levels. Besides, it is desirable that performance of functions by the executive is subject to examination and criticism by the people's representatives in the manner suggested in the earlier chapters. It may be stated that one of the effective safeguards against the danger inherent in large scale decentralisation is democratisation.

(c) **More useful work in camps.**—Officers should encourage members of the public to meet them in camps or at Headquarters and also provide facilities for doing so. Complaints regarding delay in the disposal of business should be examined with great promptness and demonstrable earnestness. The need for camping officers to stay in interior parts long enough to establish contact with the people and to ascertain their needs and reactions has already been stressed. They should see to it that long-pending cases are disposed of in camps in consultation with the local officers, instead of leaving them to be dealt with in the normal way by the staff in the office.

(d) **Tightening up of supervision.**—In our opinion continued neglect by supervisory personnel to check adequately and regularly the registers maintained by clerks had led to accumulation of arrears going undetected and officers losing grip over the staff. It has been said not without justification that the present unsatisfactory condition of many offices is not so much due to the fault of the system as the failure

observe it. Fear of detection of delays and of punishment is fast disappearing and a situation is emerging in which the option of taking action in a case or of shelving it seems to rest largely with the dealing clerk. This position is intolerable. Superintendents, Assistant Secretaries, Deputy Secretaries and Secretaries in the Secretariat and corresponding officers in other offices should scrutinise the personal registers with pending files at prescribed intervals, which should be so evenly spaced as to secure the maximum effect, and a detailed review of pendency should be undertaken by the Head of the Office himself after the close of each month and before a prescribed date. It will be the function of the Organisation and Methods Division under the Chief Secretary in the Secretariat and of the Heads of Departments and other Inspecting Officers, to ensure that this instruction is faithfully implemented in the regional, district and subordinate offices. Any default in this respect should be taken notice of in the appropriate manner, irrespective of the official status of the officer who has committed it. We wish to emphasise that the accumulation of arrears and the occurrence of delays in offices are due not only to the complacency of the staff but also to the contributory negligence of the officers themselves, and that neither should be exempt from the resultant blame. The officer in charge of the Organisation and Methods Division should also check up whether the instructions regarding supervision and control are properly observed in the offices of the Heads of Departments which, in the normal course, are not inspected periodically.

(e) **Encouragement of incentives.**—We attach greater importance to the encouragement of incentives than to fear of punishment as a factor contributing to efficiency. The faults attributed to the present method of maintaining personal files can be removed partly if it is insisted that, wherever there is an Organisation and Methods Unit, the entries in these confidential records should be supported by the results of the examinations of this unit. It will be a good practice if a summary of the periodical O & M assessments is made available to staff organisations and their comments invited. As already stated, a system of incentive awards should be instituted, and it is hoped that encouragement to efficiency in promotions, as recommended by us in Chapter X will introduce a healthy spirit of competition among the services, resulting, in due course, in the improvement of outturn, quantitatively and qualitatively.

2. Proper atmosphere in offices

There is an impression among the public that some Government servants do not attend office on time or remain in their place all through the office hours, or apply themselves diligently to their work. The ordinary man who views the steady rise in the cost of administration against this background is generally not convinced that it is fully justified. No Government or Government servant can afford to be indifferent to such opinion. It is necessary for officers and staff to make every endeavour to dispel it and to ensure that Public Offices present a picture of businesslike promptness, smartness and efficiency. Group talks in the corridors of public offices either with colleagues or with visitors should not be indulged in or condoned. The fact that a Government servant has occasionally to work overtime will not be a proper excuse for being unpunctual or absent during office hours.

3. Transfers and Postings

Two points should be borne in mind in the matter of transfer of Government Servants:—

- (i) It should be made only in public interests; and
- (ii) it should cause only the minimum consequential changes.

The disadvantages of indiscriminate transfers are many. It will disturb the continuity of the work thus affecting efficiency, involve avoidable loss to Government by way of Travelling Allowance, create a sense of irresponsibility among Government servants and cause hardship to many of them, especially those having children going to school. The normal rule should be that a person who returns from leave or is promoted or appointed afresh should join duty at the place where the vacancy exists, or in case where the reversion of an existing hand is involved, the place where the man due for reversion is working. Unnecessary disturbance of personnel is undesirable from all points of view and should be avoided. It should be the responsibility of Inspecting Officers to check up whether these instructions have been faithfully observed by the officers under them. To this end, the Establishment Section in each office should be required to maintain a file containing copies of transfer orders chronologically arranged; to be produced whenever called for by the Inspecting Officers.

4. Regional units for recruitment, promotions and postings

Decentralisation of authority will involve the transfer to officers at lower levels the power of posting, transferring and

promoting service personnel. There will, of course, have to be specific units for these purposes. These units will, of necessity, have to be different for different departments, and even for different categories of officials within the same department, depending on the strength of the personnel involved. Again the units may be different for promotion and transfer in the same category. To give only one illustration:—In the Health Services Department, there may have to be different units for Hospital Ward Attendants, Compounders, Clerks, Nurses, Health Assistants, Health Inspectors, Civil Assistant Surgeons, and higher officers. In some cases it may be the district, in some the region and in some the State. It is, however, necessary that the unit for promotion is the same as the one for recruitment. Care should also be taken to see that the units are fixed with proper regard to the strength of personnel and chances for promotion so that no region gets any undue advantage over the other. Provision should also exist for periodical review and correction of patent inequalities by movement of personnel from one regional unit to another on a temporary or permanent basis as circumstances may require.

5. Public Relations

We have suggested in the chapter on the Secretariat, the need for re-organising the unit for the reception and guidance of visitors. It seems to us that similar arrangements should be made in the Public Offices of Quilon, Kottayam and Trichur which are housed in the newly constructed blocks and also in the Public Offices block in Trivandrum, in which the offices of the Chief Engineers, the Registrar of Co-operative Societies, the Director of Industries, the Board of Revenue, etc., are situated. An ordinary visitor wanting to go to any of the several offices accommodated in these huge buildings will not be able to find his way without guidance. A spacious room should be set apart for the reception of official visitors, and a small staff for receiving them and answering enquiries should be present there. Needless to say that they should receive the visitors with courtesy and show themselves to be helpful. The Reception Officer should assist the visitors in contacting particular officers whom they have to meet for obtaining any information or presenting their cases in person. As already stated in Chapter IX it will be of great advantage to keep in an orderly manner in these Reception rooms all materials in the possession of Government for information and publicity.

and also charts and other important statistical details regarding the district or particular departments. The particulars of offices situated in the several blocks with the names of the officers in charge may be exhibited in a board.

There is one other matter to which we would like to refer here. We are of the view that while no Government servant should make any statement in the press regarding policy matters, it should be permissible for all District Officers to give established factual details for publication provided their disclosure is not prejudicial to public interests. Wherever possible such matter should be in the form of a Press release, and where information is given verbally, the officer may inform the press representative or reporter that there is no objection to it being stated clearly that the information was given by him. We have noticed on the part of the personnel of committees set up by the Government a tendency to disclose in public or to representatives of the press particulars of information gathered by them and, sometimes, even the nature of the recommendations they proposed to make. This does not appear to us to be a healthy practice. Such premature publication of discussions or tentative conclusions by the members, or by the Government to whom they may have been communicated, is undesirable. The publication of the report or any part of it should be left to the Government who may appropriately do it after the report has been submitted to them.

CHAPTER XIV

SUMMARY OF RECOMMENDATIONS

The Panchayats

1. Panchayats should be made the basic units of administration at the village level.
2. The functions of Panchayats may be divided into three categories:—
 - (i) those in respect of which they would have full devolution of powers; (ii) those for which the Panchayats will function with executive delegation of powers as agents of Government; and (iii) those in respect of which the role of Panchayats will be mostly advisory.
3. There should be one Panchayat for each revenue village but where the population is less than five thousand two or more villages may be conveniently combined.
4. Where the population is above 25 thousand the question of converting the unit into a Municipality may be considered, provided the area is small, compact and has distinct urban characteristics. 'Townships' may be formed in places which are distinctly urban, but have small population and area.
5. Panchayats should be constituted on the basis of direct election by adult franchise of one member for approximately one thousand voters. One woman member may be co-opted by the Panchayat if no woman is elected. But there is no need for co-option for any special groups or organisations.
6. Panchayats should have functional committees for different subjects, consisting both of Panchayat members and others who are interested in public welfare. There could also be ward committees for each ward in the Panchayat.
7. The provisions regarding mandatory functions in the Kerala Panchayat Bill may be accepted. Registration of births and deaths may also be included among the mandatory functions.
8. In the exercise of these functions the Panchayats should have sufficient administrative powers to accord sanctions etc.

9. In the field of 'social services programmes' and 'development work' the Panchayats should function with executive responsibility as agents of Government.

10. In the field of education Government-owned primary schools should be maintained and run by the Panchayats.

11. In the field of health the Panchayats should have the responsibility to maintain and run the rural dispensaries, primarily health centres, child welfare centres and the maternity homes.

12. When new institutions are opened in the village as many of them as possible should be entrusted to the Panchayats.

13. It will be the responsibility of the Panchayats to formulate the programme of development work and to implement as many of them as would lie within their sphere.

14. There should be a continuous search to effect greater and greater delegation of executive responsibility to the Panchayats.

15. The Village revenue establishment may form part of the Panchayats and the Panchayats may be made the agents for the collection of land revenue.

16. 50% of the basic tax collected by the Panchayats may be allotted to them and the remaining 50 % of the total for the State may be distributed to the Panchayats on the basis of needs.

17. The same revenue staff now attending to the collection of revenues should continue to do so in the new set up also. The present Village Officer may function as the Revenue Officer of the Panchayat and the Village Assistant or the Menon as the Revenue Assistant.

18. The work of the revenue staff will as now be inspected, supervised and reviewed by the Tahsildars and the higher officers.

19. There is no need for continuing the conventional hereditary system of village officers now prevalent in the Malabar area.

20. In order to link the Panchayats organically with extension and development work, each Panchayat may be given the service of a Gram Sewak who will function as its extension and development assistant.

21. For the proper exercise of their mandatory functions the Panchayats may be assigned the sources of revenue listed in the draft Kerala Panchayat Bill.

22. For implementing the functions in respect of which the Panchayats will be given executive responsibility specific grants for each subject should be made which will be equivalent approximately to the amount of expenditure that would have been incurred by Government.

23. The Panchayat budget should be scrutinised by the Tahsildar before it is approved by the Panchayat. Once the Panchayat has accorded sanction to the budget, it should not be required to send it to a higher authority for approval.

24. If the Panchayat persistently defaults in its functions, the Collector should have the power to supersede it or to withdraw from it such of the functions as in respect of which the default has occurred.

25. The Panchayats will have to employ their own staff for performing their mandatory functions.

26. The Panchayat Executive Officer, Revenue Officer, Revenue Assistant, the Gram Sewak, the Health Assistant, and the staff of the institutions which will be transferred to the maintenance of the Panchayats may be recruited on the basis of a district cadre and their pay and allowances may be borne by the State.

27. A certain amount of administrative control over the staff should be vested with the Panchayats.

28. The powers of the Panchayats and the departmental officers over the staff should be clearly defined and there should be no room for conflict between the two.

29. There will be a complete re-shaping of the pattern and mobility of staff in the Panchayats and in the Revenue and the Local Bodies departments.

30. Village Courts should be formed by nomination from a panel of names suggested by the Panchayats.

31. There is no need to appoint a legal member to these courts.

32. The powers proposed to be vested in the Village Courts under the Kerala Village Courts Bill are adequate and may be accepted.

Sub District Level

33. The basic unit of all departments should as far as possible be a Panchayat or a whole number of Panchayats.

34. There should be some arrangement for co-ordinating the work of the several departments to ensure integrated development and avoid duplication and delay.

35. The revenue and development functions may be combined at the level of the Taluk in one officer.

36. An area consisting of about a lakh to a lakh and a half of population would be the optimum area as the charge of a Tahsildar-cum-Development Officer.

37. The integrated unit may be called a Taluk and its Chief Administrative Officer, the Tahsildar.

38. During the stage of intensive development, the Tahsildar should be given the assistance of an Additional Tahsildar to help him in his work relating to revenue and general administration.

39. The existing Tahsildars should be given an intensive course of training in National Extension Service Programmes and similarly the Block Development Officers who have been recruited from departments other than Revenue should be given suitable training in revenue work.

40. Future recruitment to the cadre of Tahsildars should be—

(i) by promotion from staff employed for general administration; (ii) by promotion of the Extension staff in Agriculture and Co-operation; and (iii) by direct recruitment from the open market.

41. The Block Advisory Committee may be reconstituted and called the 'Taluk Council'. It may be formed by indirect election of one member from each constituent Panchayat.

The representatives of Panchayats need not necessarily be the members of the Panchayats.

42. A woman member may be co-opted to the Council if no woman is returned by election.

43. The Chairman of the Council should be a non-official elected by the members of the Council.

44. The functions of the Council will be advisory.

45. The Taluk Council will be the only council at the taluk level replacing all other *ad hoc* committees.

46. The Municipalities should also be given representation in Taluk Councils.

47. The Revenue Firka system which now exists in the Malabar and Cochin areas of the State may be abolished.

48. The revenue divisions and the Revenue Divisional Officers should be retained.

49. In view of the small size of the districts in the State, the system of attaching Revenue Divisional Officers to Collectorates instead of having separate Headquarters and offices for them may be tried.

50. There is need for an examination of the achievements of the Community Development Programmes in relation to the prescribed targets and objectives.

51. Officers of the General Administration and of the technical departments should work with mutual regard and understanding in the implementation of the Plan and Community Development Programmes.

THE DISTRICT

Two sets of recommendations have been made based on two different views. They are given separately in sections I and II below:—

Section I

52. It is necessary to have a non-official body at the district level.

53. All M.L.As. may be members of it, *ex officio*. It may also include representatives of Panchayats and Municipalities, to be returned by indirect election.

54. The Collector should be the Chairman of the Council.

55. The Council will function as an advisory body and as a co-ordinating agency in matters of development, and for the duration of the Plan period.

Section II

56. There should be a Council at the district level with a non-official President and a non-official Vice-President elected by its non-official members.

57. It may be constituted by direct election to be held simultaneously with the elections for Panchayats.

58. The Secretary to the Council should be an official.

59. All the District Officers of the Development departments will be members of this Council without the power to vote.

60. The Council should not be merely an advisory body as at present, but should have power to take decisions and implement them so far as development work is concerned.

61. It should be given the requisite finances and control over staff to fulfil this responsibility.

62. It should also have the necessary administrative and financial powers.

63. It will direct, co-ordinate and supervise the work of the Blocks and the Panchayats in regard to development.

64. The Collector will not be a member of the Council, but will be kept informed of the progress of its work from time to time so that he may take steps to improve it when necessary.

65. The Development Section of the Collectorate may form the nucleus of the Council's office. A separate office and the requisite staff will have to be provided later.

66. The implementation of this reform should be phased in three stages.

REGIONAL OFFICES

67. Regional officers should be assigned specific powers and responsibilities in matters of financial and administrative control.

THE DEPARTMENTS

68. There should be wider delegation of powers to Heads of Departments and their subordinate officers.

69. The officers should be allowed to exercise the powers delegated to them.

70. Higher officers of Government and the Ministers should develop a proper attitude towards delegation of powers.

71. An Organisation and Methods Unit should be set up in the offices of each major Head of the Department and of the Collectors.

72. The laws and rules enforced in the different parts of the State should be unified as early as possible.

73. Parity of procedure at least should be enforced immediately.

74. Some agency under the Chief Secretary should keep a watch on the progress achieved in this respect from time to time.

75. Heads of Departments should send periodical reports to Government showing particulars of the exercise of the delegated authority beyond a certain level.

76. The O&M Division in the Secretariat should verify whether important orders issued by Government are promptly

implemented. The division should also inspect the work of the O&M Units in the offices of the Heads of Departments.

77. Heads of Departments should conduct periodically detailed inspection of their subordinate offices.

78. The progress and implementation of the programme and achievement of financial and physical targets should be critically examined in periodical conferences at the Secretariat level attended by all Secretaries and heads of departments and presided over by the Chief Secretary.

THE SECRETARIAT

79. The Secretariat work should be confined to the framing of policies, laying down rules and principles of procedure, financial control, work connected with legislation, general direction and evaluation.

80. The Head of the Department should be responsible for implementing the policies.

81. It is not desirable to combine the functions of the Secretariat Officers and Heads of Departments except in cases in which such combination is already in vogue.

✓ 82. Nothing should be done in the Secretariat only above the level of Assistant Secretaries. A revised procedure is suggested for work in the Secretariat.

✓ 83. The functions and powers of different officers in the Secretariat should be clearly defined.

✓ 84. The system of 'jumping of levels' should be introduced in all departments.

85. An Organisation & Methods Division should be formed in the Secretariat as part of the Public Department.

86. Considerable reduction in the strength of Secretariat staff could be effected if the recommendations on delegation of powers, decentralisation and changes in Secretariat procedure are adopted.

87. The departments of the Secretariat may be so regrouped as to form nine departments in all, as given below:—

1. Public Department (Public, Home, Planning & Development, Anti-Corruption and Organisation & Methods);
2. Revenue Department (including Local Administration);
3. Finance Department;
4. Agriculture Department;
5. Industries Department;

6. Public Works Department;
7. Education Department;
8. Health and Labour Departments; and
9. Law Department;
- ✓ 88. There should be interchange of district and Secretariat officers.
- ✓ 89. Secretaries to Government except the Secretary of the Law Department should have had experience as District Collectors.
90. A new building should be constructed to provide additional accommodation for the Secretariat staff.
91. A Central Library may be organized for the Secretariat.
92. Up-to-date copies of Acts, Rules and Standing Orders should be supplied to all the Sections and Officers of the Secretariat.
93. The Enquiry Office should be re-organised and a proper Reception Unit should be formed.

THE SERVICES

94. Recruitment to the services should continue to be done on the advice of the Public Service Commission except for posts in the sub-clerical and last grade services which may be done by a District Recruitment Board presided over by a member of the Service Commission with the Collector as a member.
95. The qualifications prescribed for posts should not be higher than those actually required to meet the purpose.
96. As a first step towards the recognition of economic backwardness as the index for giving State protection in recruitment to services, it is suggested that the benefit of reservation for Backward Classes should be given only to those who fall below a certain economic level.
97. There should be provision for direct recruitment at intermediate levels in services.
98. There should be no reservation for Backward Classes in direct recruitment. Reservation for Scheduled Castes and Tribes may, however, continue.
99. A period of probation should be prescribed for new entrants and promotees.
100. A course of combined practical and institutional training should be prescribed for all recruits to clerical and administrative jobs.

101. Refresher courses and seminars should be organised for the benefit of the personnel in services.

102. There should be a well-planned promotion system and the rules governing it should be statutory.

103. Greater weightage should be given to seniority at lower levels and to merit at higher levels, in the matter of promotions.

104. The proper maintenance of Personal files should be insisted upon.

105. A system of incentive awards may be instituted.

106. The Government Servants' Conduct Rules should be brought up-to-date and their strict observance insisted upon.

107. Effective measures for the detection, investigation and prosecution of cases of corruption should be adopted.

108. There is no need for a separate Secretary for Anti-Corruption. The department should function directly under the Chief Secretary.

109. The functions of the Special Judge and Enquiry Commissioner need not be bifurcated. The Enquiry Commissioner may be authorised to pass final orders himself in the cases referred to him, instead of sending his recommendations to the Government.

110. The Anti-Corruption Department should detect more cases on its own initiative and for this the personnel of the department should be carefully selected.

111. The existing rules regarding acquisition of property by Government servants should be strictly enforced.

Administrative Expenditure and Financial Control

112. A small committee consisting of not more than two non-officials and a senior official may be set up to investigate in detail about administrative cost including staff salaries, allowances, contingencies, stationery, telephone charges, expenditure on Government vehicles etc. and suggest measures for economy.

113. Recruitment to office staff in the Secretariat and elsewhere may be kept in abeyance till the effect of the proposals of the Administrative Reforms Committee on the staff strength is known.

114. All proposals for additional staff should hereafter be scrutinised by the Organisation and Methods Division.

115. The practice of providing lump sum allotments in the budget should stop. Departments should formulate detailed estimates before the relevant schemes are included in the budget.

116. The budget for each department should show all the expenditure provided on behalf of that department. It should also give details of the plan and non-plan expenditure in addition to the details of Part I and Part II schemes and Revenue and Capital Accounts.

117. If a scheme has been included in the budget after the scrutiny of the detailed estimates by Finance then there is no need to seek fresh financial sanction after the budget is passed unless it is proposed to alter the original estimate materially. If no prior scrutiny had taken place, then sanction of Finance should be obtained even though the item might have been included in the budget.

118. Existing financial control over expansion of staff should continue.

119. There should be a financial unit under a Financial Assistant or an Adviser, in the office of each important Head of the Department who should be held fully responsible for budgeting, expenditure control, internal audit and the scrupulous observance of financial rectitude in that department.

120. The Financial Assistants of all the departments should form a common cadre.

121. No proposal involving financial commitment should be submitted to the Finance Minister except through the Finance Department in the Secretariat.

122. Inter-change of personnel between the Finance and administrative departments may be made from the level of Assistant Secretary and above.

123. The Finance Department should prepare a monthly statement of ways and means and submit it for the consideration of the Cabinet.

124. A non-official Standing Finance Committee may be set up to scrutinise the budget proposals before they are finalised by the Finance Department for presentation to the Legislature.

125. Spending departments should prescribe quarterly targets for expenditure to avoid lapses and also heavy rush towards the close of the financial year.

126. The question of changing the financial year from 1st April to 31st March to the period from 1st July to 30th June may be considered.

127. A unit for economic research whose functions should include a study of the taxation proposals and the impact of the Government's socio-economic policies on the country's economy should be set up in the Secretariat.

Civil Servants, Ministers and the Public

128. The Minister is responsible for the framing of policies, but in doing so, he should take the advice of his senior Civil Servant.

129. The Minister should leave the implementation of policies to the Secretary, delegating the necessary authority to him and letting him exercise it without hindrance.

130. A Civil Servant should be frank and fearless in giving his views, and, after a decision on any matter has been taken by the Minister, the Civil Servant should faithfully carry it out, whether it conforms to his advice or not.

131. As between the political parties a Civil Servant should act with demonstrable impartiality not giving the impression of favouring any.

132. Government servants having dealings with the public should set apart a prescribed time for meeting and hearing them and should also meet them and hear them with patience and sympathy. There should be facilities in public offices for people to wait.

133. Whenever possible, requests made by parties should be examined and the orders made known to them immediately. Where this is not possible, a definite time limit before which orders will be passed should be intimated, and it should be kept up.

134. Official communication to the public should be courteous, precise and intelligible.

135. Touring officers should not merely flit through, but stay long enough, in the interior villages, meet the common folks and understand their problems. They should invariably call at the offices of the Village Panchayats.

136. Care should be taken to see that official directions of a regulatory nature are practicable of enforcement by the authority responsible and capable of observance by those to whom they are issued. The responsibility for the enforcement of the directions should be vested in the lowest level appro-

137. The reciprocal relationship between the Government servants and the public should be such as to promote mutual sympathy and understanding.

Miscellaneous

138. Despatch of business at all levels should be quickened by delegation of powers, more useful work by officers in camps, tightening up of supervision and encouragement of incentives.

139. Punctuality and the maintenance of a business like atmosphere in office are to be insisted upon.

140. Transfers and postings should be governed solely by public needs and cause only minimum disturbance among staff already in position.

141. Proper arrangements should be made for the reception and guidance of visitors in large public offices.

142. District Officers may give factual details to the Press but shall not make any statement on policy matters.

143. Premature publication of discussions or conclusions of committees set up by Government should be avoided.

CHAPTER XV

CONCLUSION

We are concluding our investigation as set out in the Terms of Reference. A brief, factual account of the structure and functions of the several departments (excluding some minor ones) has been given in Volume II. What remains is an examination of the organisation, staffing and methods of work of some of the important departments which we propose to take up shortly and, as stated in the Introduction, deal with, in Part II of this Volume. In formulating our proposals we have tried to temper the views of the public, which are necessarily somewhat general in nature, with the suggestions of the officials, who have the benefit of practical experience in the field. Some of our proposals, no doubt, involve radical changes, which we consider are warranted by the radical changes that have taken place in the country since August 1947. On the nature and functions of the organisation to be set up at the district level, the committee, as a whole, has not made definite recommendations. There were two schools of thought and the views of both have been set out. Considering the importance of the matter and the divergence of opinion held about it by the public also, we considered that the appropriate course would be to present both points of view and leave the decision to the Legislative Assembly.

2. We found that the wheels of administration have got into ruts in certain places, and have endeavoured to indicate how they could be pulled out and set on a fresh, new path. To what extent our efforts will bear fruit will depend on how soon and how efficiently our recommendations will be implemented. Our survey of the administrative machinery here has indicated that one of its weak points has been indifference in the matter of implementation. Lack of vigour at top levels in regard to enforcement coupled with complacency among the officers and staff below in carrying out instructions, has been an important cause of the present unsatisfactory condition of administration in this State. It is therefore necessary that our proposals should be considered by the Government with some urgency, and that such of those as can be enforced by executive orders are so enforced, steps being taken simultaneously for making suitable statutory enactments, where necessary. All this will

require unified action in the Secretariat. It will, therefore, be useful to appoint a Special Officer to take all steps necessary for carrying out the recommendations. We suggest a limit of six months for implementation, subject of course to the time required for getting the necessary legislation passed in respect of certain points.

3. One of us, Sri H. D. Malaviya, is leaving us at this stage. We take this opportunity of recording with thanks, our appreciation of the valuable help given by him in the labours which we are now concluding.

4. Our thanks are also due to the Secretary of the Committee Sri K. S. Menon, on whom fell the main burden of preparing the material for discussion in the Committee, processing the notes of discussions that took place in the Committee and giving shape to the Report. His experience of administration in various capacities has been of invaluable assistance to the Members of the Committee and we record our appreciation of his advice on various matters.

5. Our thanks are also due to Sri V. Ramachandran, the Under Secretary who has worked with us throughout. He has been of great assistance to the Secretary Sri K. S. Menon in his Secretarial work and has helped him in drafting certain parts of the Report.

6. We desire also to express our appreciation of the staff working under the Secretary and the Under Secretary. Theirs has been a strenuous job and they have not stinted their labour or time in helping the Committee in its work.

Chairman.

E. M. S. NAMBUDIRIPAD

Members.

JOSEPH MUNDASSERY

H. D. MALAVIYA

P. S. NATARAJA PILLAI

V. K. N. MENON*

G. PARAMESWARAN PILLAI*

N. E. S. RAGHAVACHARI.

Secretary.

K. S. MENON.

Trivandrum,
26th July, 1958.

*Subject to a note.

NOTE

BY

SRI G. PARAMESWARAN PILLAI AND SRI V. K. N. MENON

1. It is premature and even unwise to transfer to the Panchayat the duties now devolving on the Village Officer in relation to land revenue matters, such as collection of land revenue, maintenance of land records, initiation of proceedings regarding land encroachment, land assignment, etc., which duties are now exercised by Village Officers under the direct responsibility and control of the Tahsildars. The collection of State sources of revenue, as distinguished from taxes and cesses devolving on Panchayats under statute, should continue to be the direct responsibility of the State authorities and not that of a "Local Body" which is being recognised for certain well-defined purposes as the unit of administration at the Village level. Now that we are on the threshold of land reforms of a radical nature, it is all the more necessary that direct responsibility for the control and supervision over the administration of the Land Revenue Department, involving as it does, also matters concerning land records maintenance, survey, transfer of registry, land assignment and the implementation of the land policy of Government, should continue to be with the Tahsildars. The responsibility for control and supervision should remain undivided. We do not endorse the suggestion of handing over the collection of State Revenues to the Panchayat on an agency basis with or without commission.

But we have no objection to an experiment being tried in half a dozen villages, distributed over the State, of Land Revenue collection being transferred to the Village Panchayats with the Village Revenue Officials responsible to them.

2. A second point we would like to emphasise in this connection is the position of the Executive Officer and the staff subordinate to him in the Panchayat. In view of the wide powers of different kinds which, we have agreed, may be transferred to Village Panchayats, even apart from the collection of land revenue, we are of the opinion that the position of the Executive Officer of the Panchayat and the staff subordinate to him should be sufficiently and clearly safe-guarded in the day-to-day discharge of their duties.

G. PARAMESWARAN PILLAI.

V. K. N. MENON.

Annexure I
QUESTIONNAIRE

1. GENERAL

1. What are the characteristic features of (a) the administrative System set up by the British throughout the country and obtaining in the Malabar part of the Kerala State till August 1947, and (b) the administrative system prevalent in the former princely States of Travancore and Cochin?
2. What changes were brought about in the above mentioned two administrative systems after August 15, 1947 in order to make them conform to the ideas of an independent and democratic set up?
3. Do you think that the changes brought about in the administrative system after August 15, 1947 are adequate in the new set up, particularly in view of (a) the increasing role of the administrative machinery in planning and development of the country's economy and (b) the acceptance by the nation of the goal of Socialist Society? If not, what are the inadequacies of the changes and how are they to be made up?
4. Do you think it desirable that people's representatives should be associated with the administration at the district and lower levels? If so, what are your concrete suggestions and what safeguards would you propose to ensure administrative unity, efficiency and good Government?
5. In democratising administration at District and lower levels, do you think that a strict distinction should be made between the developmental and regulatory aspects of Government (e.g., between Community Development, Co-operation, Agriculture, etc. and Revenue and Police Administration)?
6. Do you consider the growth of expenditure since 1950, on the administrative machinery justified? If not, what suggestions would you make to limit or control the growth of expenditure without loss of efficiency or integrity of the Services?

II. PANCHAYATS

7. Do you suggest a separate Panchayat for every Revenue Village; If not, what is your view of the area, population and number of Villages that may be included in a Panchayat?
8. How should the Panchayat be constituted?
9. Can the Panchayat be made the basic unit of administration; If so, what functions should be entrusted to it?
10. In particular, do you think that Panchayats can be vested with the functions of collection of revenue and maintenance of revenue accounts and records?
11. Should Panchayats be vested with judicial functions; If so, what should be their powers; Or, would you suggest separate judicial Panchayats; How may they be constituted?
12. What executive machinery would you suggest for the Panchayats; What place, if any, would you assign to the Gramsewak in it?

13. What agency would you suggest and with what powers, for the supervision and control of Panchayats (a) in normal times and (b) if the Panchayats fail to perform their functions?
14. What suggestion would you make to ensure that elections to Panchayats do not give rise to communal, factional or political rivalries?
15. What is your assessment of the working of the existing Panchayats?

III. THE SUB-DISTRICT LEVEL

16. Would you favour an intermediate unit for general administration between the Panchayat and the District? If so, should it be the Taluk or the Block or any other unit? (In Malabar and Cochin areas what place would you assign to the Pirka?)
17. Do you envisage the constitution of a Council| Committee|Board for this Unit?
18. How should it be constituted?
 - (a) by nomination?
 - (b) by indirect election from Panchayats and any other Institution?
 - (c) by direct election?
19. What should be the nature and scope of the functions of this body?
20. Will this Body be directly in charge of any work, scheme or institution? If so, specify their nature.
21. Who should be the Chairman and/or the Chief Executive Officer of this Body?
22. Can the functions of the Tahsildar and of the Executive Officer of this body be combined?
23. What should be the nature of the relationship between this Body and the Executive Officer?
24. What should be the sources of income of this Body?
25. Please specify the nature of financial or administrative control, if any, to be exercised by this Body over Panchayats.
26. What Agency would you suggest and with what powers for the supervision and control over this Body?
 - (a) in normal times; and
 - (b) in case it fails to perform its functions?
27. What is your assessment of the present working of N.E.S. Blocks?
28. If the N.E.S. Block becomes a Unit of general administration, is there need to continue the Taluk as a unit?
29. Do you recommend the retention or the abolition of the posts of Revenue Divisional Officers. In case of abolition, who will (i) exercise the revenue and magisterial powers now exercised by the R. D. O., and (ii) assist the Collector in the supervision of Blocks?

IV. THE DISTRICT LEVEL

30. Do you consider a District Council|Committee| Board necessary for the purpose of general administration?
31. If so, how should it be constituted? Who should be its Chairman and|or Chief Executive Officer?
32. What should be the nature of the relationship between the Collector| other District Officers and this Body?
33. What should be the powers of this Body in regard to —
 - (i) Development work; and
 - (ii) other aspects of District administration?
34. What powers of superintendence and control should this Body exercise over (1) the Sub-district Committee|Board and (2) Panchayats.
35. Please suggest suitable nomenclature to the Sub-district and District Bodies.

V. THE REGIONAL LEVEL

36. Do you consider that there is any need for regional officers (for groups of Districts) in any department (like Superintending Engineers, Conservators of Forests etc.) between the District and the State levels?

VI. DEPARTMENTS

37. What is your opinion about the administrative efficiency of the various departments of Government? If you have experience or knowledge of the working of any department, please give suggestions for enhancing its efficiency and utility.
38. What is your opinion regarding the working of the Board of Revenue? Do you favour its retention or abolition? What are your reasons? If the Board is to be retained, have you any suggestions for improving its working? In case you suggest abolition, what arrangements would you propose for the performance of the functions now exercised by the Board?
39. Have you any specific suggestions to make regarding the reduction of expenditure in particular departments?
40. Have you any comments to offer on the working and management of State-owned, State-aided, or State-controlled industries?

VII. THE SECRETARIAT

41. Do you think that the Secretariat organization requires any change, for
 - (a) expedition of work,
 - (b) promoting the output and quality of work,
 - (c) improving its relations with the public; and
 - (d) economising public expenditure.
 If so, what suggestions would you make?
42. In particular, do you suggest any changes in the methods and procedures now adopted in the Secretariat?

43. What comments have you to make, if any, on the functions, duties and responsibilities, in relation to one another, of Ministers, Secretaries to Government and Heads of Departments?
44. Do you consider that there is any lack of co-ordination in respect of the activities of the different Departments of Government and whether there is any over-lapping of activities? If so, what are your suggestions to remedy the defects between (a) the Ministers (b) the Departments of the Secretariat and (c) the heads of Departments?
45. How can the implementation of schemes be speeded up, consistent with the need for the maintenance of effective financial control?
46. Do you suggest any improvement in the present form of the Budget?
47. Have you any concrete suggestions to offer regarding delegation of powers at different levels of administration?

VIII. PERSONNEL

48. What improvements do you think are necessary in the present system of recruitment of personnel to the Public Service? Do you think the present basis and system of recruitment through the Public Service Commission require any change?
 49. What categories of posts do you think may be exempted from the purview of the Public Service Commission?
 50. Would you suggest the delegation of any part of the functions now performed by the Public Service Commission to selection bodies at lower levels?
 51. What suggestions would you give for improving the methods and content of training of personnel after recruitment?
 52. What should be the criteria and procedure for promotion?
 53. What is your estimate of the Social purposiveness and morale of services at different levels? How may it be improved?
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ANNEXURE II

List of witnesses examined by the Committee

1. Sukumaran, Sri K., Editor, 'Kerala Kaumudi'.
2. Kunjukrishna Pillai, Sri K., Retired Dewan Peishkar.
3. Elankath, Sri K. R., Ex-Minister.
4. Abraham, Sri K. C., Retired High Court Judge.
5. Gunamony, Sri A., Retired Income Tax Commissioner.
6. Narayanan Nair, Sri A., & Appukuttan Nair, Sri K., President and Secretary, T-C. Secretariat Association.
7. Kartha, Sri K. K., Retired Chief Engineer.
8. Nambi Nair, Sri T., President, Allotted Officers' Association.
9. Padmanabha Pillai, Sri Kainikkara & Balakrishnan, Sri K., Editors, 'Kaumudi'.
10. Kesavan Nair, Sri P., President, T-C., N.G.O. Federation.
11. Karunakaran, (Dr.) C. O., Kunnukuzhi.
12. Nagappan Nair, Sri V., President, District Congress Committee.
13. Gopala Panicker, Sri C. P., Retired Secretary to Government.
14. Sankara Narayanan Thampi, Sri R., Speaker, Legislative Assembly.
15. Kunjan Pillai, Sri P. N., President, T-C., Gazetted Officers' Association.
16. Pattom Thanu Pillai, Sri, Former Chief Minister.
17. Narayana Pillai, Sri A., Advocate.
18. Govindan Nair, Sri K., Retired Member, Central Board of Revenue.
19. Kesavan Nambudiri, Sri P. S., Retired District Judge.
20. Panicker, Sri I. A., Retired Accountant General.
21. Madhava Menon, (Dr.), M.B.B.S., Retired District Medical Officer.
22. Appu Nair, Sri P., Retired Law Secretary.
23. Swami Atmananda, Patasala.
24. Kumaran, Sri Superintending Engineer.
25. Ramunni Marar, Sri Block Development Officer, Parli.
26. Representatives of the Village Officers' Association, Palghat.
27. Narayana Menon, Sri Manikath, Advocate.
28. Krishnankutty Nair, Sri K. V., Government Pleader.
29. Mathew Varghese, Sri Gram Sewak.
30. Menon, Sri M. C., Chairman, Municipal Council, Palghat.
31. Gopalan, Sri E. P., M.L.A.
32. Sukumaran, Sri V. G., Erumayoor.
33. Bhaskara Marar, Sri K., I.P.S., District Superintendent of Police.
34. Sankaranarayanan, Sri K. C., I.A.S., District Collector, Palghat.
35. Kesava Menon, Sri K. P., Editor, 'Mathrubhoomi'.
36. Subramanian, Sri V., I.P.S., Superintendent of Police.
37. Madhavan, Sri A. M., A.M.I.E., Special Officer, Irrigation Circle.
38. Subramania Iyer, Sri C. R., Administrative Officer, W. L. C. Scheme.
39. Ramankutty, Sri K. K., I.A.S., District Collector, Kozhikode.
40. Krishnan Nair, Sri K. P., Retired Collector.
41. Nambiar, Sri P. R., Desabhimani Office.
42. Bhaskara Menon, (Dr.) District Medical Officer, Kozhikode.

43. Narayanan Nair, Sri T. C., Village Officers' Association, Kozhikode.
44. Varghese, Sri M. T., Block Development Officer.
45. Eradi, Sri V. K., Chalapuram.
46. Raghavan, Sri A. K., Dy. Director of Local Bodies.
47. Gopalan, Sri A. K., M. P.
48. Kerala Varma, Sri President, Bar Association, Kozhikode.
49. Narayana Aiyar, Sri C. V., Chairman, Municipal Council, Kozhikode.
50. Sekhar, Sri N. C., M. P.
51. Kesava Menon, Sri K. P., Government Pleader, Kozhikode.
52. Raja, Sri K. C. C., Retired Sessions Judge.
53. Govindankutty Nair, Sri M., Dy. Commissioner, Agricultural Income Tax.
54. Govindan Nambiar, Sri V., Gram Sewak.
55. Madhavan Nair, Sri & Seshadri, Sri Executive Engineers.
56. Balakrishnan, (Dr.) President, Civic Association, Cannanore.
57. Kunhiraman Nair, Sri T. V., President, Bar Association, Cannanore.
58. Kesavan, Sri K. M., Municipal Chairman, Cannanore.
59. Gopalankutty Menon, Sri P., Municipal Commissioner, Cannanore.
60. Ramanunni Nair, Sri Municipal Commissioner, Tellicherry.
61. Chandrabhanu, Sri N., I.A.S., District Collector, Cannanore.
62. Narayanan Nambiar, Sri T., Advocate.
63. Harindranadh, Sri K. T., Advocate.
64. Haridas Gordhan Das, Sri Cannanore.
65. Panicker, Sri G. K., Block Development Officer.
66. Adhikari, Valiyannur Amson.
67. Karunakara Menon, Sri C. P., Retired Dewan of Cochin.
68. Balakrishna Menon, Sri P., President, Ollukkara Panchayat.
69. Chacko George (Dr.), Trichur.
70. Iyyunni, Sri C. R., Ex-M.P.
71. Atchutha Menon, Sri Puthur, Ex-M.L.A.
72. Atchuthan Nair, Sri K. P., General Manager, Sitaram Mills.
73. Bhaskaran Nair, Sri G., I.A.S., District Collector, Trichur.
74. Manavalan, Sri K. S. and George, Sri C. C., Chamber of Commerce, Trichur.
75. The Secretary and Vice President, N. G. O. Association, Trichur.
76. Thomas, Sri N. J., Gram Sewak.
77. Venkatchalam, Sri T. N., Executive Engineer, Trichur.
78. Mathew, Sri K. P., Secretary, Panancherry Gramaseva Samithi.
79. Sankara Menon, Sri District Agricultural Officer, Trichur.
80. Krishnan Nambudiri, Sri President, Graduates' Association, Trichur.
81. Chakkappan, Sri K. C., Village Officer, Ollur.
82. Chathunni, Sri T. C., Superintending Engineer, (Irrigation).
83. Peter Korreya, Municipal Chairman, Ernakulam.
84. Gopalakrishna Iyer, Sri R., Tahsildar.
85. Bhaskara Menon, Sri M., Block Development Officer, Chalakudy.
86. Krishnan, Sri K. S., Municipal Commissioner, Ernakulam.

87. Damodaran, Sri K., Editor, 'Navayugam'.
88. Mohamed, Sri K. K., Chairman, Fort Cochin Municipality.
89. Gopala Menon, Sri K., Municipal Commissioner, Fort Cochin.
90. Mani, Sri P. M., Member, District Development Council.
91. Kuttikrishna Menon, Sri K., Ex-Advocate General.
92. Ramunni Menon, Sri K. P., Advocate, Ernakulam.
93. Govinda Menon, Sri Perumpilavil, Advocate, Ernakulam.
94. Narayana Menon, Sri Palakath, Advocate, Ernakulam.
95. Krishna Menon, Sri E., Village Officer, Mulanthuruthi.
96. Velunni, Sri T. R., District Magistrate.
97. Raghavan, Sri Chairman, Municipal Council, Mattancherry.
98. Mathew, Sri L., Retired Director of Registration, Mallappally.
99. Padmanabhan Nair, Sri K., Gram Sewak.
100. Madhava Warriar, Sri S., Village Officer.
101. Gopalan Nair, Sri P. P., Personal Assistant to the Collector, Kottayam.
102. John, Sri and Zacharias, Sri Communist Party of India, Kottayam.
103. Krishnamoorthy, Sri C. R., I.A.S., District Collector, Kottayam.
104. George, Sri A. V., Kottayam.
105. Krishna Iyer, Sri N., Advocate, Kottayam.
106. Joseph, Sri N. P., Former Collector and Excise Commissioner.
107. Sankunni Pillai, Sri K. N., Kottayam.
108. Raghava Kurup, Sri Advocate.
109. Cheriyan, Sri K. M., Editor, 'Malayala Manorama'.
110. Parthasarathy Iyengar, Sri K., Advocate.
111. Chandy, Sri T., Retired Chief Secretary and Kumaran Sri V., Retired District Sub-Judge.
112. Panikkar, (Dr.), K. P., Alleppey.
113. Nair, Sri B. B., Communist Party of India, Alleppey.
114. Kunjukrishna Pillai, Sri M., Village Officer.
115. Narayana Kurup, Sri M., Ex-M.L.A.
116. Vaidyalingam Pillai, Sri Block Development Officer.
117. Chandrasekharan, Sri K., M.L.A.
118. Joseph Chazhikkatt, Sri M.L.A.
119. Umesh Rao, Sri M.L.A.
120. Leela Damodara Menon, Smt., M.L.A.
121. Govindan Nair, Sri M. N., M. P.
122. Ummer Koya, Sri P. P., M.L.A.
123. Prabha, Sri M., Advocate.
124. Gopalakrishna Menon, Sri E., M.L.A.
125. Narayana Nambiar, Sri T. C., M.L.A.
126. Narayanan Nair, Sri P. M. J.
127. Narayana Kurup, Sri M., M.L.A.
128. Hassan Gani, Sri M.L.A.
129. Thomas, (Dr.) P. J., M.P.
130. Kuttiammu, Sri T. P., Chief Engineer (General and Irrigation).
131. Gopalakrishna Iyer, Sri V. V., Chief Engineer, (Roads and Buildings).
132. Devassy, Sri M. K., I.A.S., District Collector.
133. Jacob, Sri P. I., I.A.S., Secretary to Government, (Labour and Local Administration Department).
134. Mathew, Sri P. M., I.A.S., Additional Development Commis-

13. Nambiar, Sri P. K., I.A.S., Secretary to Government, Education Department.
 14. George Thomas, Sri I.A.S., III Member, Board of Revenue.
 15. Govinda Menon, Sri I.A.S., II Member, Board of Revenue.
 16. Madhavan, Sri G., I.A.S., Secretary to Government, Public Works Department.
 17. Gopalan Nayar, Sri C. P., Joint Secretary to Government, Public Department.
 18. Menon, Sri N. N., Chief Conservator of Forests.
 19. Rama Varma (Appan) Thampuran, Sri Director of Public Instruction.
 20. Venkiteswaran, Sri C. S., Director of Collegiate Education.
 21. Viswanathan Nair, Sri K. P., Special Officer for Reorganisation of Industries.
 22. Madhavan Nair, (Dr.) K., Director of Health Services.
 23. Nair, (Dr.) P. V., Director of Industries and Commerce.
 24. Nair, Sri P. D., Director of Agriculture.
 25. Nair, Sri M. S., Joint Director (Soil Conservation).
 26. Velayudhan, Sri V. K., Chairman, Public Service Commission.
 27. Menon, Sri K. P. K., I.A.S., I Member, Board of Revenue.
 28. Sivarama Pillai, Sri P., Registrar of Co-operative Societies.
 29. Padmanabhan, Sri P. S., I.A.S., Secretary to Government, Finance Department.
 30. Abdussalam, Sri M., I.A.S., Secretary to Government, Industries Department.
 31. Krishnan Nair, Sri T., I.A.S., Secretary to Government, Health Department.
 32. Sankara Menon, Sri T. C., Member, Public Service Commission.
 33. Varghis, Sri N. P., Member, Public Service Commission.
 34. Thomas, Sri C., I.A.S., Secretary to Government, Agriculture Department.
 35. Varkey, Sri M. M., I.A.S., District Collector, Quilon.
 36. Verghis, Sri T. M., Former Minister.
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PART II
THE DEPARTMENTS

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THE DEPARTMENTS

I

THE BOARD OF REVENUE

The Kerala Board of Revenue was constituted under Act 7 of 1957 enacted by the President on 25-3-1957. It consists of three members borne on the super time scale of the Indian Administrative Service. Its permanent strength is only two; the post of a Third Member was created in 1957 as a temporary measure to cope up with the increase in Civil Supplies work. The Board is the Head of the following departments.

- (1) Land Revenue and Survey.
- (2) Excise and Prohibition.
- (3) Sales Tax and Agricultural Income Tax.
- (4) Civil Supplies.
- (5) Hindu Religious and Charitable Endowments in the Malabar area.

In addition, it is authorised to exercise over the following departments such control as may be necessary for co-ordinating their activities and increasing their efficiency.

- (1) Local Bodies.
- (2) Co-operation.
- (3) Advancement of Backward Communities (Since re-named as Harijan Welfare).
- (4) Fisheries.
- (5) Registration.
- (6) Colonisation.

2. Allocation of work among the three members is as noted below:—

- I Member:* Land Revenue, Survey, Settlement, Land Records, Land Acquisition and Famine Relief.
- II Member:* Civil Supplies, Housing, Court of Wards, Mines & Minerals, Excise, Prohibition, Hindu Religious and Charitable Endowment.
- III Member:* Agricultural Income Tax and Sales Tax.

The departments assigned to the Board for co-ordination are allocated among the members as follows:

- I Member:* Fisheries, Registration, Harijan Welfare.
- II Member:* Colonisation.

3. Certain subjects are reserved for disposal by the Board as a whole and certain others by the individual members. These are specified in Annexures I and II.

4. It may be stated in this connection that there was no Board either in Travancore or in Cochin prior to their integration. The subjects now dealt with by the Board were in the charge of separate Heads of Departments in both the States. In Travancore, there was a Land Commissioner looking after Land, Land Revenue, Survey etc. His counter-part in Cochin was the Diwan Peishkar. There was an Excise Commissioner in both the States.

5. A Board of Revenue was constituted at the time of the integration of the Travancore and Cochin States in 1949 by Ordinance XII of 1124 (M.E.), subsequently replaced by the Travancore-Cochin Board of Revenue Act, 1950. It consisted of two members. It is seen from the discussions which took place in the Legislative Assembly at the time of the introduction of the Bill for the constitution of the Board of Revenue in January 1950, that the main advantages claimed were that a corporate body consisting of senior officers being in charge of a number of departments will make for greater economy, greater efficiency and better co-ordination in administration and that the collective advice of these experienced officers will be of great help to the Government in matters of administrative importance. In assessing the usefulness of the Board it is, therefore, necessary to examine its working with particular reference to the objectives mentioned above.

6. In introducing the Bill and suggesting that it might be referred to a Select Committee the Minister for Revenue observed that the idea was to group all departments mentioned in the Third Schedule i.e., Co-operation, Panchayats, Village Unions, Village Uplift, Cottage Industries, Fisheries and Registration under a single Head of the Department who will be one of the Members of the Board of Revenue, and that this would lead to appreciable reduction in expenditure. This idea could not, and as a matter of fact did not, materialise. There are now separate Heads of Departments for Co-operation, Panchayats, Cottage Industries, Fisheries, Registration etc. We understand that even in the matter of co-ordinating or guiding the work of these departments, the Board has not, either as an institution or through its individual members, done anything worthy of mention. There is so little connection between the work of these departments and the work now done by the Board that it is extremely unlikely that the assignment of the supervisory

functions to the latter will prove to be anything more than a paper arrangement. Whatever may have been the position in 1950, it is now quite clear that there is no basis for the hope for achieving economy by putting the departments mentioned above under the Board's administrative control or even for ensuring co-ordination of their work by the Board.

7. Details regarding the strength of staff, cost of administration and the disposal of business in the Board of Revenue are given in Volume II. These details will show that the establishment of the Board has not led either to economy or to increased efficiency.

8 The other point urged in support of the formation of the Board was that it would consist of senior officers of experience and that their advice formulated by collective discussion amongst themselves would be of great help to Government in matters of administrative importance. Judging from past experience, however, it would appear that this aspect of the Board's usefulness has been somewhat exaggerated. The subjects reserved for consideration by the full Board are very few as will be seen from Annexure I, and occasions would appear to have arisen only rarely in the past where the Government had considered it necessary to seek its views on questions of general policy or importance. No doubt, members of the Board are deputed individually for making enquiries about important matters like the use of force by the Police, food poisoning etc., but such occasional assignments would not obviously justify the retention of this institution if the main advantages claimed for it have not been realised. We are proposing the creation of two separate Commissioners, who will be fairly senior officers, and can be deputed for such enquiries in future, if necessary.

9. We do not suggest that the failure of the Board to serve its intended purpose is due to the fault of the personnel manning it. A period of 8 years is perhaps too short for an institution of this type to make its impact felt on the district officers and on the Government. Integration of States with different procedures and systems of administration and the problems created by it probably rendered the task of the newly formed institution more difficult. A thorough overhauling involving changes in organisation and methods, introduction of new blood and retrenchment of surplus personnel may improve its efficiency and usefulness. We do not however propose this step because it seems to us that, on grounds which are unconnected with the Board's performance or record, the set up has to be

completely changed and alternative arrangements made for the efficient supervision of the different aspects of district administration. The Revenue Department was formerly concerned mainly with the collection of revenue and the maintenance of revenue records and registration. The nature and scope of its functions, have, however, changed in recent times and it has now become the agency of the Government for co-ordinating the development activities. We have proposed that the revenue and the development functions should be combined in the Panchayat at the village level and in the Tahsildar at the taluk level. At the district level the Collector is already in charge of both. The Board of Revenue is not concerned with the development aspect of district work which is rapidly gaining importance. It does not co-ordinate the work of the other Heads of Departments as the Collectors, the Revenue Divisional Officers and the Tahsildars do, of the development officers at their respective levels. Several important facets of district work are outside its purview. It is concerned only with one, the Revenue, and the position claimed for it that it is the premier Head of Department, to whom the Government may look for advice and guidance in matters of importance, is no longer tenable. Its supervision over the work of the district officers is also only partial and its assessment of their work is consequently not comprehensive.

10. The Board is thus, in the present context, completely out of touch with the most important activity of its subordinate officers, viz. Planning and Development. There are two alternatives:—One is to charge the Board with full responsibility for supervision and co-ordination, at the State level, of all the work now done by the Collectors and their subordinates; the other is to replace it by separate Heads of Departments with limited and specified responsibility. The former would imply that the Board of Revenue will also function as the Head of the Department in charge of development. It is an accepted principle that there should not be a separate executive department for development and national extension. The main work to be done is one of co-ordination and we believe that the co-ordination at the State level would be best done in the Secretariat. Any co-ordination attempted at the level of Heads of Departments is not likely to be effective.

11. We, therefore, suggest that the corporate Board be replaced by two Commissioners one to be in charge of land revenue, religious endowments, famine relief and civil supplies and the other to be in charge of separate revenue, sales tax and

agricultural income tax. They will also attend to the statutory functions vesting with the Board in so far as such functions fall within their respective sphere. The Commissioners should be Senior Officers of the Indian Administrative Service. An indispensable qualification in the case of the Land Revenue Commissioner should be service in the district as Collector for a period of at least two years. There should be wide delegation of powers to the subordinate officers which will appreciably reduce the workload in the Head Office. This should enable the Commissioners to manage with a much thinner staff than what is now employed in the Board, for the functions which will form their charge.

12. Direction, control and co-ordination of development work in the district will be done by the Government, in particular through the Chief Secretary and the Secretary for Planning and Development and the Secretary for Revenue. The presence of senior and experienced officers in the Secretariat in charge of the subjects relating to Law and Order, General Administration and Development will, we believe, lead to more effective direction and co-ordination of district administration in all its aspects.

NOTE BY SRI V. K. N. MENON

I am sorry that I am not able to agree with the recommendations of my colleagues that the Revenue Board may be abolished. I am led to this conclusion by the usefulness to the State of the collective advice of a body of experienced officers in matters of administrative importance. The consideration was in the minds of the Government and the legislature at the time that the Revenue Board Act of 1950 was passed. Accordingly the following functions were assigned to the collective consideration of the Board:—

1. Acts and Bills (New) of the Legislature.
2. Appointments and transfers of all Gazetted Officers under the control of the Board. Periodical reports on Deputy Collectors, Assistant Collectors, District Collectors and Officers of all departments under the Board of Revenue.
3. Creation and redistribution of districts, divisions and taluks.
4. All matters affecting fundamental changes in policy and administration.
5. Conduct of Gazetted Officers of the rank of Deputy Collectors and above.
6. Grant of remission of land revenue.
7. Grant of G. M. F. and other loans above Rs. 5,000.
8. Amendments of the Board's Standing Orders.
9. Changes in Food Policy of the State.
10. Any function of a Member which is referred by him to the full Board.

The subjects may be few in number; but some of them are of great importance. Such, for example, are "All matters affecting fundamental changes in policy and administration" and "Changes in the food policy of the State". And if it is only rarely that the Government has considered it necessary to seek the views of the Board on questions of general policy or importance, I can only say that this should not have been so. The average senior official of the Government, whether in the districts or in the Secretariat, is so burdened with day-to-day duties that he is not in a position to devote time or thought to questions of policy or of emerging importance. If a provision exists for their consideration by very senior administrators

enjoying the highest position and prestige, and acting as a body, the advantages to the State of such an arrangement can hardly be exaggerated.

A second consideration is the need for supervising the work of the Collectors in revenue and allied matters. If the Revenue Department has developed into one for co-ordinating the work of development also, and even if the latter is not entrusted to the supervision of the Revenue Board, the need for the supervision of revenue collection will continue, perhaps even to a greater extent than before when, as the majority of my colleagues recommend, Panchayats are entrusted with revenue collection duties. In this connection I should mention that the experience of all other States of India has shown the need for such supervision by either Revenue Boards or Divisional Commissioners, if not by both in some States. Kerala has no system of Divisional Commissioners. It will be particularly unwise, therefore, to abolish the Revenue Board.

There may be some advantages in abolishing the Board. But I am not convinced that they outweigh the advantages if the Board is developed along the lines it was intended to be. It may take time in this new State to develop a body of senior administrators of the kind required. But it can be done with patience and foresight. And if the Board is abolished now, as it may be difficult to bring it into existence again, it would be a step which is neither necessary nor wise.

BOARD OF REVENUE

ANNEXURE I

Subjects reserved for disposal by the Full Board.

1. Acts and Bills (New) of the Legislature.
2. Appointments and transfers of all Gazetted Officers under the control of the Board. Periodical reports on Deputy Collectors, Assistant Collectors, District Collectors and Officers of all departments under the Board of Revenue.
3. Creation and redistribution of districts, divisions and taluks.
4. All policy matters affecting fundamental changes in policy and administration.
5. Conduct of gazetted officers of the rank of Deputy Collectors and above.
6. Grant of remission of land revenue.
7. Grant of G. M. F. and other loans above Rs. 5,000.
8. Amendments of the Board's Standing Orders.
9. Changes in Food Policy of the State.
10. Any function of a Member which is referred by him to the Full Board.

ANNEXURE II

Subjects assigned for disposal by a Single Member.**FIRST MEMBER****(A) Departments under the First Schedule to Act VII of 1957.**

- (i) Land Revenue including Survey, Settlement, Land Records and Land Acquisition.
- (ii) Famine Relief.
1. *Powers and functions of the Board of Revenue under the enactments and Rules as adapted and modified by the Kerala Adaptation of Laws Order 1956.*
 - (i) The Travancore-Cochin Revenue Recovery Act, VII of 1951.
 - (ii) The Travancore-Cochin Land Conservancy Rules, 1954.
 - (iii) The Travancore Kuthagapattom Rules 1947.
 - (iv) The Travancore Oodukur Proclamation.
 - (v) The Travancore Karampathippu Rules.
 - (vi) The Travancore Jenmi and Kudiyan Act 1071 as amended by Act XII of 1108.
 - (vii) The Travancore Canals and Ferries Act, 1096.

- (viii) The Cochin Public Canals and Backwaters Navigation Act, 1092.
- (ix) The Travancore-Cochin Kudikidappu Rules, 1955.
- (x) The Travancore-Cochin Court Fees Act, 1125.
- (xi) The Malabar Land Registration Act, III of 1896.
- (xii) The Madras Land Encroachment Act, III of 1905.
- (xiii) The Madras Village Courts Act, Act I of 1889.
- (xiv) The Madras Endowments and Escheats Act, VII of 1817.
- (xv) The Madras Sub-Collectors and Revenue Malversation (Amendment) Regulation VII of 1828.
- (xvi) The Madras Irrigation Cess Act, VII of 1865.
- (xvii) The Madras Irrigation Tanks (Improvement) Act, 1949.
- (xviii) The Madras Irrigation (Levy of betterment contribution) Act, 1955.
- (xix) The Indian Treasure Trove Act, VI of 1878.
- (xx) The Madras Forest Act, V of 1882.
- (xxi) The Madras River Conservancy Act, VI of 1884.
- (xxii) The Indian Arms Act XI of 1878, and the Indian Arms Rules, 1924.
- (xxiii) The Destruction of Records Act V of 1917.
- (xxiv) The Madras Wild Elephants Preservation Act I of 1873.
- (xxv) The Indian Stamp Act.
- (xxvi) The Madras Court Fees and Suits Valuation Act, 1955.
- (xxvii) The Cinemas (Regulation) Act, 1955, IX of 1955.
- (xxviii) The Madras Irrigation Works (Construction) and levy of Cess Act, 1947.
- (xxix) The Working Journalists (conditions of service) and Miscellaneous Provisions Act, 1955—Central Act 45 of 1955.
- (xxx) The Malabar Tenancy Act, 1930.
- (xxxi) The S. Kanara Cultivating Tenants Act, 1954.
- (xxxii) The Madras Land Revenue (Surcharge) Act, 1954.
- (xxxiii) The Madras Land Revenue (Addl. Surcharge) Act, 1955.
- (xxxiv) The Madras Indebted Agriculturists (Repayment of Debts) Act, 1955.
- (xxxv) Railway Protection Act.
- (xxxvi) The Madras Preservation of Private Forests Act.
- (xxxvii) The Madras Revenue Recovery Act, 1882.
- (xxxviii) The Madras Collectors Regulation, 1803.

- (xxxix) The Madras Registration of Births and Deaths Act, 1899.
- (xl) The Madras Gaming Act, 1930.
- (xli) The Madras Land Improvement Schemes (Contour Building and Contour Trenching) Act, 1949.
- (xlii) L. I. and A. L. Acts.
- (xliii) The Travancore Revenue Recovery Act, Act I of 1068.
- (xliv) The Travancore-Cochin Irrigation Act VII of 1956.
- 2. General Control and Administration of Land Revenue and Survey Departments.
- 3. Appointments and transfers of the non-gazetted staff of the Land Revenue Department and approval of list of Deputy Tahsildars—Disciplinary actions and appeals against punishments.
- 4. Land Revenue and Cess Collections—Revenue sales and irrecoverable arrears.
- 5. Special Funds—Copyists and Examiners—Process Establishments.
- 6. Village Officers in Malabar and Kasargode areas - Appeals and petitions relating to claims to office, appointments and punishments.
- 7. Transfer of lands to other departments.
- 8. Political and Family pensions.
- 9. Assignment of land, disposal of land.
- 10. Office Procedure—District office Manual and Office Inspections.
- 11. Rural Water Supply Scheme—Budget and Control of expenditure.
- 12. Minor Irrigation—General Control.
- 13. Irrigation—Irrigation cess fund.
- 14. Land Acquisition and allied matters.
- 15. Transfer of Village from one Taluk to another.
- 16. Administration of Cattle Pounds and of the Cattle Trespass Act.
- 17. Budget Estimates and Control of Expenditure.
- 18. Destruction of wild animals and grant of rewards.
- 19. Vital statistics and cattle diseases.
- 20. Frontier Boundaries.
- 21. Treasuries and custody of public money.
- 22. Food Production.
- 23. Famine.
- 24. Vanamahotsava.
- 25. Soil Conservation.

26. Suspension of land revenue under B.S.O. 13 and 14.
27. Fire Accidents, Floods and Epidemics.
28. Muslim Wakfs.
29. Village and Taluk Accounts.
30. Encroachments.
31. Relinquishments.
32. Maintenance of Revenue Records and Registration
33. Elections.
34. Suits and District Law Establishment.
35. Inams.
36. Burial grounds, markets, canals, place of public worship.
37. Weights and Measures.
38. Scholarships and heirship certificates.
39. Land Revenue Maintenance Work.
40. Maps.
41. Survey matters, Re-survey and Revisional Survey.

**(B) Departments under the Second Schedule to
Act VII of 1957.**

1. Fisheries.
2. Registration.
3. Advancement of Backward Communities.

SECOND MEMBER

**(A) Departments under the First Schedule to Act VII of
1957.**

1. Civil Supplies.
2. Housing.
3. Court of Wards.
4. Mines and Minerals.
5. Excise and Prohibition.
1. Powers and functions of the Board of Revenue under the Madras Court of Wards Act I of 1902.
2. Procurement and distribution of Food Grains—Overseas Imports and Purchase from Internal Sources—Ration Dealers—Rice Mills.
3. Appointment and transfers of the non-gazetted staff in Excise, Civil Supplies and Housing.
4. Appeals and petitions from Food Grains Dealers.
5. Fair Price Shops.
6. Accounts relating to Civil Supplies Audit Reports.
7. Mines and Minerals.
8. Abkari Revenue—Administration and control.
9. Opium Revenue.

10. Dangerous Drugs—Administration of the Dangerous Drugs Act.
11. The Prohibition Acts—(Travancore & Madras Acts).
12. Salt Tobacco.
13. Customs.
14. Stay of Recovery Proceedings of Excise Revenue under the Revenue Recovery Act.
15. Write off of irrecoverable arrears of Rs. 1,000 in each case.

B. Departments under the Second Schedule to Act VII of 1957.

1. Colonisation.

THIRD MEMBER

(A) Departments under the First Schedule to Act VII of 1957.

1. Agricultural Income Tax.
2. Sales Tax.
1. Powers and Functions of the Board of Revenue under the following Acts:—
 - (i) The General Sales Tax Act, 1125. Act XI of 1125.
 - (ii) The Agricultural Income Tax Act, 1950, XII of 1950.
 - (iii) The Central Sales Tax Act, 1956.
 - (iv) The Madras Entertainments Tax Act, 1939.
 - (v) The Kerala Surcharges on Taxes Act, 1957.
2. Appointments and transfers of non-gazetted staff of the Sales Tax and Agricultural Income Tax Department—Disciplinary actions and memorials against punishments.
3. Stay of recovery proceedings of Sales tax and Agricultural Income Tax under R. R. Act.
4. Write-off of irrecoverable arrears of Sales tax revenue under the M. G. S. T. Act, M. E. T. and M. S. M. S. T. and M. T. (T. & R.) Acts without any maximum limits in Malabar area.
5. Power to sanction rewards to a maximum of Rs. 100 to Bill Collectors and Peons of the Department for good work in the Malabar area.

6. Defence of suits and references against assessment under G. S. T. Act and A. I. T. Act and filing of revisions before High Court—Payment of Pleader's Fees and sanction of appeal against decision of Courts.
7. Write off of irrecoverable arrears in Travancore-Cochin area not exceeding Rs. 500 in each case subject to a maximum limit of Rs. 1,000 in a year.

(B) Departments under the Second Schedule to Act VII of 1957.

1. Local Bodies.
2. Co-operation.

II

HEALTH SERVICES

Prior to November 1956, Medical and Public Health were two separate departments, the former under the Surgeon-General with the Government and the latter under the Director of Public Health. In their Order No. HL3-23427/55/DD., dated 3-11-1956 the Government of the newly formed Kerala State directed the amalgamation of both these Departments and placed them under one Head, namely the Director of Health Services, with two Deputy Directors to assist him. One of these two was temporarily up-graded first as Joint Director and then as Additional Director, and having regard to the experience and qualifications of the person then holding this post, he was put in charge of the Public Health wing of the combined department. In 1957, when the then incumbent of the post of the Director of Health Services retired, the post of Additional Director was abolished and reconverted into that of Deputy Director. Thus there were two Deputy Directors under the Director, one in charge of the Medical wing and the other in charge of the Public Health wing. They were both working in the Office of the Director.

2. Until the amalgamation of the two departments, there were separate officers at the district level, the District Medical Officer and the District Health Officer, in charge of Medical and Public Health matters respectively. By the Government Order referred to in the previous paragraph these two functions were combined at the district level also in the former Travancore-Cochin area and placed under the unified control of a single officer called the District Medical Officer of Health, who had a Joint District Medical Officer of Health to assist him. The senior of the two, whether he originally belonged to the Medical or the Public Health Department, was designated as the District Medical Officer of Health and was in charge of the administration of the department. Hospital work was, however, attended to only by the officer who had experience in the medical line.

3. In April 1958, the department was again reorganised. The Government decided that the jurisdiction of the Deputy Directors should be changed from the functional to the territorial with a view to decentralise the administration and make it more efficient. They accordingly divided the State into two zones, the South zone comprising the districts of Trivandrum,

Quilon, Alleppey and Kottayam, with Trivandrum as the Head quarters and the North Zone comprising the remaining five districts of Ernakulam, Trichur, Palghat, Kozhikode and Cannanore with Trichur as the Head quarters. Each zone was placed under a Deputy Director who was to be in over-all charge of the Health administration in the zone except matters relating to T.B., Leprosy, B.C.G., Malaria and Filariasis, Maternity and Child Health and Family Planning. The administration of these branches was placed in the charge of Assistant Directors or Special Officers, as described below, who work directly under the Director of Health Services:

(i) *T.B. Control, Malaria and Filariasis, Maternity and Child Health.*—Each of these branches was placed under an Assistant Director.

(ii) *Leprosy control and Family Planning.*—There are Special Officers in charge of these two subjects.

The amalgamation of the Public Health and the Medical wings already effected in the Travancore-Cochin area was extended to the Malabar area as well.

The Deputy Directors were given wide powers of administrative and financial control with a view to implement the scheme of decentralisation.

4. The amalgamation has not been effected below the district level. The system of preventive and curative functions being attended to by separate sets of officers continues and will have to do so, until all the dispensaries can be converted into Health Centres, manned by medical men with Public Health qualifications and training and the Health staff can be put under them. This will naturally take a long time to materialise.

5. It is understood that the ultimate idea is to relieve the District Medical Officer of Health of the charge of the District Head quarters Hospital and put it under a Civil Surgeon. The District Medical Officer of Health will then be left with the responsibility of the administration of the Medical and the Public Health branches in the district and inspection of institutions.

6. The Medical Colleges

(i) *The Medical College, Trivandrum.*

Until 1-11-1956 the Medical College, Trivandrum, was directly under the Government. Organisational matters were decided by a Committee consisting of the Chief Secretary, the

Health Secretary, the Heads of the Medical, Public Health and Public Works Departments, the Registrar of the University and the Superintendents of the General Hospital, the Women and Children's Hospital and the Ophthalmic Hospital. This Committee was presided over by the Minister for Health. There was a College Council consisting of the Heads of Departments in the College and the Surgeon-General to advise the Principal in matters of internal administration. The Medical College Hospital and the Sri Avittam Thirunal Women and Children's Hospital were, however, under the Medical Department, borne on the medical budget. From 1-11-1956, however, the Medical College passed on to the control of the Director of Health Services which post, as already stated, was formed by combining the functions of the Surgeon-General with the Government and the Director of Public Health. The Heads of the different institutions in the College campus, viz., the Principal of the Medical College, the Superintendents of the Sri Avittam Thirunal and the Medical College Hospitals, and the Superintendent of the School of Nursing also came under the control of the Director of Health Services. This position continued till July 1957, when the Government constituted a Council of Administration for the management of the College and the Hospitals and the other institutions attached to it. This Council consisted of the Dean, the senior most Professor of the College (who was designated as Principal), the two Superintendents of the Hospitals, the Director of Health Services, the Secretary to the Government in the Health Department and three members of the staff of the College, of whom one was elected by the junior members of the staff from among themselves, the other was a professor elected by the professional staff and the third was nominated by the Government. The Minister for Health was the Chairman of this Council. The Dean functioned as its chief executive officer exercising general supervision over the management of the College, the Hospitals and the other institutions in the campus. The College Council referred to above was also reconstituted as the College Committee of management and was invested with control over the internal working of the College subject to the authority of the Council of Administration. The Principal of the Medical College was in charge of the administration of the College. A Committee of management consisting of two members of the hospital staff elected from among the physicians and the surgeons was also formed for each hospital to assist the respective superintendents in hospital administration. The non-teaching staff in the

several institutions continued to form part of the Department of Health Services.

The post of Dean has been held in abeyance from 2-4-1958 and an Honorary Adviser has been appointed to co-ordinate the activities of the College Hospitals and the allied institutions. He is functioning directly under the Government exercising the powers of the Head of a Department. The Heads of the different institutions i.e., the Principal of the Medical College, the Superintendents of the Medical College Hospital, the S.A.T. Hospital and the School of Nursing, and the Wardens of the Hostels function under the control of the Honorary Adviser.

(ii) *The Medical College, Kozhikode.*

The Medical College, Kozhikode, began to function only from July, 1957. A Special Officer was appointed to look after the organisational work in respect of the College and the teaching hospitals. He is now functioning also as the Principal of the College. He is directly under the Government. There is a Committee consisting of the Minister for Health, the Director of Health Services, the Principal of the Medical College, Trivandrum and the Chief Engineer, P. W. D. to decide on matters of building and development programme.

7. The Committee is of the view that the present administrative set-up of the Department is generally satisfactory, but would suggest that the proposal to appoint Civil Surgeons to be in charge of District Head Quarters Hospitals may be implemented soon. While relief from the work of hospital supervision will enable the District Medical Officers to devote more time for the inspection of institutions and other administrative duties, which do not now receive sufficient attention, the appointment of experienced doctors to be in exclusive charge of the Head Quarters hospitals will undoubtedly improve the administration and enhance the usefulness of these important institutions. There is, however, the danger that lack of touch with clinical work may, in the long run, affect the professional efficiency of those working as District Medical Officers, which is to be avoided in public interests. We therefore, suggest that a few beds in the District Head Quarters Hospital be allotted to the charge of the District Medical Officer. Their number should not be so large as to obscure the importance of the Civil Surgeon who is really in charge of the Hospital, or to interfere with the touring and the normal administrative functions of the District Medical Officer. The Civil Surgeon and the staff of the District Head Quarters Hospital

will of course be under the administrative control of the District Medical Officer.

8. We suggest that the separate *ad hoc* bodies now functioning for the administration of the two Medical Colleges be replaced by a Common Committee with the Honorary Adviser (his designation may perhaps be changed to Administrator or Director of Medical Colleges) as Chairman, and the Principals of the Colleges, the Superintendents of the teaching hospitals, the Director of Health Services and the Secretary of the Health Department, as members. This Committee may be called the Medical Colleges Administration Committee. The existing College Councils for internal management may continue.

9. In this connection there is one matter to which we would like to draw attention. The Medical Colleges here have come into existence only in very recent times. Naturally, therefore, there is a great dearth of teaching personnel and suitable hands have had to be brought from outside. While the Committee is certainly not against getting eminent professors from anywhere in the country for the benefit of the colleges, it would strongly urge that steps should be taken to build up within the State itself an efficient teaching staff. For this purpose it may be necessary to provide for interchangeability of teaching and clinical staff up to a certain level. Suitable provision will have to be made in this regard in the relevant Service Rules.

NOTE BY SRI G. PARAMESWARAN PILLAI

I am definitely of the view that the system that was in force in Travancore-Cochin prior to November 1956, under which medical and public health were regarded as two separate departments, should be restored. The recent reorganisation of the Health Services amalgamating the two departments and placing them under one head, namely, the Director of Health Services with two Deputy Directors to assist him may ultimately result in denying the people the services of the best Medical Officers who are specially proficient in surgery or general medicine. Unless these officers become Deputy Directors on the administrative side and work their way up as the Director of Health Services even the most talented among them cannot hope to become the Head of the Medical Services. This anomaly should be removed.

III

EDUCATION

The set-up of the Education Department at the state level is as shown below:—

(i) *The Director of Technical Education.*—This post was created in August, 1957, with a view to place all technical institutions under the control of a duly qualified and responsible officer. The Director is now in charge of all such institutions which were until recently under the control of the University and the Industries Department. The control over the Engineering Colleges has not yet been transferred to him, but the intention is to do so in due course.

(ii) *The Director of Collegiate Education.*—With the coming into force of the Kerala University Act, the control over the Government Colleges which were until then under the University was transferred to Government and it was felt that the Director of Public Instruction would not be able to cope with this additional work. Also, there was need for a separate officer with the necessary experience and qualification who can devote special attention to the development of research and post-graduate studies in the Government Colleges. The post of a Director of Collegiate Education was, therefore, created in September, 1957.

(iii) *Director of Text-books and Examinations.*—During 1957-58 Government decided to nationalise all text-books except non-detailed texts and publish them direct. They also decided to take over the conduct of all technical examinations which were until recently conducted by the University of Kerala and the Government of Madras. The responsibility for holding the S.S.L.C. and other examinations in the Malabar area also devolved on the Director of Public Instruction. It was found that he would not be able to cope up adequately with this additional work and that there was real necessity for a responsible whole-time officer to attend to it. The post of Director of Text-books and examinations was, therefore, created with effect from 1-1-1958.

(iv) *Director of Public Instruction and Additional Director (Primary Education).*—The Director of Public Instruction is mainly in charge of Secondary Education while the Additional Director is responsible for Primary Education. The two have a common office and a common establishment, but the Additional Director exercises all the powers of a Director

in regard to Primary Education, subject however, to the ultimate control of the Director of Public Instruction.

2. Below the state level, there are 17 District Educational Officers at the rate of two for each district except Trivandrum. Under them there are 119 Assistant Educational Officers of whom 19 are in the grade Rs. 55-150 and the remaining are in the grade Rs. 150-250.

3. There are no Regional Officers. The posts of Divisional Officers were abolished with effect from 1-3-1958.

4. The University College, Trivandrum, and the two Law Colleges are now under the direct control of the Government. We consider it appropriate that these institutions should also be placed under the Director of Collegiate Education.

5. The re-organised set-up has been criticised mainly on the following two grounds:—

(i) Directors have been appointed on a functional basis, and

(ii) the abolition of the posts of Divisional Officers is administratively unsound.

6. These criticisms are examined below:—

(i) Education can be broadly classified as general and technical. The two had always been kept separate for the purpose of direction and control. Technical Institutions were formerly under the Heads of Technical Departments or the Government. With the rapid growth of technical education the need arose for a separate agency to be in charge of it. The Government of India also advised that such an agency be set-up. The post of a Director of Technical Education was created in this context. We feel that it was necessary and justified.

General education has three well defined stages: Primary, Secondary and Collegiate. The connection between the first two and the last is somewhat remote. Administration of Colleges and collegiate education has very little in common with the administration of primary and secondary education. Surely, it cannot be contended in this era of specialisation that there should be a common agency to control primary Schools and Arts, Science or Law Colleges. The need for a separate Director for Collegiate Education cannot, therefore, be disputed.

There remain the primary and the Secondary stages. They are, at the present moment, interconnected in more ways than one, and it is necessary therefore that they should be under a

Common Directorate. It is so even under the re-organised set-up. The Director of Public Instruction is in overall charge of both Primary and Secondary education, but the combined charge is admittedly too heavy for a single officer. Formerly there was a Deputy Director to assist the Director. This was, in practice, found to be unsatisfactory because there is a limit to the responsibility which can be delegated to a Deputy. This office has, therefore, been upgraded and the post of an Additional Director has been created. He has been given wide powers so that he may act with a substantial measure of responsibility in the field of Primary Education and prove to be of real help to the Director of Public Instruction. Both the Director and the Additional Director have a common office and a common staff.

We find that the possibility of separating Primary and Secondary Education at some future date has been indicated in Paragraph 8 of the Government Order dated 4-3-1958, and would like to point out that if and when that stage is reached, all matters *for* and *against* the step such as common management, common staffing and other interdependant factors, should be thoroughly examined before it is taken. We do not see anything exceptionable in the present set-up.

The only other Director whose case remains to be considered is the Director of Text-books and Examinations. The work relating to text-books is becoming increasingly voluminous. There are 905 Secondary Schools, 2049 Upper Primary Schools and 6876 Lower Primary Schools in the State. All text-books except those for non-detailed study for all these schools have to be prepared, printed and distributed on behalf of the Government. The work involves two stages: one is the preparation of text-books and the other is their printing and distribution. It has been suggested that there should be a separate unit under the Director of Public Instruction for the preparation of the books and that printing and distribution should be done on a commercial basis by a separate Special Officer. The latter suggestion is agreed to, but it is not clear why a single officer cannot handle both the functions.

The charge regarding examination is also fairly heavy. There are 23 examinations conducted every year on behalf of the Government. Some of them have different subjects and different grades. The total number of students who appeared for these examinations last year was about 1,45,000. Arrangements have to be made for the setting of question papers, their

printing and distribution, valuation of answer-papers, tabulation of marks etc., for all these examinations. Prior to the recent reorganisation of the department there was a secretary in the grade of Rs. 250-400 in charge of examinations. In the nature of things, the work is a very important one, requiring close, personal supervision by an officer of high status, integrity and responsibility. It would be impossible for the Director of Public Instruction or the Additional Director to devote proper attention to it amidst their other duties. It would be undesirable to entrust the work to a subordinate officer. The need for a separate officer of appropriate status is, therefore, real. It will make for more effective control if all the arrangements connected with the conduct of all examinations are made the responsibility of a single officer instead of having junior officers under the respective Directors. There is no harm also in that officer being entrusted with the work relating to the preparation and printing of the text-books as well. To have a separate unit for the preparation of text-books under the Director of Public Instruction, a Special Officer for their printing and distribution, and separate units under the Director of Public Instruction and the Director of Technical Education for examinations would result in needless waste and diffusion of control and responsibility. It is better to centralise all these functions in one officer as at present. The function of the Director of Public Instruction is the administration of the Education Department which work can certainly be carried on by him even though text-books and examinations form the responsibility of a separate officer.

(ii) The revival of the posts of Divisional Educational Officers as intermediate officers between the District and the State levels would not lead to any advantage. On the other hand, it is likely to cause delays because, whatever may be the declared functions of the Divisional Officers, in actual practice, it will happen that all correspondence is routed through them only. It may be that the Director of Public Instruction is not able to inspect all the District offices in the State. He can take the assistance of the Additional Director for this purpose; and if he still needs help, the proper thing would be to appoint some one under him at Headquarters, to relieve him of less important work and enable him to devote more attention to inspection. His case is not the same as that of the Chief Engineers or the Chief Conservator of Forests because they have to do field inspections, which the Director of Public Instruction has not.

7. The decision of the Committee, therefore, is that while the printing and sale of text books may be done on a commercial basis, no other change in the organisational set-up of the Education Department is necessary. Sri V. K. N. Menon and Sri P. S. Nataraja Pillai have, however, expressed a contrary view.

NOTE BY SRI V. K. N. MENON & SRI P. S. NATARAJA PILLAI

We have carefully examined the recent reforms introduced in the Education Department and considered our colleagues' views on them; and we regret to say that we are of a different opinion on the following points:—

(1) There is no need for a separate Director of Text books and Examinations; the Director of Public Instruction and of Technical Education should themselves be made responsible for the selection and preparation of the Text-books and for the conduct of the examinations under them. To prepare text-books independently of the two Directors, who are the persons responsible for education in their respective spheres, does not appear to us to be a satisfactory arrangement. Similarly, to conduct examinations also independently of them when the invigilators, the buildings etc., are under them, seems to us to be also undesirable. The preparation of text-books and the conduct of examinations may, indeed, be under special officers appointed for the purpose; but they should be subordinate to the D. P. Is. We would like to add that when there are three D. P. Is., where there was only one, the load of work of each of them cannot be regarded as so heavy as to prevent them from satisfactorily discharging the ultimate responsibility for text-books and examinations. The new system of entrusting text-book work and conduct of examinations to the same officer is unsatisfactory, also as entrusting two entirely different kinds of work to the same person.

But the printing and publication of text-books could be the responsibility of a separate officer and should be done on a commercial basis and not as the work of the Education Department.

(2) Primary and Secondary Education should continue to be under the unified control of the Director of Public Instruction. The difference between the primary and the secondary stages of instruction is not so marked as that between the secondary and the collegiate stages; many problems are common. Divided responsibility and control will lead to inefficiency and confusion. They should not, therefore, be bifurcated and put in charge of two separate officers independently of each other, as would appear to be the intention in paragraph 8 of G. O. No. (P)201/58 EHD., dated 4-3-1958.

(3) It is necessary to have at least two regional officers to inspect the offices of the District Educational Officers and exercise control and supervision over them. The Director of Public Instruction will not be able to do this efficiently single-handed.

(4) It is worth consideration also whether a Board for Education, which will include all the Directors, should not be established. It would appear that there is provision already for some such organ of Government in the educational sphere.

IV PUBLIC WORKS

There are now three branches in the Public Works Department; (i) Irrigation & General (ii) Roads and Buildings and (iii) Public Health Engineering.

There is a separate Chief Engineer for each branch.

The Chief Engineer (Irrigation & General), who is the seniormost of the three, is in charge of personnel. There are now sanctioned posts of 12 Superintending Engineers, 50 Executive Engineers and 196 Assistant Engineers. The number of Assistant Engineers given is approximate. The officers are distributed as below:

<i>Department</i>	<i>Superintending Engineer</i>	<i>Executive Engineer</i>	<i>Assistant Engineer</i>
Public Health Engineering			
Department	1	8	20
Irrigation and General	7	18	72
Roads and Buildings	4	18	73
Electrical	..	1	5
Education	..	1	6
Local Bodies	..	3	11
Colonisation	..	1	..
Harijan Welfare	..	..	1
Transport	..	..	1
Industrial Estates	..	..	7
Total	12	50	196

The staff employed in the administrative departments like Education, Local Bodies etc., are under the technical control of the respective Superintending Engineers of the Roads & Buildings branch and the Chief Engineer, Roads & Buildings.

2. We have examined whether there is need for three branches in the Public Works Department, each under a Chief Engineer. It is understood that the expected workload for the year 1958-59 will be of the following order:

General and Irrigation	331.68 lakhs
Roads and Buildings	475.62 lakhs
Public Health Engineering	
Department	over 225 lakhs

We are of the view that it will not be advisable to combine Public Health Engineering with either Irrigation or Roads and Buildings, not only because the workload will then become so heavy for either of them, but also because several schemes of

protected water supply and comprehensive drainage have to be investigated and executed in the urban and semi-urban areas of the State. Research in irrigation, investigation of projects for development of irrigation and power on a large scale and their execution, are important items of work which have to be handled by a special agency under the expert direction and control of a separate Chief Engineer. The remaining items, whether they relate to buildings, bridges, roads, or less important irrigation works, can well form a composite charge. We, therefore, consider that in view of the conditions and the development potentialities of this State, it is necessary to retain the three Chief Engineers, and suggest that the branches be reorganised into three distinct departments in the following manner:—

(i) The Public Health Engineering branch to be a separate department under the Chief Engineer, Public Health, with separate personnel under his control. The Municipal Engineering establishments in the State should be merged with it. There is, however, no need for this department to be saddled with the responsibility of providing sanitary and water supply fittings to Government buildings or maintaining them. This work should be attended to by the officers of the Public Works Department in charge of the buildings.

(ii) The Public Works Department may be split up into two: (a) Irrigation, (Projects—Investigation and Execution). (b) Roads and Buildings and Non-Project Irrigation.

3. These should also be under separate Chief Engineers. Irrigation (Projects) will be responsible for the investigation and execution of irrigation works costing Rs. 10 lakhs and above and also for research. Completed works will be made over to the regular Public Works Department (item ii (b) above) for maintenance. Personnel for the Irrigation (Project) Department may be transferred from the Roads and Buildings which may be named Public Works Department (General). Those so transferred will merge themselves in the cadre fixed for the 'Projects' Department. The Officers in this Department will have a running salary scale, so as to avoid the need for their re-transfer to the regular Public Works Department when chances for promotions arise. The running scale should be sufficiently attractive to induce the personnel drafted, to remain in the Irrigation (Project) Department without feeling frustrated.

4. Public Works Department (General), (item ii (b) above), will be in charge of all other construction work including

investigation and execution of irrigation schemes, costing less than Rs. ten lakhs. It will also be responsible for the maintenance of all works executed by it, and of completed project works handed over to it by the Irrigation (projects) Department. The post of the Executive Engineer, Electrical Wing will be abolished and the work done by him taken over by the Executive Engineers of the P.W.D. (General) in their respective jurisdiction. The Radio Engineering establishment will also pass on to their control. In addition, the P.W.D. (General) will be in charge of local development works, Panchayat Engineering Works and works in the N.E.S. Blocks. As a general principle, the departmental structure should be built up on the basis of Panchayats and Blocks. The jurisdiction of Section Officers should not cut across Block boundaries and no Executive Engineer, who is not on special duty, should have jurisdiction in more than one district. The work hitherto attended to by the Engineering units in other departments like Education, Harijan Welfare, Local Bodies etc., will also be taken over by this department and these units should be abolished. The Minor Irrigation establishment functioning in the Malabar area may be merged with the Public Works Department (General).

5. The staff strength in the three departments should be determined with reference to the workload and there should be a separate cadre for each. Public Health Engineering can have its own system of recruitment. Research and Projects call for certain aptitudes and attainments and so, it will be useful to have a system by which suitable persons can be selected after a period of on-the-job-test. Hence the suggestion made earlier that suitable personnel may be transferred to 'Projects' from the Public Works Department (General). Care should, however, be taken to see that such transfers do not prejudice the interests of the personnel in the 'Projects' Department. There will, normally, be no movement of staff in the reverse direction.

6. There may be one Superintending Engineer in the Public Health Engineering Department, two in the 'Projects' and three in the regular Public Works Department (General). The strength of the remaining staff in the three departments may be fixed in consultation with the Chief Engineers. The Committee is, however, of the view that the total number of Executive Engineers, in the Irrigation (Projects) and the Public Works (General) Departments, should be kept in the neighbourhood of 32 to 34.

7. It was suggested to us by Sri K. K. Kartha who retired from the post of Chief Engineer, Kerala, about a year ago, that the workshop in Trivandrum is doing very little for the Public Works Department as such, and that, having regard to the machinery with which it has been equipped and the type of work it has been doing so long, it would be appropriate to take it away from the control of the Public Works Department and work it on a commercial basis as a State undertaking. We understand that the present Chief Engineer (Irrigation and General) also shares this view. According to a recent report about the workshop which we have perused, the capital that has been invested in it is about Rs. 55 lakhs and its total outturn for 1957-58 is only about Rs. 20 lakhs out of which a sum of Rs. 12 lakhs accounts for the cost of furniture manufactured. In view of the agreed opinion of the two Chief Engineers that the workshop is not required for the Public Works Department and of the great possibility of expanding its activities, we suggest that Government may take steps to work it as a commercial undertaking with proper arrangements for supervision and control.

8. We have gone through the report submitted in March 1957 by the two-man committee appointed by the former Travancore-Cochin Government to suggest measures for the clearance of arrears in the Public Works Department and the Electricity Department, setting right the defects in the Stores Section and generally re-organising the two departments with a view to enable them to function more efficiently. As the Electricity Department has since been put under the control of a Statutory Board, and as it has not been included in the scope of our enquiry, we do not propose to make any reference to it. So far as the three existing branches of the Public Works Department are concerned, that is, the Public Health Engineering, Irrigation and Roads and Buildings, the findings of the Committee are unmistakably condemnatory and merit serious attention. It has pointedly drawn attention to the following defects and urged that they be rectified at once.

- (i) Want of sanction in respect of original and revised estimates.
- (ii) Non-closure of Accounts of Works and Manufacture Accounts.
- (iii) Non-preparation of stock Accounts and non-maintenance of Tools and Plants Accounts, Materials-at-site Accounts and Road Metal Accounts.

- (iv) Failure to post the Register of Works and the Contractors' Ledger and to maintain the Suspense Registers.
- (v) Failure to reconcile departmental figures with remittances into the treasury and amounts covered by cheques.
- (vi) Failure to settle the accounts of inter-divisional transactions.

The Committee has made useful and constructive suggestions to improve matters and to avoid the recurrence of the defects noticed. We must confess to a feeling of surprise that the lapses pointed out should have occurred and been allowed to remain unrectified so long, in spite of the generous addition made to the staff at all levels from time to time. It is hoped that the Government will take action immediately to implement the suggestions made by the Committee and to impress on the officers concerned that indifference to important aspects of work and insufficient control and supervision as have been revealed by the report in question will be visited with positive action in future.

V AGRICULTURE

The hierarchical set-up in the department from the district level upwards is as follows:—

District Agricultural Officer;
Deputy Directors of Agriculture;
Joint Director of Agriculture;
Director of Agriculture.

1. Besides, there are also the following special officers employed in Research or in charge of specific schemes:—

- (i) Plantation Crop Specialist;
- (ii) Rice Specialist;
- (iii) Deputy Director, Coconut Development;
- (iv) Plant Protection Officer;
- (v) Agricultural Marketing Officer;
- (vi) Manure Development Officer;
- (vii) Agricultural Information Officer;
- (viii) Pepper Development Officer (Cannanore);
- (ix) Pepper Specialist (Taliparamba); and
- (x) Arecanut Development Officer (Trichur).

The State is divided into two regions for purpose of extension work, each in charge of a Deputy Director.

2. We do not propose to go into the details of the working of this department, but shall confine our remarks to the organisational set-up. Our general impression is that the department is somewhat loosely knit, without provision for proper check-up and control at the different levels. There are two Joint Directors of whom one is in charge of Soil Conservation and the other is working in the office. Soil Conservation does not carry a full day's work for a Joint Director and there is no need to have a separate field organisation for it. It should be carried out as an integral part of extension work, under the supervision of the District Agricultural Officers with such small technical staff as may be needed. It is wastage of experienced technical personnel to use a senior officer like a Joint Director, for office work. It should be done by the Administrative Assistant since appointed. A proper arrangement would be to bifurcate the Research and Extension work even at the Joint Directors' level and to put a separate Joint Director in charge of each. As there are already two of them now, there is no need to appoint any additional officer for this purpose. The Joint Director, Research, can be in charge of

all Research and the Experimental Stations and also of the special schemes connected with plantation Crops, Rice, Coconut Development, Plant Protection, Pepper Development and Arecanut Development. The Joint Director for Extension may, as his designation implies, be held responsible for the general development of Agriculture and, for Agricultural Marketing, Manure Development, Agricultural Information etc. We will leave it to the Government to decide the allocation of Research and Extension as between the two Joint Directors according to their aptitudes and qualifications. The Department should be reorganised on the above basis and the hierarchical set-up revised so as to link up the District Officers, the Special Officers, and the Regional Officers appropriately with the Joint Director concerned.

CO-OPERATION

As in the case of the Agriculture, we shall touch only on the broad organisational aspect in co-operation also. As is well known there are several types of co-operative institutions to-day like Agricultural Credit Societies, Urban Banks, Consumer Societies, Wholesale Co-operatives, Marketing Societies, Land Mortgage Banks, Milk Supply Unions, House Building Co-operatives, Colonisation Societies, Farming Societies, Industrial Co-operatives, Handloom Co-operatives, Coir Co-operatives, Labour Contract Co-operatives, Ex-service Men's Co-operatives etc. Some of these like the Fishermen's Co-operatives, the Handloom Co-operatives, the Coir Co-operatives and the Industrial Co-operatives are not under the administrative control of the Registrar of Co-operative Societies, but are managed by the departments concerned. In some cases, even audit is not included in the Registrar's functions. It is pertinent to consider in this context what should be the scope of authority and control of the Registrar over the several co-operative enterprises in the State. The original conception was that he should be in charge of all co-operatives, which he obviously cannot be under current conditions, because co-operation is developing so rapidly that no single department can be in sole charge of it. It is more a method to be adopted by all departments for the attainment of their economic objectives, than a function or responsibility to be discharged by any one department. Viewed in this light, it would appear to be reasonable that where in any department the co-operative method has been adopted on a large scale for the implementation of its programme, the officers of the department should be in charge of the institutions under it. There can be no division of responsibility in regard to methods and objectives. We, therefore, consider that it is only proper that the Departments of Industries, Fisheries, Handloom and Coir, which have a fairly large number of Societies should be in charge of their administration. To this end, the Heads of these departments should be invested with certain statutory powers under the Co-operative Societies Act. The Registrar should lend them the personnel required for their management and supervision, and the officers so lent, should be under the administrative control of the department concerned, for the duration of the deputation. The departments concerned should not have a separate cadre of personnel for the management and supervision of these special co-operative societies. These departments need have only cadres of technical

personnel necessary for giving guidance to their societies in their specialised field, all co-operative personnel working in the various departments forming one cadre. The regular co-operative officers need not concern themselves with the day-to-day working of these societies. There are, however, certain important functions which should be reserved exclusively for the Registrar. These are Audit, Arbitration, Liquidation and Surcharge. He should also be responsible for the training and refresher courses for all co-operative personnel. All applications for credit to the Apex Bank should be routed through him. The departments concerned should send him periodical reports about the progress of the Societies, and he, and the other officers of the Co-operative Department specified by him, shall have the right to inspect any co-operative institution in the State and call for any details connected with their working. The managements of the Societies shall be bound to carry out all instructions issued by such inspecting officers, and also to rectify with the utmost possible expedition the defects pointed out in the course of audit. The co-operative activities of the several departments should be reported to the Registrar so that the annual report of the Co-operative Department may comprise the entire field of co-operation in the State. We believe these measures are sufficient to enable the Registrar to have an over-all picture of the progress of the Co-operative movement in the State.

2. It is, however, necessary to take steps to achieve uniformity in regard to policy matters and co-ordination as between the several Heads of Departments having co-operative organisations under them. For this purpose we suggest that a Board of Co-operation may be established with the Chief Secretary to the Government as the Chairman and the Registrar of Co-operative Societies as the Convener. The Secretaries and Heads of Departments concerned may be members of this Board. Important matters having a bearing on the general policy and working of the co-operative method will be discussed and finalised by this Board for approval by the Government. It will also act as an agency to co-ordinate the work of the several Heads of Departments in the field of co-operation.

3. We have seen the orders passed in February 1957 (and implemented recently) about the re-organisation of the staff pattern in this department. While we leave it to the Government to decide whether there is need for the whole of the additional staff sanctioned, we would like to observe that two

Assistant Registrars in the office of each Deputy Registrar, one in charge of Planning and the other to attend to general matters, appear to be *prima facie* unnecessary. Planning especially in co-operation, cannot be considered as distinct or separate from its general working; it is part and parcel of the current departmental programme. One Assistant Registrar should, therefore, be able to give the required assistance to the Deputy Registrar. We understand that though both posts have been sanctioned only one of them has been filled up. The other is now vacant and may therefore conveniently be abolished.

NOTE BY SRI G. PARAMESWARAN PILLAI

The registration, inspection and audit of all types of Co-operative Societies should be entrusted to the Registrar of Co-operative Societies in the Co-operative Department. The persons functioning as Heads of other Departments or as subordinate officers in other Departments should not be invested with the powers of the Registrar *including registration* and inspection and even if investment of powers of the Registrar in any other Officer is considered necessary he should not be permitted to exercise such powers *independently* of the Registrar. He should be an Officer to *assist* the Registrar and he should be under the administrative control of the Registrar in the exercise of any of the powers conferred on him under the Co-operative Societies Act. The Co-operative Laws Committee appointed by the Government of India have rightly emphasised this aspect of the matter and I strongly endorse this procedure for adoption in the Kerala State.

VII

INDUSTRIES

The Department of Industries was reorganised recently in G.O. No. (MS) 474 dated 10-6-1958. Prior to the re-organisation, the set up was as follows:—

- (i) Director of Industries and Commerce;
- (ii) Additional Director of Industries;
- (iii) Joint Director (Small Scale Industries);
- (iv) Joint Director (Cair); and
- (v) Joint Director (Handlooms).

Nos. (ii) to (iv) functioned independently of the Director of Industries and Commerce.

2. The office of the Director had not been properly organised with well defined distribution of work among the members of the staff.

3. There were no officers in the district. There were only two Assistant Directors of Industries in the former Travancore-Cochin area, one at Trivandrum and the other at Ernakulam. There was lack of co-ordination among the staff both at the Headquarters and in the field.

4. The re-organised set-up is as follows:—

(a) Headquarters

- (i) Director of Industries and Commerce.
- (ii) Joint Director (Cair).
- (iii) Joint Director (Handloom).
- (iv) Joint Director (Small Scale Industries).
- (v) Deputy Director (Metals).
- (vi) Deputy Director (Khadi and Village Industries).
- (vii) Assistant Director (Loans).
- (viii) Deputy Registrar of Co-operative Societies.
- (ix) Special Officer (Administration).

Nos. (ii) to (ix) work as Assistants to the Director of Industries and Commerce and not independently.

The work in the office has been properly allocated with a section head for each section and each of these officers under the Director is made responsible for the proper working of the particular branch.

(b) District

There is a District Industries Officer with adequate office and field staff in each district.

5. The post of a Director of Government Industries has been newly created. Hitherto Government Industries were

directly dealt with by the Government with the General Managers of the several concerns. This did not make for efficiency of control or supervision. After the creation of the new post, Government have transferred the immediate supervision and control in respect of Government owned and Government sponsored Industries to this Officer. It is stated that the results of this arrangement are satisfactory, because the Director of Government Industries is able to go in detail into the management of these industries and take steps for their proper working. The starting of the Government Hydrogenation Factory, Calicut, lying closed from 1954, the reorganisation of the sales set up in the Rubber Works, the fixing up of the sales agency for the Kerala Government Ceramics, the preparation of a scheme for fixing workloads and wages in the old Ceramic Factory to bring it on a profitable basis, (it has been working at a loss of about Rs. 1½ lakhs every year for the past 6 or 7 years), all done during the last 4 months, are cited as instances in point.

6. The following are the salient features of the reorganisation:—

(a) Headquarters

(i) The department has been unified. The Joint Directors of Industries and Commerce, Coir, Handlooms and Small Scale Industries cease to be independent Heads of Departments.

(ii) The separate establishments of Coir, Handloom and Small Scale Industries are merged with the Industries Department staff and the whole becomes one unit for purposes of appointment, promotion, etc. This will help to obviate the irregularities in promotion which have occurred in the past, in Coir, Handloom etc., by overlooking *inter se* seniority.

(iii) The Joint Director of Industries and Commerce (Administration) is made responsible for all administrative matters, such as, appointment, promotion, leave, punishment etc., thereby relieving the Director of the routine administration and giving him time which can be more usefully bestowed on developmental activities of the department.

(iv) The Deputy Registrar of Co-operative Societies with a small staff at the Headquarters can guide the Co-operatives under all the branches of the Department.

(v) In the office of the Director of Industries and Commerce, Audit and Accounts are separated and each of these branches is now dealt with in separate sections.

(vi) The reorganisation contemplates the organisation of a Commerce and Economics section with an Assistant Director in charge of it. This section will deal with Commercial enquiries, Industrial Statistics, Tariff Commission enquiries, Forward Markets, Industrial Relations, Import and Export Movement Statistics, Indian Standards Institution etc.

By organising this section the office of the Director which hitherto was only the office of the Director of Industries will become really the office of the Director of Industries *and Commerce*.

(h) In the Districts

(i) One District Industries Officer is in charge of all the industrial activities in the district.

(ii) His office is now effectively functioning with adequate staff.

(iii) He is also given one Junior Engineer, an Inspector for Small Scale Industries, an Inspector of Cottage Industries, and two-Co-operative Inspectors to deal with the industrial Co-operatives.

(iv) The posts of the Special Officers in charge of the Industrial Estates are abolished. The District Industries Officers have been made responsible for the working of the Industrial Estates, in districts where such Estates have been established. To assist him a Superintendent with qualifications in Mechanical Engineering in the grade of a Junior Engineer has been appointed.

(v) The District Industries Officer will exercise administrative control over *the entire staff* in the district. Being an Officer on the spot, he will be able to exercise immediate and effective control and supervision over all the subordinate staff in the district on whom hitherto only very feeble control was exercised by officers from Head Quarters.

7. We generally agree that the re-organisation has proceeded on proper lines. It is, however, necessary to see that special measures are taken to expand the Coir and the Handloom Industries. We suggest that the question of appointing technical experts at the district level to guide those engaged in the production of Coir yarn and finished goods and for the improvement of designs of Handloom cloth may be considered. There is also the need for setting up some agency by which consumer reactions can be closely followed with a view to adjust designs in respect of Handloom products.

VIII

POLICE

The Inspector-General of Police is the Head of the Police Department. There are two Deputy Inspectors-General under him, each in charge of a group of districts called the Range. The Northern Range comprises the districts of Cannanore, Kozhikode, Palghat, Trichur, Ernakulam and Kottayam, and the Southern Range includes the districts of Trivandrum, Quilon and Alleppey besides the charge of Railways and the Criminal Intelligence Department. Each district is in charge of a Superintendent of Police. There are Special Superintendents for special branches or units like, Crime, Armed Reserve, etc. This is the permanent set-up.

2. In December 1957, however, certain alterations were effected to this structure. The important features of these alterations are that the posts of the two Deputy Inspectors-General have been kept in abeyance and that the post of a Special Inspector-General has been created.

The reasons for this change were set out in the relevant Government Order as follows:

"While the posts of the Deputy Inspectors-General would be necessary in large States to assist the Inspector-General in the supervision of the work of the District Superintendents of Police, the Government consider that this (Kerala) State being small it should be possible for the Inspector-General of Police to supervise directly the essential features of Police administration without the assistance of Regional Officers. In order to enable the efficient execution of the whole work, particularly important matters connected with the internal security and investigation and prosecution of crime, it is necessary that certain special items of work should be taken away from him and allotted to another officer of roughly equal rank, who will have administrative and financial competence to be in independent charge of them. The Government, therefore, direct that the two posts of the Deputy Inspectors-General should be held in abeyance and sanction the creation of a temporary post of Special Inspector-General of Police for a period of one year in the first instance."

3. The following subjects were placed under the charge of the Special Inspector-General:—

- (i) Traffic and Taxation;
- (ii) Palace Guards;

- (iii) Armed Reserve including Special Armed Police and Malabar Special Police;
- (iv) Fire Service;
- (v) Stores and equipments;
- (vi) Sports;
- (vii) Police Training School and the Central Recruits School;
- (viii) Criminal Intelligence Department including the Finger Print Bureau;
- (ix) Special Branch; and
- (x) Railways.

It was also stated that the Government may assign to him, from time to time, such other subjects as they like, that the special Inspector-General of Police should exercise all the powers of the Inspector-General in respect of the subjects placed in his charge and that he will be responsible for the recruitment, training and administration of the Reserve including the Special Armed Police and the Malabar Special Police. The Inspector-General was, however, empowered to direct the deployment of the Reserve and the Special Forces in times of emergency without prior consultation with the Special Inspector-General of Police. Responsibility for the efficient functioning of the Police Department, as a whole, in the State was vested with the Inspector-General. To enable him to fulfil this responsibility, the Special Inspector-General was required to keep the Inspector-General posted with all information regarding the Crime and the Special Branches. The period during which these temporary arrangements will be in force expires on 7-12-1958.

4. Sri V. K. N. Menon and Sri P. S. Nataraja Pillai have expressed the following views:—

"The reorganisation effected in 1957, has, in our view, neither increased the efficiency of the Department nor improved the law and order situation in the country. Police is the one department in which unity of control is indispensable. The full responsibility for the proper administration of the department and the effective functioning of the Police Force should be vested with a single individual as the Head of the Department. The functions and duties of the Head of this department cannot reasonably be divided or exercised by more than one individual. The Inspector-General of Police should be the Head of the Department with full powers to administer direct

and control the department in all its activities. The post of the Special Inspector-General is an unnecessary new creation. Now that the Traffic and Taxation Branch of the Police Department has been constituted as a unit of the Transport Department, there will be a proportionate reduction in the work-load in the Office of the Inspector-General. The Government Order on the reorganisation of the Department in 1957 sanctioned the creation of a temporary post of a Special Inspector-General for a period of one year. This temporary post can now be conveniently abolished.

We are of the opinion that regional officers are necessary in this Department as well to assist the Head of the Department. For the efficiency, control and direction of the activities of the Department two posts of Deputy Inspectors-General with territorial jurisdiction, are necessary and the two posts held in abeyance by the Government Proceedings referred to above may be revived."

5. The Committee observes that the change brought about in December last is purely temporary and is to last only for one year. This period is coming to a close. We would urge that if it is intended to extend the currency of the existing arrangement, the points set forth in the previous paragraph should be carefully considered.

IX STATISTICS

The Director of Statistics is the Head of this Department. He has under him three Assistant Directors, four Junior Statisticians and a Personal Assistant in his office. The posts of two more Assistant Directors and two more Junior Statisticians have been sanctioned, but they have not yet been filled up. The field wing consists of eight District Statistical Officers and a number of Statistical Inspectors at taluk level and investigators in the villages. For details of staff please see Vol. II.

2. The activities of this Department fall broadly in three classes:—

- (i) regular activities in the Statistical Bureau;
- (ii) non-plan schemes fully financed by the Government of India; and
- (iii) the Second Five Year Plan Schemes of the Department.

The activities under the Statistical Bureau comprise the collection and compilation of Price Statistics, Vital Statistics, Labour Statistics, Agricultural Statistics, Live Stock Statistics, Statistics of transfers of agricultural land, Educational Statistics and Trade and Commerce Statistics. They also include the publication of annual hand-books containing important statistical information relating to this State, and also the conduct of land utilisation surveys, crop cutting surveys, *ad hoc* surveys on socio-economic problems and other surveys like hand-loom, small scale Industries etc., as and when ordered by the Government.

The non-plan schemes are fully financed by the Government of India. Under this category will come the National Sample Survey, the Pepper Survey, the Pilot Survey for estimating the average yield of cocoanut and arecanut farms and the Demographic unit.

The Second Five Year Plan Schemes consist of estimation of area under minor crops, survey of cultivable waste land analysis of schemes, diagnostic studies and supervision, collection of planning statistics and construction of indices of parity of prices received and prices paid by farmers.

3. On a functional basis the above items of work can be classified under the following three heads:—

- (i) Collection of Official Statistics;
- (ii) Conduct of sample surveys; and
- (iii) Collection of Planning Statistics.

We realise that the work of this department is of a technical nature and that special training and aptitudes are necessary for doing it satisfactorily. The conduct of sample surveys and the compilation of statistics would require a special agency technically trained for the purpose, but the collection and reporting of official statistics can, we believe, be got done through the normal agency of the department concerned. Thus, in regard to land utilisation the Village Officers can be required to collect and report the figures, while for Vital Statistics the agency of the Health Assistants in the Travancore-Cochin area and of the Village Officers in the Malabar area can, and should, be utilised. Similarly for reporting prices, the services of the staff of the Agricultural Department in Regulated Market Centres wherever they exist, and of the Revenue Department, where they do not, may be made use of. There may be other cases also in which the existing machinery can, with advantage, be utilised. It may be necessary, no doubt, to give the departmental hands some training and to have their work checked up periodically by the Field Staff of the Statistics Department. Such an arrangement would be more economical than employing a highly qualified and elaborately staffed machinery separately under the Statistics Department which will result in avoidable duplication of staff. We suggest that this point may be borne in mind when additional investigators are appointed, or when the existing vacancies in this category are filled up.

4. So far as compilation work is concerned, the existing practice is for primary reporting agencies to furnish the details direct to the Statistics Department, where they will be checked up and compiled by a trained staff with the help of modern mechanical devices. The figures will then be communicated to the Head of the Department concerned and finalised for publication after obtaining his concurrence. We considered whether it would not be more appropriate to vest in the Head of the Department the duty of collecting and compiling the departmental statistics and furnishing them to the Director. This procedure will no doubt have the advantage of firmly fixing on the Departmental Head the responsibility of collecting particulars about the work of his department and also of affording him an opportunity to assess and review periodically the total performance of his department as also of the performance in particular sectors or branches. This advantage will, however, be more than offset by the faulty and unscientific compilation of statistics and by the delay that will inevitably be caused on account of the lack of main-

of Departments. We, therefore, agree that the present practice of subordinate officers sending reports to the Director of Statistics may continue, but that they should send copies of the same to their departmental superiors as well to enable the latter periodically to assess and review the work done.

5. In Chapter XI of Part I of this report we have recommended the setting up of an Economic Research Unit in the Secretariat. The Director of Statistics should be organically linked up with this unit.

X SURVEY

The Board of Revenue is the Head of the Survey Department. The officer immediately in charge of the work is the Director of Survey. Under him there is a Superintendent of Survey in each district in the Travancore-Cochin area except in the newly formed districts of Ernakulam and Alleppey. There is also a Revenue Supervisor in each taluk in charge of Land Records Maintenance. For the whole of the Malabar area (three districts) there is one Inspector of Survey and Land Records with a District Surveyor in each District. There is also a Taluk Surveyor in each taluk. For Land Acquisition Work Special Surveyors are sanctioned whenever the volume of work is too much to be handled by the ordinary staff.

In addition, both in the Cochin and in the Malabar areas, there are Firka Revenue Inspectors trained in Chain Survey who also attend to maintenance of survey marks and records.

2. We understand that the maintenance of survey records in the Travancore area is somewhat unsatisfactory.

The main defects are enumerated below:—

(i) Each field has not been plotted to sketch but a number of them have been grouped together in a combined sketch, which too has not been drawn to scale.

(ii) The 'Block Sketches' have been stitched together into several volumes, but many sheets in these volumes are now missing.

(iii) As each holding is a survey field, the village map which is drawn to the scale of 16" to 1 Mile, is overcrowded with survey numbers. It has been calculated that, there is, on an average, one survey field per acre.

(iv) Only some of the topo-details are shown in the village map.

(v) As there is no plotted sketch for each survey field, area is computed with a computing scale from the village map, which will not give accurate results.

(vi) During the settlement subsequent to the last survey a number of sub-divisions were proposed and were brought to the settlement register. These sub-divisions were not, however, correctly measured or plotted in the survey records; instead, the sub-division sketches called 'Divide Sketches' were kept separate without any attempt being made to verify them or to incorporate them in Survey Records. Many of

these sketches are not now forthcoming with the result that there is no agreement between the survey and the settlement records.

(vii) A large number of post settlement changes have also been left without incorporation in the survey records. Many of these sketches, which are themselves of doubtful accuracy, are not forthcoming.

(viii) The off-set field books for many villages are not now available.

(ix) Maintenance work has been neglected.

(x) It has been estimated that not even 25 per cent of the sub-divisions in each village can be said to have recorded measurements to enable their being re-laid on ground when necessary.

(xi) 50 to 80 per cent of survey marks and Traverse Statements are missing.

(xii) The registry is not up-to-date.

3. Besides, large tracts of forest land have been under unauthorised occupation for a long time and in the absence of a proper survey of these occupations it is not possible to have an accurate idea of the extents involved. It is obviously undesirable to allow this state of things to continue. There are two courses of action open: one is to have a re-survey conducted of the entire occupied extents in the Travancore area and of the encroachments on reserves and unreserves throughout the State; and the other is to survey only the encroachments mentioned above in the whole State as also the lands in which the Government are interested so far as the Travancore area is concerned. The first is decidedly the better course, and we would have made a positive recommendation for its adoption, but for the fear that the cost would be considerable. We have no data to calculate it, but it may well be Rs. 1.5 or 2 crores. It may perhaps be possible to phase the Resurvey over a long period, say 20 years. If the Government can find the funds for it, we suggest that the matter may be examined in detail. If not, the second alternative suggested may be implemented without delay.

XI

TREASURIES

At the Head quarters of each revenue district except Ernakulam there is a district treasury with a number of sub-treasuries under it, which are usually situated at the Taluk Head quarters. A list of the district treasuries in the State and the sub-treasuries attached to each is given in the Annexure.

2. The district treasuries of Cannanore, Kozhikode and Palghat and the sub-treasuries of Tellicherry and Mattancherry are banking treasuries, while all the other district treasuries and sub-treasuries in the State are non-banking treasuries. The essential difference between the two kinds of treasuries is that banking treasuries do not accept cash from, or pay it to parties, but have their transactions in cash done through the local branches of the State Bank of India, while the non-banking treasuries directly transact business in cash across their counters. The advantages of the two systems are enumerated below:

(a) The Banking System

(i) Since the transactions in money are conducted by the Bank, the officers in charge of the treasury need not spend their time and labour in counting and sorting the notes and coins at the close of the day.

(ii) The responsibility of the officers of government in regard to the custody of cash will be reduced to a considerable extent.

(iii) The risk of receiving forged notes and counterfeit coins is less under the banking system, because, compared with the treasury staff the Bank staff, by reason of their greater experience, will be better able to detect them.

(iv) The work connected with the Reserve Bank of India payments and receipts will be attended to by the Bank without the intervention of the treasury, and, in consequence, there will be reduction of work in the treasury in the matter of issue and payment of drafts.

(v) Cheques and receipts relating to the local funds, civil and judicial deposits, Public Works Department, Post Office, etc., will be paid direct from the Bank and to the extent to which this is done, the strain on the treasury will be reduced.

(b) The Non-Banking System

In the matter of remitting moneys the public have first to appear at the treasury for getting their chalans passed and then at the Bank for making the remittance. Similarly for obtaining payments, they have to go to the treasury, get their bill passed, obtain tokens and then go to the Bank. It may happen that some bills are not passed on the same day or do not reach the Bank in time, with the result that the parties have sometimes to spend more than one day to get payment.

3. Big establishments and commercial houses having extensive banking transactions will find the banking system suitable. On the other hand, individuals will find the non-banking system more convenient. It should, however, be possible to combine the advantages of both, which can be done if the State Bank of India can be requested to open Pay Offices in the premises of the treasuries. The Government may perhaps agree to let the bank use the treasury counters and the Strong Room. We suggest that the possibility of this arrangement may be explored, and that if the State Bank is agreeable to the course suggested, it will be better to have the banking system introduced in places where the State Bank has its branches.

4. We wish to make some further suggestions for minimising the inconvenience to which the public are put in their dealings with the treasury. At present a party having to remit money to the credit of any department, for example, Sales tax or Excise revenue, has to obtain a chalan, fill it up, take it to the departmental officer and obtain his initials, present it at the sub-treasury and, in the case of the banking treasury, get it passed at the treasury, then take it to the bank and remit the money there. In cases of this type, where payments have to be made periodically by the same parties, it will make for greater convenience if blank chalans with the Heads of Accounts noted are distributed to them either independently, or along with the demand notices. Where the amount to be remitted is known, the entire chalan can be filled up for the party in the local departmental office itself. Where this is not possible, the places intended to show the amount may be left blank. Branches of the State Bank of India, where they exist, may be authorised to receive such amounts tendered; where they do not, the amounts will be received in the treasuries themselves. The payments will be made in triplicate chalans of which one copy will be given to the party and the other two sent by the bank to the treasury concerned.

with the bank scroll. The treasury can send one of the copies of the chalan to the relevant departmental officer. This will mean that for making payment, a party has to go only to one place, that is, the Bank or the treasury, and only once.

There are also cases of occasional remittances like payment of fees to the Public Service Commission. For this we recommend the extensive use of postal orders. In suitable cases like payment of fee for written or oral tests, even crossed cheques should be acceptable, because the fear of disqualification arising from any difficulty in the matter of cashing the cheques will itself act as a deterrent against any abuse of the system. The possibility of introducing Public Service Commission fee stamps or coupons is also worth examining. The need for adopting some easy method of payment of fee to the Public Service Commission is important in this State where almost all appointments are within the purview of the Commission, and large numbers of applications are generally received for all categories.

ANNEXURE

List of treasuries and sub-treasuries in the State of Kerala

1. ALLEPPEY (District)
2. Ambalapuzha
3. Chengannoor
4. Karthikapally (Haripad)
5. Kayamkulam
6. Mevelikara
7. Shertallai
8. Thiruvella
9. CANNANORE (District)
10. Hosdurg
11. Kasargod
12. Manamtoddy (Wynad)
13. Tellicherry
14. KOTTAYAM (District)
15. Changanacherry
16. Devicolum
17. Ettumanoor
18. Kottayam
19. Meenachil
20. Moovattupuzha
21. Peermade
22. Ponkunnam
23. Thodupuzha
24. Vaikom
25. KOZHIKODE (District)
26. Badagara (Kurumbranad)
27. Kozhikode (Calicut)
28. Manjeri (Ernad)
29. Tirur
30. Vayittiri
31. PALGHAT (District)
32. Alathur
33. Chittur
34. Ottappalam
35. Perinthalmanna (Walluvanad)
36. Ponnani
37. QUILON (District)
38. Karunagapally
39. Kottarakara
40. Kunnathoor (Adoor)
41. Pathanapuram (Punalur)
42. Pathanamthitta

43. Quilon
44. TRICHUR (District)
45. Alwaye
46. Chowghat
47. Cranganore
48. Ernakulam
49. Kunnathunad (Perumbavoor)
50. Mattancherry
51. Mukundapuram (Irinjalakuda)
52. Parur
53. Talapilly
54. Trichur
55. TRIVANDRUM (District)
56. Chirayinkil (Attingal)
57. Nedumangad
58. Neyyattinkara
59. Trivandrum
60. Trivandrum Additional.

XII

PROHIBITION

The Madras Prohibition Act applies to the whole of the Malabar area including Hosdurg and Kasargode taluks, the Chowghat taluk, which was originally part of Malabar but has since been included in Trichur district and the Fort Cochin Municipality of Cochin taluk, which now forms part of the Ernakulam district. The Travancore-Cochin Prohibition Act applies to the erstwhile Chittur taluk now forming part of the Palghat district, the Talappilli taluk and the Cranganore taluk (excepting a small portion) of the Trichur district, the Pathanapuram and Kottarakara taluks of the Quilon district and the whole of the Trivandrum district. Owing to the transfers of areas effected for administrative convenience, it has happened that in the same district, and even in the same taluk, there are some places where the Madras Act is in force and some places where the Travancore-Cochin Act is in force. We understand that action is being taken to effect the unification of the laws. Our examination here is confined to the agency for enforcement.

2. The enforcement of prohibition is the responsibility of the Excise Department in the Travancore-Cochin area and of the Police Department in the erstwhile Malabar area which formed part of the Madras State. Originally, the Madras Government had a separate department for enforcing prohibition, but about three years ago, it was abolished and the work was entrusted to the Police Department. The reason for this change apparently was that as the Police Department was enforcing the various other laws, it might enforce the Prohibition Act also. The view that the Police Department could do the enforcement more effectively than a separate Prohibition Department also appears to have been held. It may be remembered that the Prohibition Enquiry Committee appointed by the Government of India has also recommended that prohibition offences should be treated as on a par with other offences and

that the police should be made responsible for the legal enforcement of prohibition, all powers relating to investigation, detection, prosecution, etc., vesting with it.

3. The position here is not merely that there are two different agencies enforcing prohibition in the State as a whole, but that these two different agencies operate within the same district, and even within the same taluk. The questions for consideration are (i) whether the entrustment of prohibition should be entrusted to a single agency and (ii) if so, whether it should be the Police Department or the Excise Department. The case for having a single agency is in principle indisputable and we are in general agreement that as between the Police and the Excise the former is a more suitable agency for enforcement. The extension of that system to the Travancore-Cochin area will, however, lead to the sudden displacement of the Excise Department personnel now employed there for enforcement work. The Inspector-General of Police whom we interviewed, stated that past experience in Madras State showed that it may not be possible to absorb the Excise Department personnel in the Police Department without causing a lowering of standards and that if they cannot be provided for elsewhere, he would suggest that the change over may be gradual. We have no suitable alternative method to suggest for absorbing the Excise personnel which may be rendered surplus by a sudden or wholesale change and are therefore inclined to accept the view of the Inspector-General.

4. At present the dry areas of the State lie in two compact blocks, one in the north and the other in the south, separated by a long stretch of wet area comprising portions of the Trichur district, the Ernakulam, Alleppey and Kottayam districts and parts of the Quilon district. Enforcement is now attended, to by the police in the major part of the northern block, and by the excise in the whole of the southern block. We recommend that the whole of the northern area may be put under the Police, and that the southern area may continue to be

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under Excise. This will remove the anomaly of two different departments doing the work within the same taluk or within the same district. The question of unifying the enforcement agency for the whole State may be taken up when the problem of the displaced personnel can be satisfactorily solved.

Chairman

E. M. S. NAMBUDIRIPAD

Members

JOSEPH MUNDASSERI.

V. K. N. MENON *

P. S. NATARAJA PILLAI **

N. E. S. RAGHAVACHARI

G. PARAMESWARAN PILLAI†

Trivandrum,
Dated, 19-8-1958.

Secretary.
K. S. MENON.

* Subject to a Note on the Board of Revenue and a Joint Note with Sri P. S. Nataraja Pillai on the Education Department.

** Subject to a Joint Note with Sri V. K. N. Menon on the Education Department.

† Subject to a Note on the Health Services Department and the Co-operative Department.