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L.L.B Part- 3rd

Subject- Bihar Land Reforms Act, 1950

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Topic- Who are Commissioner & Collector? What are the Powers of a Commissioner & Collector?

Commissioner

A commissioner is, in principle, a member of a commission or an individual who has been given a commission (official charge or authority to do something).

In practice, the title of commissioner has evolved to include a variety of senior officials, often sitting on a specific commission. In particular, commissioner frequently refers to senior police or government officials. A High Commissioner is equivalent to an ambassador, originally between the United Kingdom and the Dominions and now between all Commonwealth states, whether Commonwealth realms, republics, or countries having a monarch other than that of the realms. The title is sometimes given to senior officials in the private sector; for instance, many North American sports leagues.

There is some confusion between commissioners and commissaries, because other European languages use the same word for both. Therefore titles such as commissaire in French, Kommissar in German and comisario in Spanish or commissario in Italian, can mean either commissioner or commissary in English, depending on the context.

Collector

A Collector, is an officer who is in-charge of a district, the basic unit of administration, in India. They are also known as District Collector or Deputy Commissioner in several Indian states. In general parlance, he is referred to by the abbreviation DM or DC

India has approximately 718 districts. Each one of them is headed by a DM.^[1] He or she is assisted by a number of officers at the headquarters as well as in the lower levels of administration like subdivisions, tehsils and blocks. These posts, often called Deputy Collectors, belong to the State Provincial Service whereas the DM is almost always a member of the Indian Administrative Service, recruited by the Union Public Service Commission.

Powers of a Commissioner

While the powers and roles of a commissioner vary from state to state they generally involve-

- Act as appellate authority on decisions of various departments of the division.
- Conducts inquiry reports against all state government employees posted in district and division for state government.
- Control over revenue administrations in the division and holds revenue courts.
- Ensure proper and effective coordination among the various organizations of the government and public.
- Supervise, guide and control the various offices in the division.
- Coordination and supervision of the all the departments of the division.
- Hearing public grievances and its redressal.
- Control over local government and administers the oath of elected functionaries like mayor, zila panchayat chairperson etc. in many states.
- Financial control over the preparation of budget on development authorities, urban and rural local bodies and other departments in many states.
- Writing of annual confidential reports of most of the officers who are head of a department in divisional or district level.
- The approval of divisional commissioner is required for the grant of certain types of licenses for the firearms and extending & granting paroles for various convicts.
- Acts as electoral roll observer and accessibility observer during parliamentary and state assembly elections.
- Acts as electoral registration officer for graduates', teachers' and local authorities' constituencies of the state legislative council.
- Acts as the appointing authority for naib tehsildars.
- Transfers revenue officers of tehsildars and below level within the division.

Powers of a Collector

A collector, the Chief Representative of the district has some roles and powers. The functions performed by him may be classified into regulatory functions and developmental functions.

Regulatory Functions:

- One of the main functions that a collector perform is maintenance of law and order. He is in charge of the law and order of the district and performs this duty with the assistance of Deputy Superintendent of Police.
- He plays a pivotal role in assessing the lands in a district for the purpose of collecting land revenue. He also performs magisterial responsibilities as he has the powers of a first class Magistrate.

Developmental Functions:

- The Collector directs and supervises the execution of developmental plans.
- He ensures that the schemes reach the targets in right time and coordinates the proper execution of developmental schemes by removing difficulties.
- He also makes sure there is no corruption.

Generic Functions including regulatory and developmental aspects:

Public Security, Law and Order and Preventive Action

- He takes preventive action to ensure public peace and tranquillity by way of making preventive arrests under CrPC and for National Security.
- He also imposes restrictions on unlawful assemblies by way of curfew that restricts free movement.

Revenue Functions:

- The District Collector is the custodian of all lands in the district and collection of revenue function is primary to his role.
- Being the head of Revenue Administration he has the authority to collect the land revenue, government dues, maintain land records, implement measures for reformation of land, collect rural statistics.
- He has the powers to pay rehabilitation grant, manage government estates and pay compensation for the people affected by Zamindari Abolition.

The End