



सत्यमेव जयते

GOVERNMENT OF ORISSA

REVENUE DEPARTMENT

REPORT

OF THE

ADMINISTRATION ENQUIRY COMMITTEE

1958

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ANNEXURE 'A'

(PARA 8)

Questionnaire on the working of the Orissa Estates Abolition Act, 1951

SECTION 'A'

(For Collectors and S.D.Os only)

1. (a) How many Anchals have been formed in your district, subdivision under section 14 (2) of the Orissa Estates Abolition Act, 1951 for the management of estates vested in the State Government ?
(b) On what basis have these Zamindari Anchals been formed ? Do you consider the size and composition of the Anchals suitable ? If not, what comments have you to offer ?
2. Apart from the functions and duties imposed under statute, does the Anchal Adhikari discharge any other functions ? If so, please indicate the functions so discharged.
3. In the interest of efficiency, co-ordination and economy would you favour the management of estates being merged in the normal revenue administration or would you retain the present administrative set up of Anchal Adhikaris ? Please state reasons for your answer, and in the latter case, please indicate if you would suggest any modification in the present pattern.
4. What is the arrangement in the district for supervising the work of the Anchal Adhikaris ? If the function of supervision at the district level has been apportioned between the Collector and the Additional District Magistrate please indicate the manner of apportionment.
5. To what extent does the S. D. O. supervise the work of Anchal Adhikaris ? Please enumerate his functions in the administration of the Anchals.

6. (a) What types of development works are undertaken in the Anchals from the Anchal Fund ?
- (b) What machinery is employed for the supervision of the execution of these works ? Is it adequate and satisfactory ?
- (c) What is the relationship between an Anchal Adhikari and a Block Development Officer when both operate in the same area ?
7. What opinion do you hold of the standard of work of the subordinate staff of the Anchal Adhikaris ? Is there sufficient supervision of their work ? If so, by whom and in what manner ?
8. What staff is employed in the district for working out the compensations and what has been the performance of the staff so far ? Do you consider the progress of the work satisfactory ? If not, what are your suggestions for improvement ?
9. Please give a brief but clear account of the administration of the Anchals in your district with particular reference to :—
- (i) maintenance of records and registers ;
 - (ii) management of schools, dispensaries and religious institutions, if any ;
 - (iii) payment of compensation or interim compensation to ex-intermediaries ;
 - (iv) Anchal Fund ; and
 - (v) collection of rents and other miscellaneous demands.
10. What is the pattern of staff in the Anchals for collection of rents and other demands ? Do you consider the staff adequate and suitable ?
11. In the event of the Orissa Anchal Sasan Act being implemented in your district what do you consider should be the staff for each Anchal for collection of land revenue, rents

and cesses and for management of land records ? (For the purpose of this question you may presume the size of the Anchals to be the same as recommended by you to the Anchal Delimitation Committee).

12. Should any Grama Panchayat in your district offer to undertake collection of land revenue, rent and cess of the local area what according to you should be the pattern of staff in the Grama Panchayat for this purpose ?

SECTION 'B'

(For Anchal Adhikaris only)

13. Please indicate the various duties that are performed by you in your capacity as Anchal Adhikari. Are you also required to shoulder any other responsibility ? If so, please state particulars.
14. What are your establishments in the office and in the field ? What duties have been assigned to the field staff and how would you assess the work load of each employee ?
15. Are you in possession of all accounts, records and other documents and papers as are necessary for the administration and management of your Anchal ? If not, what accounts, records or documents are lacking and what steps are being taken to compile them ?
16. In the event of your office not being in possession of the up-to-date accounts, records etc., when do you expect to be up-to-date ?
17. Is it possible with the help of papers now available with you to prepare villagewise demands of rents etc. ? If not, please explain the difficulties and if possible, please state what time you would take to prepare villagewise records.
18. What is the total annual demand of rents, cess and other miscellaneous dues of your Anchal and what has been the

- progress of collection each year since the year of vesting in respect of current and arrear demands ? Do you have any special difficulties ?
19. Was there any suit or any writ by any intermediary against the State Government so far as your Anchal is concerned ? If so, please indicate the nature of the complaint and the results if known.
 20. Do you consider the present size of your Anchal manageable with the staff you possess ? If not, what are your comments ?
 21. What charitable, religious, social, cultural, educational or other institutions have you inherited from the ex-intermediaries ? Please state briefly how these are managed.
 22. What are the sources of revenue in your Anchal ? Has there been any expansion of the sources since the estates vested in Government ?
 23. What measures do you take for collection of arrears ? Please give an idea of the arrears to be collected and the measures taken. Are you satisfied that the measures have been effective ? What is the number of cases under Land Revenue Recovery Acts or Public Demands Recovery Act or similar laws ?
 24. What is the number of mutation and land settlement cases filed in each year and how many of them disposed of and how many are pending ?
 25. What amount has been allotted for various improvement and development works in each Anchal year after year, and the amount actually spent and balance kept out-standing at the close of the year ?
 26. Is any budget prepared for each Anchal ? What is the total income and expenditure on various heads each year since the formation of the Anchal ?
 27. What suggestions would you make to improve the administration of Anchals in the light of your experience ?
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Questionnaire on the Orissa Tenants relief Act

(To be answered by all Collectors, Subdivisional Officers,
Taluk Officers and Anchal Adhikaris).

1. Almost all the provisions of the Orissa Tenants Relief Act of 1955 are based on similar provisions made in the earlier Act, viz., the Orissa Tenants Protection Act of 1948. The principles of both the Acts are almost the same and so also the main object.

The Act of 1948 was in operation for about 7 years when the new Act came into force in 1955. Give a general account on the working of the Act and the extent to which benefits sought to be conferred on tenants were availed. What special problems arose out of it ?

2. To what extent the main object of the Act, namely, protection of *Bhag-tenants* from eviction has been successfully effected ? How many Cases against such illegal eviction were instituted annually since 1948 & with what result ? Give the figures for each year.
3. What in the average percentage of holdings usually cultivated by Bhag tenants in a village ? What is the average number of holdings in a village ? Give the information as far as available readily. If the information is not so available, what is the general impression about the proportion of areas cultivated by Bhag tenants to the total cultivated area in your locality ?
4. Prior to the introduction of the 1948 Act the Bhag tenants used to pay 50% of the gross produce i. e. (Dhuli Bhag) as rent to their landlords. The Act of 1948 reduced the maximum rent to 2/5th of the gross produce and that of 1955 reduced it still further to 1/4th of the gross produce. To what extent these objects have been carried out ?

5. How many cases, if any, were instituted for realisation of rent in excess of the statutory limitations, and with what result ?
6. It is often said that the provisions of these Acts both in respect of protection from eviction and fixing of maximum rent are observed more in breach ? How far there is truth in such allegations ? If the allegations are substantially correct, what is the reason for such non-compliance ? What measures would you propose to secure compliance with the intention of Legislature ?
7. To what extent the legislative measure has been effective :—
 - (i) in inducing the concerned parties for effecting improvements on the land ?
 - (ii) in influencing the valuation of agricultural holdings ?
 - (iii) in ensuring the security of the tenure of the Bhag Chasis (Bhag cultivating tenants) ?
8. (a) What is the number of cases instituted under each of the classes of Section 7 of the Act, 1948 and corresponding Section 9 of the act 1955 ? What was the result of these proceedings with average duration of the proceeding of each ? Annual figures should be given.
- (b) How many of these proceedings were heard in camp courts ? Was it effective ? Were special Courts appointed for disposal of such cases ? What extra cost was incurred by Government ?
9. What is the number of cases instituted under Section 14 of the Act and with what result ?
10. Please state the number of cases instituted under Section 9 separately of the categories (a), (b), (c), (d), and (e) and the results thereof.
11. How many cases out of those referred to in question No. 2 above were disposed of by Grama Panchayats and Adalati Panchayats ?

12. Was sufficient interest evinced by parties in instituting cases before the Grama Panchayats and Adalati Panchayats and were the Panchayats popular in this matter ?
 13. Please indicate the results in appeal of the cases referred to in question No. 2 above.
 14. How many cases were instituted for restoration of possession to the tenants under Section 12 (1) and with what results ?
 15. Was there any need for extra officers or staff to deal with the increase in work due to implementation of Orissa Tenants Relief Act ? If so, please indicate the size of such extra establishment. Do you suggest any strengthening of your present establishment to deal adequately with the problems arising out of implementation of the Act ?
 16. What has been the effect of the Orissa Tenants Relief Act on the criminal administration, e. g., the number of police cases and recourse to the preventive measures as provided in the Code of Criminal Procedure. Please furnish statistical information, if readily available.
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Questionnaire on the Orissa Grama Panchayats Act, 1948.

*(To be answered individually by Collectors, Sub divisional
Officers and Taluk Officers).*

Constitution of Grama Sabhas

1. Please indicate the names of Grama Panchayats and the number of villages and population of each local area in your district/ Subdivision/ Taluk.
2. Do you consider the size of any local area inconvenient for administrative purposes ? If so, what recommendations would you make for altering the size having due regard to the overall convenience and financial viability ?
3. (a) Are there any villages in your jurisdiction which have not yet been covered by Grama Panchayats ? If so, how many villages and when do you expect to cover them ?
(b) Is there any criteria on fulfilment of which the Grama Panchayat system is being extended ? If so, what are these ? If not, what in your view should be the principle or criterion applied in the interest of better management ? Should not the obligatory powers devolve gradually on the Grama Panchayats after obtaining some experience of actual working by the Panchayats ?
4. Under Section 1 (3), the remaining provision of the Act may be brought into operation in whole or in part. Is there any divergence in the structure and allocation of functions to the several Grama Sabha units in your area; if so, please mention the important items of divergence in each case.

Elections

5. What machinery is employed to prepare the register of population and what checks are applied to ensure that these are correctly prepared ?

6. In how many cases were the elections contested when the elections were last held and in how many cases were the elections uncontested ?
7. (a) Was there any case of writ being filed before the High Court in respect of any of the Elections ? If so, please state briefly the nature of the allegations and the results, if known.
- (b) What class of people are generally being elected to the Grama Panchayats; are they all sufficiently literate and enlightened to conduct the affairs of the Panchayat ? If so, what proportion of them are so enlightened ?
8. Would you recommend preferential treatment being shown in the matter of entrustment of responsibility to such of the Panchayats as have a majority of uncontested members ?

Sarpanches.

9. Do the Sarpanches generally evince sufficient interest in their work and tactfully handle the Panches and the public ?
10. Do the Government officers maintain contact with them during tours and guide them in matters in which they require guidance ? Has any officer attended a meeting of the Grama Panchayat ? Do the Officers intimate the Panchayat about their programme of visits ?
11. Section 20 of the Grama Panchayats Act while requiring the Sarpanch to give effect to the decisions of the Grama Panchayats also enables him to refer the matter to the Subdivisional Officer if any decision of the Grama Panchayat appears to him to be open to objection. Has there been any instance in which a reference was made to the Sub-divisional Magistrate by a Sarpanch ?

Functions.

12. Please give your personal appreciation of the working of Panchayats in your area in respect of the following subjects :—

- (a) construction, repair, maintenance, cleansing and lighting of public streets

- (b) sanitation, conservancy and allotment of places for storing manure ;
- (c) registering births, deaths and marriages ;
- (d) removal of encroachments on public streets, public places and property vested in Grama Panchayats ;
- (e) primary schools for boys and girls ;
- (f) establishment, management and care of common grazing grounds ;
- (g) construction, repair and maintenance of public wells, tanks and ponds for supply of water for drinking, washing and bathing purposes ;
- (h) construction and maintenance of roads, culverts, bridges etc., and
- (i) supervision and maintenance of village boundary marks.

13. In particular, do you consider the Grama Panchayats reasonably effective in dealing with removal of encroachments on public streets and public places ? What machinery does the Panchayat employ in dealing with encroachments and what procedure is adopted ?
14. Please indicate which of the discretionery functions enumerated in Section 22 of the Act are discharged by any of the Grama Panchayats in your jurisdiction and what are your comments on their working ?
15. Does any Grama Sabha maintain or has any Grama Sabha established any primary or basic school ? If so, please state particulars and indicate in each case the cost of maintenance and how the cost is met (Section 25).
16. Does any Grama Sabha maintain or has any Grama Sabha established any allopathic, ayurvedic, unani or homeopathic hospital or dispensary ? If so, please state particulars and indicate in each case the cost of maintenance and how the cost is met. (Section 25).

17. Has any Grama Panchayat entered into any contract with Government to collect any dues or taxes payable to Government? If so, on what remuneration and what has been the performance? (Section 31).
18. The Panchayat is required to register births, deaths and marriages. How is the provision worked and what steps are taken to ensure such registration? Do the people voluntarily register births and deaths? If not, do you advocate introduction of any compulsory measure?

Staff

19. (a) What is the general pattern of staff employed by Grama Panchayats and what are the duties assigned to each member of the staff?
- (b) Do you consider this pattern suitable and adequate? Give reasons for your answer.
- (c) What salary or remuneration is given to the staff? Is it reasonably satisfactory having regard to the nature and quantum of work handled by each and the general conditions obtaining in the locality?
- (d) (i) In the event of Grama Panchayats being entrusted with the collection of land revenue, rents and cesses of their respective areas and maintenance of necessary records what extra staff, if any, you would recommend?
- (ii) Should there be the cost of this staff?
- (iii) Should there be a uniform pattern of staff for this purpose or should the size of the staff vary according to the amounts to be collected? In the latter case, please indicate the variations for collections upto Rs. 5,000/-, upto Rs. 10,000/-, upto Rs. 20,000/-, upto Rs. 35,000/-.
- (e) How have the Panchayats exercised their power in the matter of appointment, removal, discharge or dismissal of their employees? (Section 32)
- (f) Is there any standard scale of pay for members of the staff having similar or equal responsibilities in the

several Grama Panchayats in your area? Do you support uniformity of pay and conditions of service for each class of servants in the Panchayats or would you leave the option to each Panchayat Unit to determine this?

20. Is the staff employed under Grama Panchayats being regularly paid? If not, why not? What is the percentage of Panchayats who do not pay their staff regularly?
21. Is the financial condition of all the Panchayats fairly sound? If not, please state the reasons. What is the proportion of such Panchayats?
22. Has any defalcation of funds by Panches or the staff entertained came to notice since commencement of their working? If so, what actions were taken?

Taxation

23. (a) Section 44 of the Orissa Grama Panchayats Act enjoins that a Grama Panchayat shall impose upon the owner of immovable property and occupier of any building within its local area a tax according to the circumstances and the property of such owner and occupier.

Are you of the opinion that the Grama Panchayats in your jurisdiction have made full use of this power? What has been the general reaction of the tax-payers to the imposition of these taxes and what has been the extent of response?

- (b) Which of the taxes, tolls, fees and rates specified in subsection 2 of Section 44 of the Orissa Grama Panchayats Act have been imposed by the Grama Panchayats in your jurisdiction and with what results?
24. Has any Grama Panchayat imposed a labour tax in its local area as provided in Section 45 of the Act? If so, how has this tax been generally paid,—in cash or by rendering labour? Please mention names of Panchayats where this

form of tax has been levied with your appreciation of the results.

Accounts Audit etc.

25. Are the accounts of receipts and disbursements from the Grama Fund maintained by Grama Panchayats audited at regular intervals ? Please indicate the present arrangements in this regard and state whether you consider this satisfactory and sufficient and if not, why not ?
26. Do the Panchayats submit their budgets to the District Magistrates on due dates ? What comments would you generally offer on the manner of preparation of the budgets by the Panchayats ?

Panchayat Police

27. (a) How many Panchayats have the Panchayat Police as envisaged in Chapter VI of the Grama Panchayats Act ?
- (b) Have the Daffadars and Choukidars adapted themselves to the control of the Grama Panchayats properly ? If not, why not ?
- (c) Do the Panchayats pay the salaries of the Daffadars and choukidars regularly ? If not, state reasons.
- (d) Do the Daffadars and choukidars attend police station regularly and convey information about crimes etc., and assist the Police in the control of crime ?
- (e) In areas where the Daffadari and Choukidari system does not prevail what set up is there for carrying on the village police work ? How has the scheme worked, where the village officers have been fitted into Panchayati Police ?
- (f) What is the general reaction of the Daffadars and Chowkidars to their transfer from the control of the Police Department to that of the Grama Panchayats ?
- (g) Have you any suggestions to make in regard to the Panchayat Police establishment keeping in mind the need for this establishment being directly controlled by the Grama

Panchayats and yet assisting the Police to the extent required in the maintenance of law and order? Have you any improved machinery to suggest or improvement in the changed set up?

Adalati Panchayats.

28. (a) Is your district/ subdivision/ taluk fully covered by Adalati Panchayats? If not, do you recommend the establishment of Adalati Panchayats in areas not so covered?
- (b) Have you any comments to make on the territorial Jurisdiction of the Adalati Panchayats as now existing?
- (c) What opinion do you hold of the standard of administration of justice by these Adalati Panchayats? Have they generally been able to inspire confidence of the public? If the answer is in the negative, what suggestions would you make to improve matters?
29. Do the Grama Panchayats and the Adalati panchayats submit Annual Administration Reports as prescribed? If not, what steps are taken to ensure regular submission of this report?

Miscellaneous

30. What is the present arrangement for supervision of the working of Grama Panchayats and Adalati Panchayats in your district/subdivision/Taluk/? Is this supervision adequate? What suggestions would you make to step up efficiency in supervision?
31. What opinion do you hold of the ability of the Grama Panchayats in :—
- (a) executing small development projects,
 - (b) maintaining educational institutions,
 - (c) maintaining dispensaries,
 - (d) collecting public demands, and
 - (e) taking responsibility.

32. Do you recommend the appointment of all Grama Panchayats as agents of Government for collection of land revenue, rents and cesses or would you in the initial stages like to select only a few for this purpose ? In the latter case, what should be the criteria for such selection and what percentage of the amounts collected would be a fair remuneration for the responsibility undertaken ? Incidentally, what checks would you recommend to ensure that efficiency does not suffer or that there is no misappropriation ?
33. Please give a general appreciation of the grants received from Government during the last financial year for expenditure by Grama Panchayats and the manner in which the grants have been utilised.
34. What kind of loans have been taken by the Grama Panchayats in your area during the last three financial years and how have the loans been utilised ? Are the loans repaid according to terms ?
35. Where there are National Extension Service Blocks how have the Panchayats identified themselves with the rural extension work ? Have the village level workers maintained cordial relationship with the Panchayats and is there evidence of harmonious working ?
36. How have the different departments made use of the Panchayats at the execution level in the implementation of their programme ?
37. Do the Panchayats realise their responsibility in the working out of the Five Year Plan in respect of their local areas ? What steps have been taken to educate them in this direction ?
38. Do you encourage conferences and seminars of the Panchayats to discuss their problems and evolve solutions ?
39. What suggestions would you make to ensure that Panchayats efficiently play the role assigned to them in the pattern of decentralised administration and what measures would you

recommend to achieve co-ordination of functions and avoidance of overlaps at the Panchayat level with reference to execution of schemes of different departments ?

40. In respect of agency areas and areas inhabited by backward tribes do you recommend the normal pattern of Panchayat administration or have you any modifications to suggest ?
41. Do you think village Panchayats can be safely entrusted with the checks and supervisions required under the Orissa Agricultural Act, 1951 ?
42. Is there any marked difference in the constitution and working of the Village Panchayats in the areas under different revenue systems ? If so, what are these ?
43. Has advantage been taken of the old village Panchayats in the district of Sambalpur in constitution of the Panchayats under the present system ?
44. Are you satisfied that the Panches in general are alive to their responsibilities and on the whole function fairly well ? If not, in what percentages of Panchayats the work is fairly satisfactory ? What improvements have generally been made by them ? What are the reasons for defective working and what remedies you suggest for improvement ?
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Questionnaire

(To be answered by all Grama Panchayats and Adalati Panchayats).

SECTION 'A'

(GRAMA PANCHAYATS)

1. Do you possess a register of population ward by ward in respect of your area ? when was it last revised ?
2. Do you consider the size of your present jurisdiction fairly manageable ?
3. How many meetings did you hold since the constitution of your Gram panchayat ? (please state year by year).
4. How many general and half-yearly general meetings of the Grama Sabha were held since the introduction of Grama Panchayat in your area ? (Please state year by year).
5. Please indicate in respect of the financial year 1955-56 your income from different sources and your expenditure on different heads.
6. What staff do you possess and what salary or remuneration you pay to each member of the staff ? Do you make payments regularly every month ?
7. What was your total demand on account of taxes, fees, tolls, etc. levied by you and what was the collection during the year 1955-56 ? Please state reasons if the collection was not cent percent.
8. What machinery do you employ for collection of your dues ? Is this machinery effective ? If not, what suggestions would you make to improve matters ?
9. Are you of the opinion that your staff is fully employed ? If not, how do you propose employing them fully ?

10. (a) If you are entrusted with collection of land revenue, rents and cesses and maintenance of necessary records for the purpose in respect of your area, what extra staff, if any, would you require ? Please indicate details of the cost of the staff.
- (b) Do you feel confident that you will be able to discharge this responsibility satisfactorily ? Please state reasons for your answer.
11. Do you think you have exhausted your powers of taxation ? If not, why do you not make fuller use of the powers conferred on you by the Orissa Grama Panchayats Act ?
12. Do you maintain any schools or dispensaries ? If so what arrangements have you made for proper supervision of these institutions ?
13. Do you pay the staff employed in these institutions regularly ? If not, what are the difficulties ?
14. Are your records audited from time to time ? If so, by whom and how often during a year ?
15. What is the qualification of your Secretary ? Is he a whole time or part-time servant ? Do you consider him sufficiently able to manage your affairs ? Having regard to your increase in responsibilities do you recommend any change in your Secretaryship ? If so, what standard would you set for the appointment of your Secretary ?
16. Do you have sufficient stock of forms and registers required by your office ?
17. (a) What development works have you undertaken so far in your area and what cost ?
- (b) What arrangements do you make for supervision of these works at the stage of execution ?
- (c) Do you get cooperation of the villagers in the execution of these projects ? If so, in what form ?

18. Have you imposed any labour tax in your area ? If so, with what results ?
19. Are you satisfied that the daffadars, choukidars and similar village police under you are doing their job properly ? If not what measures do you recommend for effective control ?
20. Do you get reasonable assistance and guidance from the Government servants in the discharge of your responsibilities ? If not, what are your suggestions which, if accepted, would remove your difficulties ?
21. Are the existing resources of your Panchayat adequate for the performance of duties assigned to you ? If not, how do you propose to augment your resources ?
22. What is your share from cess receipts ? Do you get your share regularly ?
23. Have you submitted your Annual Report regularly ? When was the report for the last financial year submitted ?

SECTION 'B'

(Adalati Panchayats)

1. How many sittings did you have since the establishment of the Adalati Panchayat ? (State year by year).
2. Please furnish the following information up to the end of 1954-55 :—

No. of suits or cases filed during 1955-56.	No. pending from the preceding year.	No. transferred by S.D.Ms. during 1955-56.	Total No. during 1955-56.
1	2	3	4

Civil Suits

Criminal Cases

No. disposed of during 1955-56.	No. pending at the close of 1955-56
5	6

Civil Suits

Criminal Cases

3. Do you receive sufficient guidance for efficient discharge of your responsibilities from Government servants? If so, from whom?
 4. Out of the suits and cases filed before you so far how many have been disposed of by compromise?
 5. Do you come across any difficulties in the service of notices and summons?
 6. Do you possess a seal?
 7. Do you get applications for copies of records maintained by you? If so, who prepares the copies and what has been the receipt so far on this account to the Panchayat Fund?
 8. Was there any occasion to arrest an accused and send him in custody of the Panchayat Police to the nearest Police Station under rule 205 of the Grama Panchayat Rules? Please state the number of such instances.
 9. State the total number of criminal cases and civil suits disposed of by you up to the end of 1955-56 and the total number in which the orders were modified or cancelled by the Subdivisional Magistrate or the Munsif.
 10. Have you been specially empowered to take cognizance of cases under sections 369, 411 and 526 of the Indian Penal Code? If so, how many cases under these sections have you dealt with so far?
 11. Please indicate generally your difficulties, if any, in the smooth working of your Adalati Panchayat.
 12. Have you submitted your Annual Administration Reports regularly? When was the Report for the last financial year submitted?
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Questionnaire of the Administration Enquiry Committee

(For Non-officials)

In resolution No. 2755 A.S. recorded in the Revenue Department on the 12th November 1956, Government have appointed a Committee to examine the adequacy or otherwise of the present administrative set up which had come down from the past and was not designed to deal with the implementation of the several legislative measures enacted in the recent past. The Committee has been requested to advise whether in order to give effect to the measures contemplated in the legislations enacted the present administrative machinery would need modification or strengthening in any respect. It has also been requested to examine what co-ordination is necessary between the different legislative measures towards land reforms and devolution of responsibility and to this purpose what co-ordination is required between different revenue systems obtaining in the State. In recent years the Government of Orissa have passed a number of laws leading to land reforms, devolution of functions to smaller democratic institutions, control of agriculture, etc. The important laws relative to these reforms are:

1. The Orissa Estates Abolition Act, 1951 (Act. I of 1952)—

This Act makes provision for the abolition of all intermediary interests between the raiyat and the State, and to order vesting of all such estates (including intermediary rights), in the State Government on payment of compensation. It also provides for the machinery to determine the claims and for payment of compensation to persons entitled thereto or their legal representatives in annual equated instalments within a specified number of years. On the vesting of the estates with the State Government, the Act provides for the constitution of local authorities to be called Anchal Sasans for the purpose of management of such estates. The Anchal Sasan so constituted would consist of (1) Anchal Sabha and (2) Anchal Adhikari. During the transitional period until definite provision is made by the State Legislature for defining the powers, duties, and

functions of the Anchal Sasan, the Anchal Adhikari who is ordinarily a Government Officer, would function as Anchal Sasan and manage the estates in the Anchal. The Anchal Adhikari would manage the estates and also the Anchal Fund subject to the control of the Government and the Board of Revenue.

2. The Grama Panchayat Act, 1948 (Act XV of 1948)—

This Act aims at establishing and developing Local Self-Government in the village communities of Orissa and at making better provision for their administration. Some of the functions allotted to the Grama Panchayats were of an obligatory nature such as sanitation, medical relief, spread of education through Primary Schools, construction and maintenance of public streets and roads, etc. The Panchayats also are to maintain the Village Police and these can also contract with Government for collection of taxes and other dues payable to the Government, and may also contract for the collection of rent on commissions at a prescribed percentage. The Panchayat is constituted by election and the Executive Officers of the Grama Panchayats are the Sarpanches and the Naib-Sarpanches. Under the Intensive Panchayat Scheme, Panchayats are being formed with a population of ordinarily 5,000 to 7,000 as may be suitable for administrative convenience with an anticipated minimum annual income of Rs. 2,500. The Panchayat area is to be divided into a number of election wards not less than 11 and not more than 25. Each Grama Panchayat has also to maintain a Secretary to assist the Executive Officers in the running of day-to-day administration of the Panchayat.

3. The Orissa Anchal Sasan Act, 1955 (Act No. IV of 1956)-

As envisaged in Section 14 of the Orissa Estates Abolition Act, 1951, the Anchal Sasan Act was passed to provide for the constitution of Anchal and Anchal Sasan and defining its powers, duties, and functions. Each district would be divided into a convenient number of Anchals with groups of village Panchayats excluding specified large Municipal areas. For every Anchal Sasan there will be a Anchal Sabha consisting of members duly elected from electoral circles and members co-opted in the prescribed manner for special

representation of women, scheduled castes and schedule tribes. The executive power of Anchal Sabha will rest with an Anchal Executive Officer appointed by the State Government. The Anchal cadre will also have officers as experts for engineering, health, agricultural, veterinary and educational work within the Anchal. This cadre will be under the administrative and disciplinary control of the Anchal Service Board constituted of three persons, viz., Secretary to the Government (Anchal Sasan Department) as *ex officio* Chairman, Chairman of an Anchal Sabha elected for the purpose, and a non-official member nominated by the State Government. The Anchal Sabha shall form committees for education, public health, and for agricultural development and the non official members will be elected thereto by members of the Anchal Sabha from amongst themselves or other qualified persons resident in the Anchal. The Anchal Sabha may also appoint special Committees for special purposes of enquiring into and for report on any matter within the purview of the Anchal Sabha. There may also be Joint Committees in which two or more local authorities may be interested. The Act provides for the powers and duties of the Anchal Executive Officer who is to implement the resolutions of the Anchal Sabha and perform all the duties and exercise all the powers and functions imposed under the Act subject to the control of the Anchal Sabha. There will be an Anchal Fund constituted with income from—

- (a) proceeds of taxes, revenue, fees imposed under the Act,
- (b) grants in-aid from the Government,
- (c) sums received from Government for performance of Agency functions and other sums legally received, and interests, loans and securities. etc.

One of the most important functions and duties of the Anchal Sabha would be their right to collect rents and cesses. Thus the land revenue and cesses which the Government were obtaining will be decentralised in favour of the Anchal Sasan and where the Grama Panchayats would undertake collections of revenue and cesses they would do so on behalf of the Anchal Sabha on certain commission basis. When a Grama Panchayat undertakes collections of rents

and cesses all Sarbarakars, Gauntias, village Munsifs, Karanams, and all other classes of village officers, servants or headman, whatever name designated, who were functioning as agents or servants for collection of land revenue, rents, and cesses by or on behalf of the State, shall cease to hold such office. The Act provides for realisation of arrears of land revenue by distraint apart from other means legally open for recovery of rents and cesses. The communal land, wasteland, pasture lands, village forests, and local water sources would ordinarily vest in the Grama Panchayats or in the option of Government, be transferred to the Anchal Sabha instead to Grama Panchayat. Such properties as vested in either the Grama Panchayat or the Anchal Sabha shall be administered by the respective local authority. The Anchal Sasan or the Grama Panchayat will be responsible for the maintenance of rental and other relevant papers. There would be powers of supervision by the Collector subject to the direction of the State Government. The State Government will have power to supersede an Anchal Sabha which persistently makes default in the performance of the duties imposed in the Act. There shall be a Pooled Fund under the control of Government constituted by recovery of such sum as fixed by Government from each Anchal Sasan. This Fund is more or less to equalise assessment of revenue in respect of the less advanced areas.

4. The Orissa Tenants' Relief Act (Act I of 1955)—The provisions of this Act are based on some provisions made in the earlier Act, viz., the Orissa Tenants' Protection Act of 1948. The latter Act was in operation for about seven years before the new Act came into force in 1955. Prior to the introduction of 1948 Act, the Bhag tenants used to pay 50 per cent of the gross produce to their landlord. The Act of 1948 reduced the maximum rent to $\frac{2}{5}$ th of the gross produce and that of 1955 reduced it still further to $\frac{1}{4}$ th of the gross produce subject to a maximum quantum for each acre of different classes of land. Subject to the payment of the quantum of produce fixed statutorily, the Bhag tenants were protected from eviction.

The Committee have issued sets of questionnaire to the officials different levels making enquiries in regard to the implementation of

the measures of above land reforms and have also made enquiries into adequacy or otherwise of the present administrative set up. The committee will appreciate opinion in general of representatives of the public in regard to the implementation of the measures of reforms introduced, the handicaps experienced and will be glad to have any general comments as to how the reform can be implemented effectively and the machinery which would be appropriate to it.

Orissa Estates Abolition Act

Questionnaire

1. What are the general impressions on the working of this Act ?
2. Section 38 of the Act provides for payment of interim compensation. Is this paid expeditiously ?
 - (a) Is the procedure leading to the determination of compensation suitable ?
 - (b) Is the assessment roll prepared expeditiously ?
 - (c) Have you any suggestions to improve the process adopted in making the assessment ?
 - (d) When the compensation has been determined is the payment made regularly ?
 - (e) Has any difficulty arisen in the implementation of the provisions of the Act ?
3. (a) In Section 14 of the Act it is provided that during the interim period until the Anchal Sasan is constituted, the Anchal Adhikari shall function as Anchal Sasan. How is this function exercised ?
 - (b) Have the local people experienced any difficulties or have suffered in any manner by the wide powers vested in the Anchal Adhikari during the interim period ?
4. Please give your views generally of the administration by Anchal Adhikari in the interim period of :—
 - (a) Management of schools, dispensaries, religious institutions, if any ;
 - (b) Collection of rents and other miscellaneous demands.
5. In the interest of efficiency, co-ordination and economy would you favour the management of estates being merged in the normal revenue administration or would you retain the present administrative set-up of Anchal Adhikaries ?

Please state reasons for your answer, and in the latter case, indicate if you would suggest any modification in the present pattern.

6. (a) What types of development works are undertaken in the Anchals from the Anchal Fund ?
- (b) What machinery is employed for the supervision of the execution of these works ? Is it adequate and satisfactory ?
7. What suggestions would you make to improve the administration of Anchals in the interim period before the Anchal Sasan is introduced ?

The Grama Panchayat Act, 1948

Questionnaire

1. (a) Do you agree to the scheme of establishment of Grama Panchayats universally throughout Orissa ?
- (b) If not, what in your view would be a progressive approach in the formation of local Government at the village level ?
- (c) What in your view would be the principle or criteria on fulfilment of which the Grama Panchayat system should be extended ?
- (d) What class of people are generally elected to the Grama Panchayats ; are they all sufficiently literate and enlightened to conduct the affairs of the Panchayat ? If so, what proportion of them are so enlightened ?
- (e) Would you recommend preferential treatment being shown in the matter of entrustment of responsibility to such of the Panchayats as have a majority of uncontested members ?
2. (a) Have you any comments or suggestions on the elective system introduced in connection with the Grama Panchayat ?
- (b) What are the defects noticed, and what improvements would you suggest to remedy the defects, if any ?

- (c) Are you satisfied in the way the register of population and adults are prepared? If not, what arrangements would you suggest to ensure the preparation of a correct register?
3. The size of the Grama Panchayat was restricted to a population of 1,000, to 1,500, but lately it has been expanded to include a population varying from 5,000 to 7,000.
- (a) What in your view should be the size of the Panchayat in your locality?
- (b) What conditions would you consider in delimiting the size of a Grama Panchayat?
4. In the Amendment Act of 1956 there has been provision for formation of Palli Sabha for every village consisting of all adults in the village and there may be more than one Palli Sabha in a village where the population exceeds 1,000.
- (a) What should be criteria in the formation of more than one Palli Sabha in a village?
- (b) The function of the Palli Sabha is confined to the consideration of what development works should be taken up and the amount of labour tax to be levied in the village to meet the part of cost of the development works. Do you consider that the functions are adequate, if not, what additional functions would you suggest to devolve on Palli Sabhas?
5. **Appointment of Sarpanches—**(a) Are you satisfied that the right type of persons are elected to be Sarpanches?
- (b) If not, what is the hinderance in men of sufficient leadership coming forward?
- (c) Do the Sarpanches evince sufficient interest in their work and tactfully solve the local problems?
- (d) Have you any comments on the relationship that exists between the Government officers and the Grama Panchayat?
6. **Functions—**Please give your personal appreciation of the working of the Panchayats in your area in respect of the following :—

- (a) construction, repair, maintenance, cleansing and lighting of public streets ;
 - (b) sanitation, conservancy and allotment of places for storing manure ;
 - (c) registering births, deaths and marriages ;
 - (d) removal of encroachments on public streets, public places and property vested in Grama Panchayats ;
 - (e) primary schools for boys and girls ;
 - (f) establishment, management and care of common grazing ground ;
 - (g) construction, repairs and maintenance of public wells, tanks and ponds for supply of water for drinking, washing and bathing purposes ;
 - (h) construction and maintenance of roads, culverts, bridges, etc., and
 - (i) supervision and maintenance of village boundary marks.
7. In particular, do you consider the Grama Panchayats reasonably effective in dealing with removal of encroachments on public streets and public places ? What machinery does the Panchayat employ in dealing with encroachments and what procedure is adopted ?
8. (a) Do the Grama Sabhas take interest in the Development works in their local areas ? If so, in what shape and to what extent ?
- (b) What is the reaction of the Grama Panchayat to the labour tax being imposed ? Do the people respond in making contributions by their labour to village improvement ?
9. **Taxation**—What opinion do you hold of the ability of the Grama Panchayats in—
- (a) executing small development Projects ;
 - (b) maintaining education institutions ;
 - (c) maintaining dispensaries ;

- (d) collecting public demands; and
- (e) taking other responsibilities under the Act.

10. Where there are National Extension Service Blocks how have the Panchayats identified themselves with the rural extension work ? Have the village level workers maintained cordial relationship with the Panchayats and is there evidence of harmonious working ?
11. Section 44 of the Orissa Grama Panchayat Act enjoins that a Grama Panchayat shall impose upon the owner of immovable property and occupier of any building within its local area a tax according to the circumstances and the property of such owner and occupier.
Are you of the opinion that the Grama Panchayats in your jurisdiction have been making full use of this power ? What has been the general reaction of the tax-payers to the imposition of these taxes and what has been the extent of response ?
12. Has any Grama Panchayat entered into any contract with Government to collect any dues or taxes payable to Government such as land rents, cess, water rate, etc. ? If so, on what remuneration and what has been the performance ?
13. Do you recommend the appointment of all Grama Panchayats as agents of Government for collection of land revenue, rents and cesses or would you in the initial stages like to select only a few for this purpose ? In the latter case, what should be the criteria for such selection and what percentage of the amount collected would be a fair remuneration for the responsibility undertaken ? Incidentally, what checks would you recommend to ensure that efficiency does not suffer or that there is no misappropriation ?
14. The Panchayat is required to register births, deaths and marriages. - How is the provision worked and what steps are taken to ensue such registration ? Do the people voluntarily register births and deaths ? If not, do you advocate introduction of any compulsory measure ?

15. **Panchayat Police**—(a) What are your general impressions of the efficiency of the dafadars and Chawkidars or the other system of Panchayat Police as obtains in your area at present ?
- (b) What should be the link with district Police Organisations of the village police, and what supervisory authority would you suggest for an efficient performance of their duties by the village Police ?
- (c) Have you any suggestions to make in regard to the Panchayat Police establishment keeping in mind the need for this establishment being directly controlled by the Grama Panchayats and yet assisting the Police to the extent required in the maintenance of law and order ?
- (d) Have you any improved machinery to suggest or improvement in the changed set-up ?
16. **Adalati Panchayats**—(a) Have you any comments to make on the territorial jurisdiction of the Adalati Panchayats as now existing or in areas where these have been introduced ?
- (b) What opinion do you hold of the standard of administration of justice by these Adalati Panchayats ? Have they generally been able to inspire confidence of the public ? If the answer is in the negative, what suggestions would you make to improve matters ?
17. In respect of agency areas and areas inhabited by backward tribes do you recommend the normal pattern of Panchayat administration or have you any modifications to suggest ?
18. Are you satisfied that the Panches in general are alive to their responsibilities and on the whole, function fairly well ? If not, in what percentages of Panchayats the work is fairly satisfactory ? What improvements have generally been made by them ? What are the reasons for defective working and what remedies you suggest for improvement ?

The Orissa Tenants Relief Act, 1955

QUESTIONNAIRE

1. Almost all the provisions of the Orissa Tenants Relief Act of 1955 are based on similar provisions made in the earlier Act viz., the Orissa Tenants Protection Act of 1948. The principles of both the Acts are almost the same and so also, the main object.
2. Prior to the introduction of the 1948 Act, the Bhag tenants used to pay 50% of the gross produce (*i. e.*, Dhuli-Bhag) as rent to their land-lords. The Act of 1948 reduced the maximum rent to 2/5th of the gross produce and that of 1955 reduced it still further to 1/4th of the gross produce. To what extent these objects have been carried out ?
3. To what extent the main object of the Act, namely, protection of Bhag Tenants from eviction has been successfully effected ?
4. What is the average percentage of holding usually cultivated by Bhag tenants in your locality (mention the locality). What is the general impression about the proportion of areas cultivated by Bhag tenants to the total cultivated area in your locality ?
5. It is often said that the provisions of these Acts both in respect of protection from eviction and fixing of maximum rent are observed more in breach ? How far there is truth in such allegations ? If the allegations are substantially correct what is the reason for such non-compliance ? What measure would you propose to secure compliance with the intention of Legislature ?
6. What is the general effect of the Orissa Tenancy Relief Act on litigation ?
7. To what extent the legislative measures has been effective—
 - (1) in inducing the concerned parties for effecting improvements on the land ?

- (2) in influencing the valuation of agricultural holdings ?
- (3) in ensuring the security of the tenure of the Bhag chasis (Bhag-cultivating tenants) ?

Anchal Sasan Administration

QUESTIONNAIRE

With the introduction of Anchal Sasan Act, the right to collect rent and cesses shall vest with the Sasans subject to the option of Grama Panchayats to take over the collection work on commission basis. The existing village officers such as headman, Karnam, Karji and other customary and hereditary officers will cease to function. The land will vest either with the Grama Panchayat or with the Anchal. The leasing of waste lands, administration of village forests, communal lands, etc, will also be decentralised.

1. What is the existing revenue system at the village level in your local area ?
2. In some of the districts, e.g., Ganjam and elsewhere there is an elaborate system of maintenance of records, field to field inspection, preparation of village statistics, etc. Do you think that the Grama Panchayat can exercise the revenue administration efficiently as is being done at present ?
3. Do you agree that the revenue administrative system can be simplified at the village level ? If so, in what manner ?
4. Have you any ideas if the management of revenue administration by the Grama Panchayat can be fitted into the existing one ?
5. Have you any opinion to offer on the staff pattern at—
 - (i) the Grama Panchayat level,
 - (ii) the Anchal level.

6. What control should be exercised by the Government in regard to the revenue administration by the Grama Panchayat and by the Anchal Sabha ?
7. Do you think that the Grama Panchayat would be ready to take advantage of the distraint procedure of recovery of arrears of revenue (some of the Grama Panchayats feel hesitant to have recourse to such means) ?
8. (a) The Grama Panchayats or alternatively the Anchal Sasans will have the administration of the village forests, pasture lands, waste land, communal land and water sources. Do you feel that these local bodies can effectively administer these properties ?
(b) What system would you suggest for an effective administration ?
9. The Grama Panchayats and Anchal Sasans may have control over irrigation rights, drainage and distribution of water. All powers exercised by any revenue authority lower in rank than that of a Collector shall be exercisable in regard to the irrigation rights either by the Grama Panchayat or the Anchal Sasan as the case may be. The executive functions are to be exercised by either the Sarpanch or the Anchal Executive Officer. What safeguards would you suggest for a proper exercise of these powers ?
10. The Grama Panchayat may lease out for cultivation of waste lands, pasture lands, etc., and may itself cultivate such lands, on such terms and subject to such conditions as may be prescribed by Government. Do you think that the Grama Panchayat can undertake the responsibility and discharge it satisfactorily ?

Orissa Agriculture Act, 1951

QUESTIONNAIRE

The major policy of Land Reforms is intended to have also beneficial effects on agricultural production and to this end, was devised the Orissa Agricultural Act,

1. The provisions in Chapter II of the Act envisage the constitution of a Board of Agriculture for the State, Agricultural Executive Committees at the District level and Krushi Samitis at the Thana and Taluq level with an Agricultural Land Tribunal at the District level to enquire development of agriculture, animal husbandry, good estate management and consolidation and prevention of fragmentation of agricultural holdings. The objective is to obtain the maximum utility of agricultural resources by enjoining upon the proprietors the responsibility for good estate management and upon the tenants, in cultivating possession of agricultural holdings; duties to ensure good husbandry.

Have you any comments or suggestion to offer on the constitution of the "Board of Agriculture", "District Agricultural Committees" and "Krushi Samitis" ?

2. Do you feel that the Board of Agriculture and the statutory Executive Bodies under it as envisaged in the Act will provide a suitable and appropriate machinery for implementing schemes of improvement and for bringing about co-operative management ?
3. Do you consider the procedure laid down in the provision under Chapter VI of the Act for effecting consolidation of holdings suitable and adequate for the purpose ?

N. B. :—Kindly record your views in general and mention your suggestions if any, in the space below :—

