

In respect of rent-free holdings the fee used to be Rs. 2 per *kebala* but for the last ten years the landlords have charged at the rate of 12½ per cent of the consideration money. This, however, cannot be held to destroy the custom of transferability of such holdings, which appears to exist here as in the neighbouring estates.

385. *Rights in trees*.—The tenants have for a long time past appropriated the timber as well as the fruits of the trees standing on their holdings. This is probably due to the neglect of the proprietors, and it is not known whether it was the original practice, but it appears to have continued for long enough to have grown into a custom.

386. *Fisheries*.—The fisheries in the Devi river are leased out in three blocks to local fishermen. This is not a matter that can be entered in the *khatians*, but it is referred to in the village notes. Babu Loknath Patnaik, as Attestation Officer, wrote a lengthy note on these fisheries, which is embodied in the village note of mauza Patsunderpur. The Mala division fishery is an unimportant one, for which Rs. 9 rent is paid. In the Marichpur division Rs. 31 is paid, and the annual net income appears to be about Rs. 300. The Madhurudihi division is by far the largest and the rent is Rs. 135-7-0. The fishery is managed on communistic lines, and between December and May the fishermen hold about 15 *buhans* or joint fishing expeditions. The catch is divided into 846 shares. The Attestation Officer estimated that the fishermen made a net income of Rs. 10,000 a year from this fishery.

387. *Rights in jungle*.—The *raiya*s take wood for domestic and agricultural purposes from the estate jungles on payment of a *bankar* which is assessed on the number of married men in each family. The rate is two annas for each married man up to 5, thereafter six pice up to 11 and above that one anna for each. Brahmins pay at half rates and fishermen are exempted. No jungle is kept reserved. Bamboos and palm trees however, cannot be cut without permission, nor can valuable trees such as mango and jack. The landlords also do not allow *hemtals* to be taken, but in actual practice the *raiya*s were found to take small quantities of these without objection. The Raja of Aul who has purchased a share in the estate has imposed a charge of Re. 1 to Rs. 2 per 100 pieces of *hemtals* (brushwood), according to quality.

388. *Dispute about village Kusadiha*.—The village Kusadiha caused much trouble in the operations. This village is in Puri district but it was found to be in possession of the Harishpur proprietors, who were realizing rent from the tenants. The Attestation Officer also held that the village had been shown in the Revenue Survey map of 1837 in both estates, and accordingly he decided according to possession and gave the village to Harishpur. Curiously enough no action was taken to contest the matter under section 116 or section 130. But at the time of rewriting the A—D Register a dispute was filed and was decided in favour of Marichpur. The Collector of Cuttack, however, pointed out that this order was *ultra vires* as the officer had never been empowered to rewrite the register for permanently-settled estates. The case was, therefore, remanded to be tried by an officer duly empowered.

389. *Claim of Mahant of Emar Math*.—The Mahant of Emar Math claimed about 3,292 *mans* of lands as revenue free in mauzas Ananta, Alsaki and Athatira of Killa Marichpur as well as in Khalgan and Panitita in Killa Harishpur. He based his claim on a *sanad* said to have been granted by the Raja of Puri about the year 1194 (*amlī*). As detailed enquiries into the validity of such claims were carried out in the settlement of 1837 to 1842, and there was no evidence to show that any title to hold these lands revenue-free had been confirmed at that period, the claim was disallowed. The *mahant*, was, however, recognized as the holder of rent-free tenures under the proprietors of the two Killas.

390. *Resumed chaukidari jagirs*.—The *chaukidari jagir* lands in this estate were resumed in 1902, and then made over under section 50 of the *Chaukidari Act* to the landlords, who pay one-half of the rents to the *chaukidari fund*. The Collector supplied a list of the resumed lands, which

are recorded as part of the estate, with a note in the incidents column stating that they are old *chaukidari jagir* lands and naming the sum payable to the *chaukidari* fund. The tenants holding the lands were recorded with status *sthitiban*.

391. *Sautia jagirs*—The *sautia jagirdar* of Marichpur is an interesting survival of the times when the Bay of Bengal was infested by pirates. These *sautias*, as appears from their *sanads* which had been given to them in ancient times by the Raja, patrolled the coast and reported anything unusual. It is said that even during the last war they were ordered to keep a look-out while the German cruiser "Emden" was at large. It appears that at one time they were under the Collector as some of them produced belts and *pagris* and said that they used to report weekly at the thana. The connection with the Collectorate, however, ceased about twenty years ago. Their present position is a rather obscure point. The landlords claimed that they hold their *jagirs* for performing service as forest guards. But this was clearly not the original object of the grant. They have been recorded with the special status of *sautia jagir* and it has been noted that the *jagirs* were given for patrolling the coast.

KILLA AUL.

392, *Killa Aul*—Killa Aul lies to the west of Killa Kanika in Cuttack district. Its area is 134 square miles. The estate was surveyed and settled at the Provincial Settlement and was also included in the Revision Settlement. Mr. James describes it in paragraphs 161 to 166 of his report.

The estate was under the Court of Wards for five years from 1921 owing to bad management and friction with the tenants.

393. *Cultivated area*—This Killa has very little scope for extension of cultivation. The area recorded as cultivated has actually decreased since last settlement from 73,797 acres to 66,500 acres. This is mainly accounted for by the recording of a large expanse of land as new fallow owing to the breach in the Ring embankment. The cropped area is 78 per cent of the total and 14 per cent is uncultivable. There are 5,655 acres recorded as cultivable but not cultivated as compared with only 1,653 acres at last settlement.

394. *Nijjote lands*—The area in cultivating possession of the proprietor is 1,317 acres as compared with 2,748 acres at last settlement. Occupancy rights are found to have accrued in 1,311 acres of *nijjote* lands, leaving 368 acres of *nijjote* in possession of the proprietor. This estate was in a curious position in this respect. Although a record was prepared both at Provincial and at Revision Settlements, yet section 154 of the Tenancy Act does not apply to it, as it is not temporarily-settled. Thus it was not sufficient for the proprietor to prove that lands had been recorded as *nijchas* at the last two settlements. He had the more difficult task of showing that the land came within the definition of *nijjote* in section 153. The area recorded as *nijjote* is consequently smaller than it would have been if section 154 had been applicable and in fact does not exceed the area so recorded at last settlement.

395. *Statuses*—The main question of status that arose at attestation was concerning the recording of the so-called *ghenan jagirdars* who are common in this estate. These persons perform services and also pay quit rents, and an enquiry was made as to whether they were really *jagirdars* or ordinary *raiya*s performing service in lieu of rent. Many such tenants were recorded as settled *raiya*s at attestation but at section 116 stage the landlord succeeded in most cases in getting the status changed to *jagir* the tenants themselves presenting little opposition. As a consequence the area under *jagirdars* in this estate is unusually large—2,474 acres. Many obscure statuses were found in the estate, but these after enquiry were reduced to their proper categories under the Tenancy Act.

396. *Rights in trees*—Tenants holding rent-free or on quit rents have a right to the timber as well as the fruits of the trees on their holdings. Occupancy *raiya*s enjoy only the fruits, the timber being appropriated by the landlord. Bamboos, however, are taken by the tenants.

Throughout this report, the words *cultivated area* are used in the sense of *net cropped area* excluding current fallow. P. T. M.

397. *Rakhit lands*.—At last settlement some lands were recorded as reserved with the consent of the landlord. These have again been reserved,—an area of 2,905 acres. The landlord did not agree to any further reservation. The area available for grazing is somewhat scanty.

398. *Transferability of holdings*.—For the purpose of mutation fees the estate fixes valuation rates per acre on the lands of each village, varying from Rs. 50 to Rs. 100, with higher rates for homestead lands, and charges 5 annas 3 pies per rupee on these rates. When the estate was under the Court of Wards the Manager used to charge 4 annas per rupee only but the landlord has reverted to the former practice of charging 5 annas 3 pies.

The landlord's consent is considered to be necessary for the transfer of occupancy holdings but no case of refusal of consent is reported.

399. *Abwabs*.—Many kinds of *abwabs* are mentioned in old *sanads*, for instance penalties for theft and adultery, duties levied on the death of a tenant without male issue, marriage fees and free labour. Most of these have fallen into disuse, but the estate still deals with social delinquents and has a special department for this purpose. The annual income from fines from this source is estimated to be about Rs. 8,000.

400. *Rents*.—At last settlement the proprietor had a cash rental of Rs. 1,22,394, besides produce-rents of 1,380 acres and cultivating possession of 2,741 acres. At this settlement he was found to have a cash rental of Rs. 1,22,059, produce-rents of 2,728 acres* and cultivating possession of 1,331 acres. The average rent incidence of occupancy *raiyati* lands in the Killa is Rs. 2-7-0. As a result of settlement of fair rents under section 128 the cash-rents were increased to Rs. 1,23,482. The proprietor filed a large number of section 128 cases in Block C (*pargana* Utikan-Kutabsahi), many of which referred to the area within the Ring Bundh which was then suffering severely from floods. Settlement of fair rents in this area was difficult, as the future of the Ring Bundh was obscure. No enhancement was given in the villages most severely affected, and only slight enhancements in other villages. In Block E (*pargana* Derabisi) no applications for settlement of rent were filed by the proprietor, because of his financial difficulties, but a number were filed by tenants for reduction of rents of lands that had deteriorated by sand deposit.

401. *Revenue*.—The revenue originally settled was Rs. 28,133-2-0, but it has since been reduced to Re. 28,125-2-0 owing to various land acquisitions. The latter sum has been entered in the *khwats*. The proprietor keenly contested this, apparently having the erroneous idea that it would endanger his permanently-settled status.

402. *Management*.—The management of the estate is not efficient. There is considerable friction with the local *khandaits*, who are unruly tenants.

EKHRAJAT MAHAL,

403. *Ekhrajat mahal*.—The Ekhrajat mahal lies in 159 villages in the middle of the Khurda khas mahal.† It comprises the whole of zilla Tapang and 51 villages in zilla Rameswar; a total area of 105 square miles. Within the Ekhrajat mahal are situated small revenue-free estates owned by different *baheldars*. These estates were created in pre-British days and were recognized by the British Government. They have been recorded in the Puri Collectorate Registers, and have been brought under the current settlement operations.

404. *History*.—The lands of this estate were originally part of the Khurda khas mahal but by order passed in 1858 and 1863 they were transferred to the Superintendent of the Puri Temple in lieu of certain annual payments of money which the British Government in continuation of the policy of previous rulers, had hitherto made for the maintenance of the Temple.

The deed of transfer of the Ekhrajat mahal in 1863 states that "previous to the enactment of Act X of 1840 the expenses of the Temple

* The increase in area under produce-rents is noticeable. In this estate it was observed that some tenants who had had their rents commuted to cash, after a few years' experience got them recommuted to produce as they found this preferable owing to the uncertainty of the crop.

† Although not a permanently-settled estate this is dealt with in the present chapter for convenience.

averaging about Rs. 53,000 per annum were paid by the Government who levied a tax on pilgrims and were also in possession of the former endowments of the Temple which had gradually been resumed soon after the conquest of the province of Orissa in 1803. By the Act in question the pilgrim tax was abolished and the management of the affairs of the Temple made over to the Raja of Khurda for the time being the annual payment on account of expenses being continued as before. In 1843 the estate of Sataishazari *mahal* yielding an annual revenue of Rs. 17,420, and which was the last remaining portion of the landed endowment of the Temple at the time of the acquisition of the province in 1803, was made over to the Raja of Khurda as Superintendent of the Temple and the annual money payment by Government was thence forth reduced to Rs. 35,738-6-0."

In 1845 there was an investigation into the nature of the payments to the Temple and it was decided that the payment should be reduced to Rs. 23,321 being the amount of resumed endowments and compensation for certain "*sayer duties*" formerly collected on behalf of the Temple. "In 1856 owing to the culpable neglect of the Superintendent of the Temple it was found necessary for the protection of the pilgrims to appoint a police establishment at an annual expense of Rs. 6,804 which being deducted from the annual payment by Government, this latter sum became reduced to Rs. 16,517. In 1858 the Government decided on making no more annual payments . . . but to transfer . . . certain lands yielding an equivalent to the sum of Rs. 16,517." These lands were transferred on the 3rd of April 1858. In 1859 it was again decided to make the Superintendent responsible for the preservation of the peace inside the temple, "and that the entire sum of Rs. 6,804 hitherto paid direct to the police should be paid over to the Superintendent until such time as a transfer of land yielding an equivalent sum could be effected". The Superintendent executed an engagement "to maintain 60 *Barkandazes* for one month at Rs. 4 a month to assist in preserving order outside the Temple during the great festival and to keep up barriers at the temple gates to prevent a rush of pilgrims". Some additional lands were thereafter made over to the Superintendent in exchange for the cost of maintaining the police establishment. The total *Sadr jama* of the villages mentioned in the deed was Rs. 23,716-3-9½. The excess of Rs. 395-3-9½ over the money payments commuted was allowed in consideration of annual losses for inundation in zilla Tapang and expenses of collection.

The *Ekhrajat mahal* was included both in the last Provincial Settlement of 1890—1900 and the Revisional Settlement of 1906—12.

405. *Statuses*.—Statuses in *Ekhrajat mahal* are the same as in the Khurda Government estate. The following deserve special mention :—

(a) *Tanki baheldars* belong to the special class of sub-proprietors paying quit rents, who are referred to in section 3(21) (i) of the Orissa Tenancy Act,

(b) *Rafa-tanki* status is peculiar to Khurda *khas mahal* and the estates which have grown out of it. There were originally certain revenue-free grants, generally held by Sasan Brahmins introduced by Hindu Rajas, but later rulers began to levy quit rents on them. In 1838 during resumption proceedings the nature of these holdings was enquired into, and a compromise was entered into between some of the *tankidars* and the Government by which the former agreed to pay rents at certain low rates, which would be liable to enhancement at subsequent settlements in the same proportion as ordinary rents. Mr. W. C. Taylor in his report on the Settlement of 1880—86 wrote that "*rafa-tankidars* will in future be classed as ordinary *rai-yats* subject to special rules of enhancement". Nevertheless in the settlement of 1897 some *rafa-tankidars* were recorded as tenure-holders. In 1920 the Patna High Court, relying on the report of Mr. Taylor held that *rafa-tankidars* are occupancy *rai-yats* and not tenure-holders (P. L. J. 1920, p. 373). But in 1927 a reference was made to

a Full Bench of the same Court, which held that the nature of *rafa-tanki* interest is a question to be determined upon the origin of the grant itself and that the opinion of Mr. Taylor was not sufficient to rebut the correctness of the record-of-rights prepared at a later date (Indian Cases, 105, p. 633). In this settlement the last settlement entries of *sataus* have been followed.

406. *Sarbarakari jagirs* are service tenures held by *sarbarakars*, for collection of rents. The *sarbarakars* also receive 20 per cent commission on gross collection. *

Rani Suryomoni Patamahadei, the great grand-mother of the Raja of Puri, has the title of *Sadr Sarbarakar* and has been given a *jagir* of five villages. There is a subordinate *sarbarakar* who receives 15 per cent while the remaining 5 per cent goes to the Rani.

Various types of holding described as *minha* were found to exist in the estate. Some of these were real *minha* in the sense of homestead lands held rent-free by ancient custom, while others were types of rent-free grants in perpetuity or else *jagirs*. After enquiry they were given statuses appropriate to the circumstances of each class,

407. *Nijchas*—The temple has got no *nijjote* lands. About 1,203 acres, most of it formerly *sarbarakari jagir* but now in the possession of *raiya*ts paying *sanja* rents to the temple, have been recorded as *nijchas* as the *raiya*ts refused to get themselves recorded.

408. *Communal and reserved lands*—*Rakhit* and *sarbasadharan* lands were recorded in the last settlement on the consent of the landlord and they have again been recorded as such. There are 798 acres of communal and 3,916 of reserved lands recorded in this settlement.

409. *Rights in trees*—The *raiya*ts exercise full rights in trees growing on their holdings, and this right was admitted by the landlord. Trees are also planted freely on waste lands without taking the landlord's permission, but their subsequent treatment varies. Sometimes the *dafait* system is applied, according to which the tenant enjoys the fruit for a payment of 1 anna for a mango tree, and 2 annas for a jack tree. In other cases the fruit is divided on the *kut* or *bhag* system, half to the tenant and half to the landlord. In some parts, however, tenants were found to be taking all the fruits without interference from the landlord, but their right to do this was not recorded unless they had been doing it continuously for twelve years. The timber of such trees in all cases belongs to the landlords.

410. *Rents*.—There has been no general enhancement of rents in Ekhrajat since the Provincial Settlement and the rents found existing at this settlement were low, the average incidence being Rs. 1-5-0 per acre. At attestation compromises were entered into between the landlord and tenants for enhancement of rents under section 137. At first a general enhancement at the rate of Re. 0-3-6 was agreed upon and was actually confirmed in 18 villages. But the tenants in the rest of the estate were unwilling to agree to more than three annas enhancement, and the landlord eventually compromised at this rate and also consented to the rent already enhanced by Re. 0-3-6 being reduced by 6 pies, so as to maintain equality of treatment throughout the estate. The rents of the 18 villages were accordingly revised by the Board. Rents were also settled by compromise on excess areas. The final result of the compromises was to increase the total cash rent roll by nearly 25 per cent from Rs. 34,833 to Rs. 43,469.

411. *Transferability of holdings*.—Transferability of occupancy rights is a vexed question in Ekhrajat and is the root cause of the ill-feeling between the landlord and a section of the tenants.

In 1903 the mutation fees charged in the estate were fixed at 8 annas per acre when the consideration money was Rs. 50 per acre or less and Re. 1 per acre when the consideration money was between Rs. 50 and Rs. 100 per acre. After 1904 these rates were raised to Re. 1 and Rs. 2,

* These are not *sarbarakars* in the sense used in the Tenancy Act. See Glossary.

respectively. These rates being low the tenants paid them without opposition. During the Revision Settlement in 1911-12, the practice was begun of charging $6\frac{1}{4}$ per cent of the consideration money for whole holdings and $12\frac{1}{2}$ per cent for part holdings. Fees were actually realized at these rates in a few cases but the majority of *raiya*s refused to pay the high mutation fees and consequently a large number of sale deeds remained unmutated during the Revision Settlement. After the passing of the Orissa Tenancy Act the then Manager, Babu G. S. Mohanty, tried to realize mutation fees according to the scale laid down in section 31 of the Orissa Tenancy Act. But the tenants were persistent in their refusal to pay high mutation fees. In the course of litigation on the point the High Court have given two rulings, one to the effect that a custom of transferability without the landlord's consent exists and the other to the effect that, whether it exists or not, the landlord is entitled to charge a fee for registration of the transfer. The landlord has been realizing mutation fees at 25 per cent of the consideration money since 1920. In the current settlement the landlord's right to realize mutation fee was fully enquired into and the Legal Remembrancer's opinion was obtained. This was to the effect that section 31 is applicable to the *Ekhrajat mahal* as it is not a permanently-settled estate within the meaning of the Act. The fee of 25 per cent of the consideration money is therefore legal, and there is an appeal to the Collector against the landlord's refusal to recognize a transfer.

412. *Management*.—The relationship between the tenants and the management is on the whole good, but there is a turbulent section among the *raiya*s, mainly concentrated in the neighbourhood of Bajpur and party faction is rife in most of the villages.

413. *Crops*.—The crop statistics of the *maal* show a slight increase in the percentage of area under rice, which is now 86.8 per cent. This increase is in the area under *beali* rice, which has advanced from one to three per cent of the cropped area. *Dalua* rice is only found on 40 acres. The twice-cropped area is very low, being 611 acres only. Cereals and pulses such as *mung*, *biri* and *kulthi* are only found on 3 per cent of the cropped area.

The sale value of occupancy holdings is high, being Rs. 206 per acre, according to the figures collected at attestation. The mortgage rate is correspondingly high—Rs. 164 per acre.

NIMKI BADAL ESTATE.

414. *Nimiki Badal estate*.—The Nimki Badal *maal* is a small revenue-free estate of five villages in the Khurda subdivision. It belongs to some *mathdharis* of Puri. Originally they held a *mauza* on the sea-coast where they manufactured salt. When this manufacture was prohibited Government used to supply 560 maunds of salt to the *mathdharis*, but this was commuted to a money assignment and later, in 1861, to the permanent grant of these five villages, which were taken from the Khurda *khass maal*. The estate is still in possession of the *mathdharis*. The *sarbarakars* who collected the rents under the *khass maal* claimed a permanent and heritable right after the assignment of the villages to the *mathdharis*. For a time litigation went on between *mathdharis* and *sarbarakars*. The latter failed in the long run and were gradually removed.

The status and the general customs prevalent in the estate are similar to those found in the *Ekhrajat maal*. The rents are low on the whole. The relations between the landlords and the tenants are quite friendly.

NORTH BALASORE.

415. *North Balasore*.—In the permanently-settled area of North Balasore there are 189 estates covering 186 square miles in thanas Basta and Baliapal. They used to be in Midnapore district but on readjustment of the boundary about 1868 they were transferred to Balasore. The total revenue payable by the proprietors is Rs. 34,786.

The river Subarnarekha flows through the middle of this tract. The northern and eastern portions are liable to flood. The lands along the Subarnarekha get a rich silt deposit. The soil of the tract is for the most

part a clayey loam. The town of Jellasore is an important centre of trade. Rice and paddy are the main exports but betel leaves are also important.

The landlords are mainly resident in the area, with the exception of a few Bengalees. Among the Bengalee landlords the most prominent are Rai Bahadur Harendra Narayan Ray Mahasay of Lakhmannath. Bhuian Basant Kumar Baliarsing of Balisahi, Bishunpriya Chandmani of Mathghati (Midnapore) and the Ray Mahasays of Dehurda. Among the Oriyas the *chaudhuries* of Alaipur and Dhitpura and the Das family of Deshpura are conspicuous.

416. *Transferability of holdings.*—Although the transfer of occupancy holdings appears to be dependent on the consent of the landlords previous permission is nowhere taken except in the estate of Rai Bahadur Harendra Narayan Ray Mahasay, and refusal of consent is practically unheard of. Before the passing of the Orissa Tenancy Act the proprietors used to charge mutation fees at rates of Rs. 4 to Rs. 6 per bigha (about half an acre), but since the passing of the Act they have begun to charge 25 per cent of the consideration money. Some of the landlords are in the habit of increasing the rate to 50 or 75 per cent when a year has elapsed since the transfer.

417. *Cash-rented lands.*—The following statement shows the areas under cash-rents:—

			Acres.	Rs.
<i>Sthitiban babat nijjote</i>	...	...	7	15 rent.
Ordinary tenures	...	...	10,441	2,830 „
Holdings on fixed rates	...	...	618	1,110 „
Settled and occupancy holdings	...	...	67,019	1,35,011 „
Non-occupancy holdings	...	...	498	430 „
Non-agricultural holdings	...	...	33	10 „
Total	...	...	78,616	1,39,416 „

418. *Sanandi niskar.*—A peculiar status known as *sanandi niskar* is found in this tract. These are rent-free grants confirmed by Government in 1784 by “*Insahi sanands*”. A register called the Surat Hal Register was maintained in the Midnapore Collectorate for the entry of these grants. In the present record-of-rights the registered numbers of the grants have been entered for purposes of identification and the properties have been described with status *sanandi niskar*.

419. *Rents.*—Rents had been settled by the *zamindars* on cultivated lands at rates varying from Re. 1 to Rs. 1-6-0 and on homestead and horticultural lands at rates varying from Rs. 2-8-0 to Rs. 5 per acre. In the proceedings under section 128 enhancements were made on the ground of rise in prices. The resulting increase was by Rs. 9,754, existing rents of Rs 35, 958 being raised to Rs. 45,712.

CHAPTER XIII

Costs and recovery.

420. *Recovery of costs.*—Following the principles laid down in section 143 of the Orissa Tenancy Act and rule 95 of the Survey and Settlement Manual, the whole net cost of the operations was recovered from the landlords and tenants in the permanently-settled and revenue-free areas under revisional survey, and three-quarters of the net cost in such areas under original survey, while in temporarily-settled areas the whole cost was borne by the Provincial Government.

The costs were recovered for each particular area after the operations in that area had been practically completed (i.e. after final publication), at the time of distribution of copies of the record, and no recovery was made by deposit before the operations started.

421. *Recovery in the permanently-settled estates.*—In the permanently-settled areas (including Killa Patia) and in Ekhrayat mahal, in order to determine the rates at which costs were to be recovered from the parties, the total expenditure on each estate or group of estates was calculated, and after deducting the total receipts in cash and stamps the net expenditure was arrived at. Costs were then charged to the parties at a rate per acre sufficient to cover the total net expenditure (or three-quarters of it in the case of areas under original settlement). In fixing these rates the landlord's uncultivated lands were distinguished from cultivated lands and for the former low rates were charged varying from Re. 0-1-0 to Re. 0-4-0 per acre, payable by the landlords, while for the latter the rate chargeable was divided between the landlords and the *raiya*s, the landlords' share being rather more and the *raiya*s' rather less than half. For this purpose estates that were in the same block and in which conditions were similar were grouped together. In each case the orders of Government was taken and notifications issued as to the rates to be charged. The following table shows the rates in each area:—

Name of Killa.	Rate of recovery of survey and settlement cost.			
	Cultivated area			Uncultivated areas.
	Zamindar's share.	Raiyat's share.	Total.	
1	2	3	4	5
	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.
Kanika (Block B) ...	0 10 0	0 8 0	1 2 0	0 2 0
Kanika (Block E) ...	0 8 0	0 7 0	1 15 0	0 2 0
Aul (Block C) ...	0 11 0	0 10 0	1 5 0	0 2 0
Aul (Block E) ...	0 13 0	0 11 0	1 8 0	0 2 0
Sukinda ...	0 9 0	0 8 0	1 1 0	0 1 0
Kalkala ...	0 9 0	0 8 0	1 1 0	0 1 0
Chhedra ...	0 13 0	0 11 0	1 8 0	0 2 0
Kujang ...	0 10 0	0 7 0	1 1 0	0 1 0
Harishpur ...	0 10 0	0 7 0	1 1 0	0 1 0
Marichpur ...	0 10 9	0 7 0	1 1 0	0 1 0
Bishunpur ...	0 11 0	0 9 0	1 4 0	0 4 0
Patia ...	0 12 0	0 10 0	1 6 0	0 2 0
Ekhrayat ...	0 12 0	0 10 0	1 6 0	0 2 0

In calculating the amount to be recovered for each holding the minimum charge payable was at first taken to be that assessable on one acre, but from Block C onwards the rule was introduced of fixing the minimum at the amount chargeable on half an acre. For holdings over half an acre in extent a fraction of half an acre and over was reckoned as one acre and a fraction of under half an acre ignored.

The recovery demands for each block are shown in the Appendix.

The total demand due from the occupiers was Rs. 3,05,456. The amount recovered from them was Rs. 3,05,362, of which Rs. 3,04,008 was voluntarily paid and Rs. 754 was recovered by certificate procedure. A sum of Rs. 297 had to be written off as irrecoverable. It is worthy of note that in Blocks E, F and G the total demand due from the occupiers was paid voluntarily in spite of the fact that the recovery was made at a time of severe financial depression.

The amount due from the permanently-settled landlords and tenants including Patia and Ekhrajat *mahal* was Rs. 7,31,099. When the sums were large payment by instalments was allowed, interest being charged on the deferred instalments. Certificate procedure had to be resorted to in some cases, viz. in respect of a sum of Rs. 2,991 due from the permanently-settled estates of North Balasore, of Rs. 3,537 due from Aul estate, of Rs. 1,212 due from Kalkala, of Rs. 1,263 due from Bishunpur, of Rs. 2,212 due from Marichpur, and of Rs. 3,534 due from Patia.

422. *Recovery in revenue-free areas.*—Before the order was passed to recover costs from the landlords and tenants of the revenue-free estates, the legal question of their liability to bear the costs was discussed at some length. Section 145 of the Orissa Tenancy Act directs that the expenses shall be recovered from the parties "except where a settlement of land revenue is being made". The petty revenue-free estates of Orissa lie for the most part intermingled with the temporarily-settled estates in which revenue was undergoing revision. The Board was advised by the Legal Remembrancer that revenue-free estates do not come within the exception mentioned in section 145(1) and that the expenses of settlement can be recovered from the landlords and tenants of such estates. It is indeed evident that revenue-free estates are not areas in which a settlement of land revenue is being made. (For the same reason also the rents of tenants were not settled under Chapter XI, Part II, but on the application of the parties under section 128.)

Government agreed with the Board, that revenue-free estates should bear the cost of survey and settlement in the same manner as permanently-settled estates.

For the purpose of recovering costs in the very small estates, which are frequently less than an acre, it was first proposed and sanctioned to sell the *khatians* for a price of 4 annas to those who wanted them. But it was later decided to make a regular recovery of costs at the rate of 8 annas per *khatian* to each occupant and an additional 4 annas per *khatian* from the landlord, and 8 annas for each copy of the *Khewat*. These latter rates were approved by Government. They were applied only to the smaller revenue-free areas. In villages consisting wholly of revenue-free land or in which there is more than 75 acres of such land the rates already passed for the permanently-settled estates of North Balasore were applied, viz., 12 annas per acre to the landlord and 10 annas to the tenants.

This discrepant treatment caused some discontent, as a man in a village containing less than 75 acres of revenue-free land paid very much less than a man with an equal area in a village where the revenue-free area was more than 75 acres. Accordingly it was decided to work out a fair acre rate for all revenue-free lands and apply it indiscriminately. The rate fixed for Balasore was Rs. 1-1-0 per acre, and this was applied in Blocks B and C, the landlord's contribution being 9 annas and the *raiya*'s, 8 annas. For all petty revenue-free estates in Puri and Cuttack districts the rate was fixed at Rs. 1-4-0 per acre; divided between landlord and *raiya* in the proportion of 11 annas to 9 annas. The higher rate for the latter two

districts was justified by the greater proportion of plots per acre, which made the cost of the operations per acre heavier. In these revenue-free areas no distinction was made between cultivated and uncultivated lands and these rates were applied over all lands.

The amounts recovered from the landlords and tenants of the petty revenue-free estates (excluding Cuttack town) are shown below—

					Rs.	a.	P.
Cuttack	...	...	...	...	1,94,984	0	0
Puri	...	...	...	...	1,75,355	7	0
Balasore	...	...	...	...	1,31,264	1	6
Total	...	...	...	...	5,01,603	8	6

Of the sum of Rs. 5,01,603-8-6 recovered Rs. 4,97,189-0-6 was paid voluntarily and Rs. 4,414-8-0 was realized by certificate procedure.

423. *Recovery in Balukhand khas mahal*—In Balukhand Government estate no regular recovery was made but Rs. 0-8-0 was charged for each copy of the *khatians* taken by the *raiya*s. In this way a sum of Rs. 87-8-0 was recovered.

424. *Recovery in Cuttack town*—In Cuttack town recovery was made from the tenants in the town *khas mahal*, and from landlords and tenants of the revenue-free estates. No costs were charged to the tenants of the cantonment *khas mahal* in view of the fact that it had been decided to enhance their rents by the agency of the Collector immediately after settlement. In the town *khas mahal* area 10 annas was charged for each *pattadari khatian* and 6 annas for each *darpattadari khatian*. In the revenue-free estates the usual acre rate would have been quite inadequate for the recovery of the cost actually incurred in the town area, and a special rate had to be applied, viz. Rs. 3-10-0 per acre of which Rs. 2 was borne by the landlords and Rs. 1-10-0 by the tenants.

The amounts recovered in Cuttack town *khas mahal* and in the revenue-free area of the town are as follows—

			Estimated demand.	Recovered up to 31st March 1932
			Rs. a. P.	Rs. a. P.
Khas mahal	...	...	1,932 2 0	1,065 4 0
Revenue-free area	...	...	2,747 15 0	2,512 8 9

425. *Total recovery*—The total of all demands on private parties on account of settlement costs excluding costs of maintenance of boundary pillars is Rs. 12,33,856. Up to the end of March 1932 Rs. 12,19,309 has been recovered of which Rs. 31,541 only has had to be recovered by certificate procedure. Rs. 297 has been written off.

426. *Estimate of the cost of the operations*—In the following estimate of the cost of the settlement, it has been assumed that the expenditure for the last year 1932-33 will be according to the budget estimate, and that the dues outstanding from private parties will be recovered.

The original estimate submitted to Government in 1921 by the Director of Land Records and Surveys was that the settlement covering 6,925 square miles would involve a gross expenditure of Rs. 46,80,000 and a net expenditure of Rs. 42,12,000. In the estimate of receipt only court and process-fees, etc. were included but not the amount to be recovered as costs from the permanently-settled areas. This programme included the whole of the three districts with the exception of 1,000 square miles covered

by the Khurda and Banki *khas mahals*. In 1927 a revised estimate including also the Khurda *khas mahal* made gross expenditure Rs. 71,65,000 and net expenditure (after deducting not only miscellaneous receipts but also amounts recovered from landlords and tenants) Rs. 54,47,000. Experience showed that the original programme had under-estimated the costs as it was anticipated that the operation in Orissa would be much simpler than in Bihar, and no recognition had been made of the complicated procedure of rent and revenue settlement in the temporarily-settled area. Progress had also been retarded by the inexperience of the staff and the abnormal sickness in camps in the early years, and cost had been proportionately increased. The failure of the method of revision survey on blue prints of the Revision Settlement maps had caused additional expenditure. The number of plots had greatly increased and the number attested was 115 lakhs. It was not found possible to keep to the original programme of completing the survey and *khanapuri* in six seasons and a seventh season had to be added.

The Khurda *khas mahal*, the permanently-settled estates of Dompara, Madhupur and Darpan and the *jagir mahals* were eventually excluded, and the actual settlement which covered 6,278 square miles involved a gross expenditure of Rs. 63, 31,641 inclusive of Rs. 32,407 spent by this department on the work in Khurda *khas mahal*. The receipts of Rs. 19,27,764 include the amount recovered from private parties as costs to the extent of Rs. 12,33,856 and the rest on account of court and process-fees and other miscellaneous items. Government incurred a net expenditure of Rs. 42,85,389 on the settlement operations of the temporarily-settled estates a further sum of Rs. 32,407 on *kabuliati* work in Khurda, and Rs. 86,081 was contributed by Government as its one-fourth share in permanently-settled areas under original settlement.

At the Provincial Settlement the cost rate was Rs. 634* per square mile. The Revision Settlement cost only Rs. 211 per square mile, being a simpler operation. The cost rate of the present settlement is analysed in the following statement :—

	Amount of expenditure Rs.	Incidence of cost per square mile. Rs.
(a) Gross expenditure excluding amount spent on Khurda	62,99,234	1,004
Deduct receipts on account of court, process and other fees	6,93,908	...
(b) Net expenditure on whole operation	56,05,326	893
(c) Amount spent on the permanently-settled and revenue-free areas, including Government contribution in areas under original settlement	13,19,937	652
(d) Amount spent on temporarily-settled area including Government lands	42,85,389	1,008

The area under settlement covered about 115 lakhs of plots. The cost rate per 100 plots on gross expenditure is Rs. 55 and on net expenditure Rs. 49 only.

The revenue settlements brought an increase of 7 lakhs of rupees, exclusive of about half a lakh in Khurda *khas mahal*.

* Rs. 634 per a square mile was the gross direct rate in the temporarily-settled areas, i.e. not including indirect costs such as pension charges, tents, forms, stationery, and not deducting miscellaneous receipts, court-fees etc. The number of fields in a square mile was about 20 per cent more in the recent settlement.

P. T. M.

CHAPTER XIV.

The Tenancy Law.

427. The Orissa Tenancy Act became law in 1913 after the last Revision Settlement.¹ The new Act has, of course, been taken as the basis of the present record-of-rights. Much information has been obtained in the course of the operations about the practical working of the Act.

428. *Thani and Pahi raiyats*.—Mr. Maddox made an elaborate study of the incidents attaching to all the different classes of tenancy which he found existing in Orissa. Many of the distinctions which he described are of purely historical interest. In early times the *raiya*ts were divided into the two main classes of *thani* or resident *raiya*ts and *pahi* or non-resident *raiya*ts. The *thani raiyat* clearly had an occupancy right, as Mr. Stirling in his minute on the land tenures of Orissa wrote that the landlord "has no shadow of a right to dispossess the *thani raiyat* from his land so long as he pays the rent demandable". The *pahi raiyat*, on the other hand, had no such position. In the settlement of 1836 the *thani raiya*ts were given *pattas* showing their lands and rents, with the object of protecting them from illegal demands or dispossession. The local officers in that settlement were also anxious to grant *pattas* to the *pahi raiya*ts and this was done in some parts. But the higher authorities expressly forbade this on the ground that the granting of a *patta* "creates a false and mischievous impression of a right of occupancy".

429. *The Twelve Years Rule*.—A very far-reaching change was effected in the tenancy law when Act X of 1859 introduced the principle that the possession of the same land for twelve years should automatically confer a right of occupancy. This new principle appears to have crept into the Act of 1859 as a mere after-thought, but it has continued to hold the field in all subsequent legislation.

The Bengal Tenancy Act (VIII of 1885) extended this principle much further by providing that any person who has continuously held land as a *raiya*t in any village for twelve years becomes a settled *raiya*t and that every settled *raiya*t shall have a right of occupancy in all lands held by him as a *raiya*t in the village. This part of the Bengal Tenancy Act was extended to Orissa in 1891. It is also reproduced in the Orissa Tenancy Act. The old distinction between *thani* and *pahi raiya*ts is thus obsolete, and the terms have not been used in this settlement.

430. *The Bengal Tenancy Act*.—Apart from the introduction of the twelve years' rule for acquisition of occupancy rights, Act X of 1859 merely re-enacted the provisions of law relating to delivery of *pattas* and adjustment of rates of rent and sought to prevent illegal exactions. The passing of the Bengal Tenancy Act in 1885 was the next great step forward in the definition of the rights of tenants. The more important sections of this Act were extended to Orissa by various Government notifications between 1891 and 1896. In this way the Orissa *raiya*t obtained the benefits of the new principle regarding accrual of occupancy rights; occupancy *raiya*ts were protected from ejection for arrears of rent, and from enhancement of rents beyond certain limits; they were given the right to apply for commutation of produce rents, the rights of non-occupancy *raiya*ts were also placed on a definite footing and the power of landlords to oust them and to enhance their rents was limited: the granting of proper rent receipts was made obligatory and all tenants were given the right to pay rent into court. In 1906 the sections about landlords' private lands and those about appointment of Common Managers were extended to Orissa.

Thus the bulk of the substantive law of landlord and tenant applicable to Bengal and Bihar had been extended to Orissa before the Revision Settlement. But "the sections already introduced were in certain important respects, ill-adapted to local conditions. For example there was no recognition of *bajyafidars* and sub-proprietors. In Act X of 1859 and

the connected Acts a very large number of defects and omissions were also brought to notice. More especially the provisions relating to the sale of tenancies were found to be inadequate . . . Provisions of law on the following important subjects either do not exist or are ineffective:— (a) making of improvements, (b) the acquisition by a landlord of a portion of a holding for building or other purposes, (c) the surrender and abandonment of holdings, and (d) contract and custom". (Statement of objects and reasons.)

431. *Objects of the Orissa Tenancy Act.*—The Revision Settlement and the formation of a separate province of Bihar and Orissa brought into prominence the need for a self-contained code for Orissa. The objects and reasons of the Act were as follows:—" (1) To consolidate, simplify and rearrange the greater part of the statute law relating to landlord and tenant. (2) to restore to holders of sub-proprietary interests and of resumed (*bajyasti*) revenue-free lands the position which they held for nearly a century before the extension of certain provisions of the Bengal Tenancy Act, 1885, to the said districts, (3) to secure *raiya*s in the enjoyment of their existing rights, both statutory and customary, (4) to make a definite extension of the area held as private lands by proprietors and sub-proprietors, in consideration for the security of tenure to be afforded to their tenants in lands reclaimed from waste, (5) to improve the procedure for the recovery of rents due to proprietors and sub-proprietors, (6) to remove ambiguities, defects and anomalies which are known to exist in the present law, and (7) to prevent encroachment of lands over which communal rights exist".

432. *Security of raiya*s.—The security of the *raiya*s in their existing rights was mainly provided for by Chapter XVII and by section 61. The omission to extend section 178 of the Bengal Tenancy Act to Orissa had left in the hands of the *zamindars* a dangerous power to bar the acquisition of occupancy rights. Section 61, which is new and not to be found in the Bengal Tenancy Act, provided that when a *raiya* has been cultivating waste land for four years he shall be deemed to have obtained the consent of the landlord, if the latter has not in the meantime applied to the Collector for his ejection. This provision was found to be very necessary as "during the course of Revisional Settlement, it was found that a large majority of landlords were opposing the reclamation of waste lands . . . and where such reclamations had been made were endeavouring to deprive the cultivators of the fruits of their labour".* The section also enabled the *raiya* to approach the Collector for settling a fair rent on the reclaimed land. Mr. James's expectation that the new law would solve the problem satisfactorily appears to have been fulfilled.

The failure to extend to Orissa the provisions of the Bengal Tenancy Act relating to contract and custom had created an intolerable situation, as the landlords had, since 1906, adopted the device of getting *kabuliats* executed by their *raiya*s barring the accrual of occupancy rights on all kinds of lands, and the Legal Remembrancer held that, as section 7 of Act X of 1859 was still in force, there was no law in Orissa to prevent this. The enactment of section 232 has put this matter right.

433. *Protection of proprietors' private lands.*—The main principle which appears to have been in the minds of the framers of the Act is that while the *raiya*s should be guaranteed security of tenure in ordinary lands, including new lands reclaimed from waste, the areas protected from the accrual of occupancy rights should be extended and should be definitely fixed. Act X of 1859 had already provided that "*khamar*, *nijjote*, or *sir* lands belonging to the proprietor of the estate or tenure and let by him on a lease for a term or year by year" should be exempt from the accrual of occupancy rights. The Bengal Tenancy Act repeated this provision but applied it only to proprietors and not to tenure-holders.† This chapter of the Bengal

* Mr. James describes the trouble experienced on this account at Revision Settlement in paragraphs 75 and 76 of his report.

† It also varied the wording by introducing the words "held under a lease" in place of "let on a lease". This really restricted the landlord's power to bar occupancy rights (see the judgment of Macpherson J. in *Tengaroo Sakul versus Chattu Bhar* in 10 P. L. T. at p. 575).

Tenancy Act was not extended to Orissa until 1906. At the Provincial Settlement the question whether *nijjote* of tenure-holders should be recorded was discussed and the rights of proprietary tenure-holders to hold *nijjote* was recognized "according to custom and Act X of 1859". The attestation rules of 1899 laid down that "the real guide to whether land is *nijjote* or not will be the custom of the country by which *nijjote* is held to be the last settlement *nijjote* with the addition of such lands as the *zamindar* may have reclaimed from waste either by his own plough or by letting on *bhagchas* to a *raiya*t and for which no cash-rent has been paid". Such lands were only regarded as protected from accrual of occupancy right when they had been let out on a lease for a term or from year to year. The true "demesne" land was recorded as *nijjote*, the other land in possession of proprietors or sub-proprietors as *nijchas*.

In the Calcutta High Court in 1903 a ruling was given (I. C. L. J. 310) to the effect that sections 20 and 21 of the Bengal Tenancy Act (acquisition of occupancy rights) having been extended to Orissa, and section 116 (protecting proprietor's private lands) not having been extended, section 6 of Act X of 1829 and its proviso, which correspond to section 116 of the Bengal Tenancy Act, had been repealed, and were no longer in force in Orissa, so that a *raiya*t could acquire a right of occupancy in *nijjote* lands as in other lands. On this being brought to the notice of Government, Chapter XI of the Bengal Tenancy Act was extended to Orissa in 1906. It defines private lands as lands cultivated by the proprietor himself for twelve years before the passing of the Act or cultivated lands recognized by village usage as proprietor's private land. Mr. James remarks that "when the Revision Settlement began, *raiya*ts on the *nijchas* land were duly recorded as occupancy *raiya*ts. The landlords objected very strongly, and stating that they knew nothing of the distinction made at the Provincial Settlement between *nijchas* and *nijjote*; claimed *nijchas* as their private land. In most cases, however, even if the lands had been originally their private lands, they had lost the advantage conferred by section 116 of the Bengal Tenancy Act by failing to comply with the provisions of that section . . . It is however, probable that in some cases in the 1897 settlement, landlords acquiesced in the *nijchas* entry, supposing that it stood for proprietor's private land. It was accordingly laid down under the Orissa Tenancy Act that proprietor's private lands should include all *nijchas* cultivated continuously by proprietors themselves from the 1897 settlement to the present Revision Settlement".

434. *Sections 153 and 154.*—The Orissa Tenancy Act makes a distinction between temporarily-settled estates and all other estates. The latter are governed by section 153 which practically reproduces section 120 of the Bengal Act, while the former are provided for by section 154, according to which a rigid rule is laid down for determining what shall be regarded as proprietor's private lands, namely that all land that has been recorded as *nijjote* in the Revision Settlement and all land that has been recorded as *nijjchas* both in the Provincial and the Revisional Settlements, shall be proprietor's private land, and no other land in a temporarily-settled estate shall be so considered. The section also secures to sub-proprietors other than *tanki baheldars*, the right to hold privileged lands. The Act protects *nijjote* lands from accrual of occupancy rights on the same conditions as before, i. e. when held by a tenant on a lease for a term of years or from year to year (section 55).

The intention behind section 154 was that such lands should be recognized as *nijjote* as had been in cultivating possession of the landlords continuously since the Provincial Settlement. For this purpose the records of the Provincial and Revision Settlements were to be taken as conclusive evidence. This has resulted in much land being recorded as *nijjote* that has never actually been in cultivating possession of the landlords, as some powerful landlords succeeded at both the previous settlements in getting large areas recorded as *nijchas* that were really let out to tenants on produce-rents.

435. *Nijjote recorded at this settlement.*—The *goswara* of the present settlement shows that the total area under revenue-paying estates is 3 502,567 acres. The area recorded as *nijjote* is 118,250 acres, of which only 3,234

acres are in the permanently-settled estates. The landlords have been recorded as in possession of 87,909 acres, *raiya*t on cash-rents have been recorded for 24,945 acres and *raiya*t on produce-rents for 5,397 acres. Apart from these an area of 99,514 acres has been recorded as landlords' *nijchas*. Thus the area actually recorded as in cultivating possession of the landlords is not far short of two lakhs of acres, the greater part of which is, however, *nijchas* and not *nijjote*. Broadly speaking, therefore, the intention in the minds of the authors of the Tenancy Act, that the landlords should be protected from the accrual of occupancy rights on a substantial portion of their lands has been amply fulfilled. Nevertheless these sections cannot be said to have worked entirely as their authors intended. From the debates in the Bengal Legislative Council at the passing of the Act in 1912 it appears that they envisaged the landlords as recognizing the tenants who cultivated the *nijjote* lands but taking the necessary precautions against their acquisition of occupancy rights. What has actually happened is that a large area of land which is actually under tenants has been recorded as in cultivating possession of the landlords, while nearly all the tenants who have succeeded in being recorded have been found to be entitled to occupancy rights.

436. *Working of the present law*:—It is apparent that the section has not worked in the manner anticipated. It was not imagined that the landlords would have much difficulty in barring the accrual of occupancy rights. But the section is naturally interpreted by the courts to mean that there must be some definite agreement between the landlords and the tenants, according to which the latter are holding for a definite term, and the latest pronouncement of the High Court of Patna in an appeal before a full bench consisting of Kulwant Sahay, Macpherson and Dhavle, JJ. is to the effect that there must be a registered lease (*Tengaroo Sukul versus Chattu Bhar*, 10 P. L. T., p 569). The actual practice in Orissa, however, is that no such definite agreement is entered into. These lands are most commonly cultivated by tenants on produce-rents and there is generally a vague understanding in the minds of both parties that the tenants have not got occupancy rights (the idea still prevails that tenants on produce-rents have no occupancy rights, and this is also applied to so-called '*nijchas*' lands). The landlords have found that their contention that these tenants are not entitled to occupancy rights is untenable. Consequently the more powerful among them have resorted to wholesale suppression of the tenants on *nijjote* lands. Their anxiety to prevent the accrual of occupancy rights on *nijjote* lands is strengthened by the fact that the produce-rented tenant, as soon as he has had his occupancy right recorded, can go and apply for the commutation of his rent. The landlords are, therefore, afraid not only of losing their control of the *nijjote* lands but also of losing their produce-rents. Moreover in the case of cash-rented *raiya*t the acquisition of occupancy rights restricts the landlords' power to enhance rents. Consequently the more powerful landlords conducted relentless campaigns to prevent the tenants from obtaining *khatians* for the *nijjote* lands. The most conspicuous examples were the Utikan and Rattan estates. The *raiya*t themselves often betrayed a keen anxiety not to be given *khatians*, as they were afraid to incur the displeasure of the landlord. This section has thus been responsible for a great deal of friction.

Furthermore, the landlords who have actually gained protection are the powerful and unscrupulous ones who have been able to suppress the *raiya*t, while the small landlord has had to acquiesce in the accrual of occupancy rights on his *nijjote* lands. The former is generally wealthy and an absentee, while the latter may be a resident landlord who is keenly interested in the preservation of his produce-rented lands.

437. *Judicial rulings on occupancy rights in nijjote*:—Section 55(a), or the corresponding section 116 in the Bengal Tenancy Act, has been the subject of many conflicting decisions. These are very fully discussed in the judgment of Macpherson, J. in *Tengaroo Sukul versus Chattu Bhar* (10 P. L. T., p 569), which has overruled a previous decision and established that "the law gives protection against accretion to a *raiya*t of a right of occupancy or non-occupancy in *zerait* only so long as the land is held under a lease for

a term of years or under a lease from year to year, which lease must be registered. Nothing else can prevent a *raiya* from acquiring such right in *zerait*. Even when the term of a lease expires and the lessee continues expressly or by implication in occupation as a *raiya*, only a fresh lease of the kind specified in section 116 can prevent accrual of a right of occupancy under Chapter V".

In this judgment the ruling in *Jagannath Das versus Janki Singh* (3 P. L. T., p. 197), was distinguished. In this latter case their lordships of the Privy Council held that a lessee of *zerait*, who retained the land after the expiry of his lease in spite of the lessor's demand for possession at such expiry, had become a trespasser on his refusal to the demand for possession, and thus was not a tenant, so that he could not be a non-occupancy *raiya*.

Conclusion.—From the above it will appear that the working of the Act has not been altogether satisfactory. The experience of this settlement points to the conclusion that the intention of the legislature to secure to the landlords an adequate amount of protected private lands would have been better achieved if the custom of the country had been taken into account, namely that, where the lands are held on produce-rents by tenants who on taking settlement have paid no *salami*, they are regarded as protected from the accrual of occupancy rights. The tenants themselves are accustomed to this system and it is in one respect convenient to them, as they can from time to time supplement their income by taking an extra plot of land on *dhulibhag* without having to pay any cash down.

438. *Sub-proprietors under the Act.*—The Orissa Tenancy Act does not recognize any distinction between different classes of sub-proprietary tenure-holder, except that by section 14 the right to transfer their tenures without the consent of the landlords is denied to *sarbarakars* while being allowed to other sub-proprietors. The effect of the Act is to restore the sub-proprietors to their previous position, similar to that of a proprietor, with relation to the lands of their villages. Under section 154 the right to hold lands as their *nijjote* or private lands is allowed to sub-proprietors other than *tanki baheldars*.

Section 6(3) of the Act provides that every sub-proprietor shall be deemed to be a tenure-holder for the purposes of sections 14 to 29, 99, 100 and Chapter 16 and to be a permanent tenure-holder for the purposes of section 74.

Sections 14 to 20 are concerning transferability of tenures. According to section 15 (i) (a) sub-proprietors other than *sarbarakars* are entitled to transfer their tenures by sale, gift or exchange without the consent of their landlord. Transfers by *sarbarakars* are governed by section 16, i. e. the transferee has to apply for registration of the transfer proffering a fee amounting to 25 per cent of the consideration money or six times the annual rental, and on the refusal of the landlord he can appeal to the Collector for a decision on the question of transferability.

Section 99 bars a division of a sub-proprietary interest without the consent of the proprietor. For this purpose the Tenancy Act takes no account of the fact that the sub-proprietors are under engagement to pay revenue through the proprietors. Presumably, therefore, a subdivision, even if consented to by the proprietor, would not be binding against Government, as it is expressly with the permission of Government that the sub-proprietor enters into his engagement with the proprietor at time of revenue settlement. Cases were met with in the course of this settlement in which the sub-proprietary interests had been split up into such small amounts that the recognition of these separate interests would have affected the security of Government revenue. In such cases the subdivision was ignored for the purposes of revenue settlement, and a single *habuliat* was taken as at last settlement. It is desirable that when applications are filed in the civil courts for partition of sub-proprietary interests, the interests of Government should be considered by the courts and partitions should not be made in such a way as to endanger the security of the revenue.

By the application of Chapter 16, sub-proprietors are on the same footing as other tenure-holders as regards sale for arrears under decree.

Section 74, read with section 6(3) protects the sub-proprietor from ejectment for arrears of rent.

Section 250 further makes the sums payable by sub-proprietors to proprietors recoverable by the same procedure as arrears of agricultural rents.

Section 69 recognizes the registration of a sub-proprietor under section 14, or the recording of his name in a record-of-rights as rendering his receipt a sufficient discharge for rent.

439. *Bajyaftidars*—One of the criticisms of the Bengal Tenancy Act as extended to Orissa was that it did not recognize any distinction between the holders of resumed revenue-free lands (*bajyaftidars*) and ordinary tenants. Systematic enquiries into all claims to hold lands revenue-free were undertaken at the settlement of 1836—43 under Regulation XII of 1805 II of 1819 and XIV of 1825. When the claim to hold such lands revenue-free was found invalid, the lands were resumed and assessed to revenue. "Grants over 75 acres were made into separate estates, those of less extent being included in the revenue-paying estates and assessed at half or at full rates according as the grantee could or could not prove uninterrupted possession since the conquest The rules were interpreted with great leniency, no attempt being made to assess the lands at anything like the real rates paid for similar lands in the vicinity, so that instead of paying full rates and half rates the resumed lands were assessed at from a half to an eighth of their letting value."* It appears to have been intended by the Government that this lenient assessment should only hold good for the 30 years term of the settlement (1837 to 1867 and it was expected that in course of time the *bajyaftidars* would become indistinguishable from the ordinary body of tenants. In the Governor's letter to the Board, dated 29 November 1836, it was written that it "seems certain that ere the period of the settlement now about to be made has expired all distinction between resumed *lakhiraj* and common *raiya* lands will be lost". This expectation, however, has not been fulfilled. Mr. Maddox wrote that the *bajyaftidars* look upon themselves as proprietors rather than as tenants and indeed to this day often describe themselves as *lakhirajdars*; they form the village aristocracy and are most undesirable tenants as they do not generally cultivate the land themselves and are most remiss in the payment of rent.† Something of this spirit still exists and at the present settlement proprietors frequently put forward as a ground for lenient assessment to revenue the fact that they had a large number of these difficult tenants.

The history of *bajyafti* rents is described elsewhere. The definition of *bajyaftidar* given in section 3 of the Orissa Tenancy Act recognizes that their rents are not liable to be enhanced during the course of a settlement. This was recognized at the Provincial Settlement. Mr. Maddox found that they had by custom acquired the right to sell the whole or any part of their property. The right of free transfer has been recognized by the Orissa Tenancy Act for all *bajyaftidars* whether tenure-holders or *raiya*s [section 15 (1) (c) read with section 6 (ii)]. A fee of Rs 2 is payable to the landlord for registration of the transfer. Fixity of rent for the period of settlement and freedom of transfer subject only to a registration fee of Rs. 2. are the main privileges which differentiate the *bajyaftidar raiya* from an ordinary occupancy *raiya*. Section 95 (4) protects their right to sublet without the consent of the landlord, and section 56 (proviso) enables them to contract for rents on a level with those collected by ordinary occupancy *raiya*s from their under-*raiya*s, in spite of their own rents being on much lower level.

Mr. Maddox also observed that they could "plant trees, build houses, and exercise all ordinary proprietary rights". The *bajyaftidars* still exercise the right to plant trees and to cut and appropriate the timber

*See Maddox's Report, paragraph 464

† Maddox's Report, paragraph 315.

without the permission of the landlord. In some parts of Puri district *bajyafidar* tenure-holders of Brahmin caste claimed exclusive right in the coconut and other trees standing on the holding of occupancy *raiya*s under them, and succeeded in proving that such a custom existed. They are also found to exercise the right to build houses on their lands as before. The question arises whether this custom is saved by section 237 of the Tenancy Act or whether it is inconsistent with, and so abolished by sections 27 and 29. The *bajyafidar* *raiya* is in the same position as other *raiya*s for the purposes of these two sections (section 6) and so is liable to ejectment if he uses the lands in a manner which renders it "unfit for the purposes of the tenancy". In view of the distinctive origin of the *bajyafidar* *raiya* (who is really a sort of "failed" proprietor) I think it must be held that the "purposes of his tenancy" should not exclude the building of houses in the exercise of a customary right.

440. *Transferability of occupancy holdings*—The question of the right of the occupancy *raiya* to transfer his holding has been set at rest as regards the temporarily-settled area by section 31 of the Orissa Tenancy Act. In the Provincial Settlement this was a matter of controversy. Mr. Stirling in 1821 wrote that he had been unable to discover any instances of a *raiya* selling or mortgaging his lands. But Mr. McPherson (now Sir Hugh McPherson), as Assistant Settlement Officer in charge of Puri at the Provincial Settlement, observed that "the transfer of *thani* rights had become a matter of every-day Occurrence . . . There was, however, always a tacit admission that the landlord's consent was legally necessary to such a transfer, and this was expressed in the shape of a fee, usually amounting to two annas per rupee of purchase-money, paid when the new purchaser applied to have his name entered in the *zamindar's* rent roll". Other Assistant Settlement Officers gave conflicting opinions on the transferability of *thani* rights, some of which are quoted by Mr. Maddox. Mr. Taylor appears to have summed the matter up correctly when he said that "*thani* lands are sold without the *zamindar's* consent but the *zamindar*, refuses to record mutation without the usual fees though he will take the rent from anyone who brings it".

441. *Introduction of section 31.*—The Revision Settlement brought this whole question into prominence. By the Revision Settlement rules the consent of the landlord was made necessary to the entry of the name of the purchasing *raiya*. Mr. McPherson, in 1908 gave the opinion that if it had not been for the advent of the Revision Settlement a custom of transfer with the landlord's consent would probably have been evolved. The landlords had, however, begun to charge the most exorbitant prices for the purchase of their consent, and it had clearly become advisable to make the law on the subject definite, either by prohibiting transfer altogether or by allowing it and fixing a definite rate for the transfer fee payable to the landlord. Mr. McPherson recommended the latter course, and supported Mr. Taylor's suggestion that the limit of the fee should be 25 per cent of the consideration money. He also considered that the landlord should be able to refuse to have as tenant a transferee to whom he objects for good and sufficient reason.

442. *Working of section 31.*—Section 31 of the Orissa Tenancy Act gave effect to these recommendations. The section, as it stands, has not worked smoothly and in the light of the experience gained since its introduction some amendment is clearly necessary.

The main sources of trouble are (1) under-statement of the consideration money by the tenants, leading to the imposition of arbitrary charges by the landlords in retaliation; and (2) abuse of power by the landlords in holding up the applications for registration beyond the period of limitation.

The most obvious remedy for the former evil would be to make the rent of the land transferred, and not the consideration money, the basis for calculating mutation fees. This is open to possible objection on the ground that in the case of transfer of the part of a holding the rent could only be conveniently assumed to be proportionate to the area, which might

not in every case be equitable and secondly that it might act as an incentive to the landlords to enhance rents unduly. The system of calculating the fees on the basis of consideration money, however, works very unsatisfactorily, and a change is desirable.

443. *Rate of registration fees.*—The question of reducing the scale of mutation fees by half has recently been raised in an amendment bill. This is a very controversial matter, and largely a matter of opinion. I am personally inclined to think that the present scale is too high. It has been calculated by one of my predecessors that the sums taken by landlords as mutation fees amount to at least 6 to 8 per cent of their rental, and according to the present practice this remains unassessed to land revenue. It was observed at the Revision Settlement that the *zamindars* who had previously taken no steps to interfere transfers suddenly began to demand exorbitant prices for the purchase of their consent. A, somewhat similar tendency was noticed at this settlement in permanently-settled estates, where the landlords, taking their cue from section 31, have begun to charge at the rate of 25 per cent of the consideration money. In some areas, notably the *Ekhrajat mahal*, this has caused much friction.

444. *Proposed legislation.*—To defeat the present practice of holding up application for registration, an amendment bill of 1929 proposed that it should be made compulsory for the landlords to give receipts in a prescribed form for the application for recognition, and if they do not consent, to record their reason for refusal. A penalty is provided for non-compliance. Such a provision, if duly enforced, would solve this problem. The Collectors would have to take active steps to enforce it.

Many Assistant Settlement Officers have suggested the extension of the period of limitation to three years, in order to make it more difficult for the landlords to suppress the applications until the period is over. This would probably discourage the practice to some extent, but the long period of limitation is otherwise inexpedient, and some more direct remedy seems necessary.

445. *Effect of allowing transfer.*—It was apprehended in some quarters that the comparative freedom of transfer newly granted to the *raiyyat* might cause the ruin of the ordinary cultivator by the passing of lands into the hands of money-lenders and outsiders. The figures collected at this settlement show that this has not been fulfilled. A few isolated cases were noticed, in which village lands were passing into the hands of money-lenders or powerful *raiyyats*, but there is no general tendency for the ordinary *raiyyat* to be denuded of his lands.

It was held by the Commissioner of Orissa in 1919 that this section did not apply to sales in execution of mortgage decrees. It has been held, however, by the High Court of Patna (2 P. L. J., p. 476) that the correct procedure in cases in which it is desired to put up for sale an occupancy right in execution of a decree on a mortgage, is to allow the sale to go through and then for the purchaser to apply to the landlord under section 31 for registration of the transfer. If he refuses to do so the purchaser should then apply to the Collector, who will decide whether there is sufficient cause for the landlord's objection.

446. *Extension of section 31 to permanently-settled areas.*—The permanently-settled estates were excluded from the operation of section 31 as there was no sufficient information regarding them before the legislature. The customs prevalent in these estates have been particularly investigated at this settlement in order to supply the information that was then lacking. The position found closely resembles that described by Mr. Maddox in paragraph 321 of his report with regard to Orissa as a whole, and there is the same difficulty in deciding whether the fees charged by the landlords are in return for their consent, or merely for recording the transferee in their *sheristas*. Refusal to recognize a transferee is almost unheard of, although a few cases were reported from the Kanika estate. The permanently-settled landlords, however, have since the passing of the Tenancy Act adopted the practice of charging 25 per cent of the consideration money

for recording transfers of ordinary *raiya* holdings, and this is generally regarded as a fee taken for granting consent to the transfer. On the other hand, when rent-free holdings are transferred the fee for recording the transferee is generally a small fixed charge of Rs. 2 per *kebala*. Those small fixed charges must, I think, be regarded as mere fees for registering the transfers, and not as implying that the landlord has a right to refuse consent.

As the permanently-settled landlords have now practically come into line with the practice in the temporarily-settled estates, and as they almost invariably consent to the transfer of *raiya* holdings, I think it is time that section 31 of Tenancy Act should be applied to those estates. It is desirable that the law on this subject should be clearly defined, as if this is not done it will become extremely difficult for courts to decide whether in any particular case a custom of transferability has actually matured owing to the landlord having for a sufficient length of time never exercised his right to refuse consent. There should also be a limit to the power of the landlord to demand mutation fees. The application of section 31 will substitute a clear-cut law for the obscurities of custom. The landlords themselves can have no real grievance if, in those very rare cases in which they may desire to refuse consent, the transferee is allowed to appeal to the Collector to arbitrate on the matter, nor can they complain if a fair scale of fees is prescribed by law.

447. *Tanki Baheldars*—The *tanki baheldars*, who are practically confined to Puri district, have been given the status of sub-proprietors under the Act but the privilege of holding *nijjote* lands is not extended to them.

Section 15 recognizes their right to transfer their tenures without the consent of their landlords. But in other respects their position is practically that of an ordinary permanent tenure-holder, with fixity of rent. They are governed by section 99, which prevents them from subdividing their tenures without the consent of the landlord. The *tanki baheldars* consider this a great grievance, as it enables the landlord to sue the entire body of tenure-holders when a single co-sharer, holding separately but not recognized as separate by the landlords, defaults for a small sum,

448. *Defect in section 67*—It is pointed out elsewhere that under section 67 (3), as it now stands, a landlord is not liable to a fine for any neglect on the part of his agent to deliver receipts in the proper form to his tenants. The sub-section runs "*such landlord or agent, as the case may be, shall be liable to a fine*". This materially weakens the control which the Collector can exercise over the landlords in this matter. It would be equitable to make the landlord liable for the failure of his agent to grant proper receipts, as it is clearly the landlord's duty to see that his agents do this. An amendment of this section is therefore recommended.

449. *Sub-proprietors*—The multiplication of the numbers of co-sharers in the sub-proprietary tenures through inheritance has given rise to very acute difficulties. As far back as the year 1831 Mt. Ricketts, the Collector of Balasore, foresaw that the application of the ordinary law of inheritance to these tenures would lead to numerous evils and pointed out that under the Mahratta rule a *makaddami* or *sarbarakari* tenure descended to a single heir. With their multiplication the tenure-holders become impoverished and the *zamindar* finds rent collection increasingly difficult. Disputes and litigation between the co-sharers are inevitable, and the *raiya*s are harassed by demands for rent from several individual co-sharers. When a holding is transferred the unfortunate purchaser has to approach each individual sub-proprietor for recognition as a tenant and is very rarely successful in securing recognition by them all. The *zamindars* and their agents take advantage of the plurality of sub-proprietors, when they obtain decrees for arrears of rent, by levying blackmail on the individual co-sharers for exempting their moveable property from attachment. (The power which the law gives to the decree-holder to proceed against any one of the judgment-debtors at his option supplies the *zamindars* with a dangerous weapon of which they generally make effective use. This abuse of power was observed to be particularly rife in Kotdesh.) It is no uncommon thing to

find money-lenders purchasing shares in sub-proprietary tenures and by withholding payment of rent allowing the tenure to go to auction sale for arrears, then setting up a *benamidar* to purchase it outright.

A remedy for some of these evils is already provided by section 104 of the Tenancy Act, which enables the District Judge on application by the Collector or by a co-sharer, to appoint a Common Manager. This, however can only be done in the event of serious dispute between the co-sharers, and in practice it is found that the section is not often resorted to, owing perhaps to the procedure being cumbersome. It would be advisable in my opinion to give wider scope to the power to appoint Common Managers in the case of sub-proprietary tenures, and to place it in the hands of the Collector, who is in a good position to judge when this measure has become necessary. It should be within the power of the Collector to appoint a Common Manager in any case in which the evils described above have become really serious. It will be recalled that the appointment of Common Managers was given to the Collector by the Bengal Legislative Council when it passed the Bill in March 1912, but this section was altered by the Bihar and Orissa Legislative Council so as to transfer this power to the District Judge.

450. *Law relating to embankments.*—The Flood Committee of 1928 has recommended more active control of embankments and far-reaching alterations of the law relating to these. At present the main provisions of law by which Government can control private embankments are section 4 of Act 32 of 1855 and section 6 read with section 76 of Act II of 1882. The former enables the Superintendent of Embankments in case of necessity to take over charge of any embankment or to order the removal of a private embankment. The latter enables Government to notify any area within which no new embankment can be erected or obstruction to the flow of water created. Such notifications were first issued in 1894 to apply to the areas traversed by some of the rivers of Balasore, and many other tracts have since been notified in the three districts. By these notifications the erection of embankments beyond a certain height is prohibited in the tract within a certain distance from the river banks. At the provincial Settlement it was apprehended that a strict enforcement of the notifications in North Balasore would throw a large area out of cultivation. This, however, does not appear to have happened. There were some complaints from proprietors that lands had gone out of cultivation owing to interference by officers of the Public Works Department, but on investigation the complaints were found to be groundless except as regards a small area in one village. The changes in the law recommended by the Flood Committee are in the direction of more effective control by Government of embankments and in particular it is suggested that the whole of deltaic Orissa should for the present be notified as a prohibited area under Act II of 1882. One of the difficulties which the more active interference with embankments must raise is that of compensating those persons whose interests are damaged by such interference. The sort of wholesale removal of harmful embankments which the Flood Committee proposes, while beneficial on the whole, must inevitably reduce the productivity of considerable areas of land. Section 7 of Act 32 of 1855 already provides some machinery for claiming compensation, but there is no convenient legal procedure by which a large body of tenants could obtain redress in the shape of reduction of rents. Each tenant would presumably have to sue his landlord separately for reduction of rent on the ground of decrease in the productive power of the land. In the temporarily-settled estates it would not be so difficult for Government to make some arrangement with the proprietors by which they should agree to a reduction of revenue while at the same time reducing the tenants' rents.* But in the permanently-settled estates where revenue is low and fixed in perpetuity, and in the revenue-free estates, where there is no revenue at all, the problem is more complicated. There the need is more likely to be felt for some provision of law by which the rents of tenants in a particular tract could be revised by an expeditious and inexpensive procedure without the necessity of a regular survey and settlement.

* The 7th clause of the *kabuliyat* prevents the proprietors from claiming remission of revenue as of right in the event of the abandonment of a public embankment.

451. *Position of non-agricultural holdings.*—The question whether rents of non-agricultural holdings are liable to be settled under the Tenancy Act was raised at several points during the settlement. It is clear that in any area which has not been excluded from the Act, all occupants of land who are "tenants" under the Act are liable to have their rents settled by the Revenue Officers. Some tenants in Cuttack town tried to impugn the validity of the settlement of rents of *chandnadars* and *bajyafidars* in the urban area, and referred to High Court rulings on the point. These rulings, however, were under the Bengal Tenancy Act, whereas *chandnadars* and *bajyafidars* are peculiar to Orissa and are specifically recognized by the Orissa Tenancy Act. Moreover the area in question is temporarily-settled. Section 119 of the Tenancy Act requires that the rents of all tenants should be resettled at the time of resettlement of revenue and the expression "all tenants" must include *chandnadars* and *bajyafidars*. *Chandnadars* are, of course, essentially non-agricultural tenants and *bajyafidars* also by their definition in the Act are not precluded from being non-agricultural. It is clearly desirable that in temporarily-settled areas the revenue authorities at time of revenue settlement should have power to resettle the rents of the tenants under the proprietors and some inconvenience is caused by the fact that many tenants in urban areas are *pattadars*, whose rents cannot be touched by the revenue authorities. From this point of view it would be convenient if *chandna* status could be given to all non-agricultural tenants in temporarily-settled estates and their rents fixed at time of revenue settlement. There are, however, disadvantages in the application of the Tenancy Act to urban areas. *Chandnadar's* rent cannot be enhanced during the term of the settlement, i. e. for 30 years and those of settled *raiya*s, a few of whom are found in the town, can only be enhanced after fifteen years by a small proportion. The letting value of land in a town, however, may fluctuate rapidly. The Tenancy Act requires the revenue authorities to resettle the rents of those non-agricultural tenants but sets forth principles of enhancement which are really suitable to agricultural holdings only. In urban holdings the proper ground for enhancement of rent is the increase in the selling and letting value of land in the area. This point causes no difficulties in the case of *chandnadars* to whom Chapter V is not applicable. But when urban holdings have *bajyafiti* or *sthitiban* status the enhancement of rent is apparently governed by the principles of sections 34 and 35 which are not really suitable. In order to make the Act logically consistent it should be provided that no purely urban holdings can retain the status of *bajyafiti* or occupancy *raiya*s, or alternatively that principles for the enhancement of the rents of such holding should be laid down.

By the application of the Act to Cuttack town the statutes in the urban area are somewhat confused. Some tenants are *pattadars* or leaseholders, governed by the Transfer of Property Act, while others have various statuses under the Tenancy Act—*chandnadars*, *bajyafidars* or settled *raiya*s. The question of jurisdiction on rent questions will depend on the status. It would appear that there is much to be said for excluding such urban areas from the Act. But as regards the temporarily-settled estates this would render revenue settlement more difficult, and it has to be borne in mind that the exclusion of the areas would not affect the rights that have just been recorded under this settlement, as these are saved by section 22(2).

The question arose whether those non-agricultural holdings recorded with status *gharbari* in permanently-settled estates can have their rents settled on an application under section 128. The status *gharbari* was given to holdings containing the homesteads of non-agriculturists and implies that the occupant is not a tenant under the Tenancy Act and therefore his rent does not appear to be liable to be settled under section 128.* I think that some sort of *chandna* status should be open to non-agricultural tenants in the permanently-settled estates as to their counterparts in the temporarily-settled estates, not of course as implying that their rents should be settled at the time of revenue settlement, but that they should be recognized as tenants under the Act and their rents be liable to be dealt with under section 128.

* The practice regarding these holdings in the Collectorates is not uniform. In Cuttack the Deputy Collectors do not entertain rent suits for such holdings but in Puri and Balasore they do.

452. *Rights in trees.*—On this subject Mr. P. T. Mansfield i. c. s., has written as follows:—

"Inquiries were made by Attestation Officers into the prevailing practice with regard to trees growing in tenants holdings. This is a matter which the Tenancy Act leaves to custom. In the first block, as trees are not usually in Orissa a prolific cause of disputes as in Bihar, it was felt to be better to let sleeping dogs lie, and therefore the rules drawn up by Mr. Toplis did not provide for detailed entries of the rights in trees. These rules were followed in the main for the first four blocks; though the rule was that if any third Person (other than landlord or tenant) were in possession of the tree, an entry to that effect should be made, though even in such cases it did not necessarily imply that he was in possession to the exclusion of the landlord. The usual (but not universal) custom is that the landlord and tenant each have some share in the fruit and or timber and no one else and from Block E onwards the rule was modified. Thenceforward if any third person (other than the actual cultivator of the plot and the immediate rent receiver) had a share in the fruit or timber, or if the actual cultivator had no share in either, detailed entries were to be made, specifying completely the exact shares in fruit and timber. Otherwise no entry was to be made. Thus, in all the blocks, the absence of any entry as to possession will indicate that no third person has any share; it will also indicate in the last three blocks that the cultivator has got some share; but an entry of one or more person's possession with regard to a tree will not indicate that he or they are in exclusive possession of the fruit and timber, unless the entry accounts exhaustively and specifically for the fruit and the timber; and such exhaustive entries were not as a rule made anywhere except in the above mentioned cases in Blocks E to G."

Although the practice varies I think it is a fairly general idea that the ordinary occupancy *raiya*t has the right to take the fruit of trees growing on his holding, but not to cut the timber or even to appropriate it when it dries up. But whereas some landlords exercise their right to the timber, others in practice never interfere and may be regarded as having lost such rights as they ever may have possessed. Those who do exercise their rights generally do so by charging fees representing one-half or one-quarter of the value of the timber, but some of them charge nominal fees of 4 or 8 annas per tree. It is also commonly found that timber of trees on homestead lands is appropriated freely by the *raiya*t. Bamboos in Orissa are taken by the tenants. Some landlords have tried to take advantage of the ruling in the Patna High Court in the case of Maharaja Sir Rameswara Singh Bahadur *versus* Basudeb Singh (P. L. J. VI, p. 127) according to which bamboos come within the definition of timber, but this does not appear to give the landlords the right to take bamboos in contravention of the local custom.

Generally it is conceded that trees can be cut without permission when required for communal purposes such as cremation.

453. *Baiyafidars* are on a different footing from ordinary *raiya*t and have full rights in trees. Brahmin *baheldars* and privileged tenure-holders in many cases appropriate the fruit and timber of cocoanut trees, and in Puri of *polang* trees, even on the holdings of *raiya*t.

It has been proposed in an amendment Bill of 1929 to define the rights of landlords and tenants more clearly in the Act. While clearness is of course an advantage, the prevalent customs are so diverse that a law that fits all localities would be difficult to frame, and the result would probably be to create considerable friction. The experience of this settlement has shown that friction over rights in trees is not common.

454. *The Amendment Bill of 1929.*—The Orissa Tenancy Amendment Bill introduced by Babu Lingraj Misra in 1929, has already received passing mention. Mr. P. J. Scotland, as Settlement Officer, gave his opinion on many of its provisions, and in my remarks below I have very largely reproduced his ideas.

It is difficult to understand the proposal to give sub-proprietary status to *shikmi zamindars* in permanently-settled and revenue-free areas. I have never come across this status in these areas, and the very definition of sub-proprietor would exclude any tenure-holder not in the temporarily-settled area.

The proposal to make *rafa tankidars* tenure-holders by statute takes on a different aspect since the latest High Court ruling has declared that they can be either tenure-holders or *raiya*s. In this settlement we have been guided by this ruling, and by the statuses recorded at last settlement. The *rafa tankidars* might appear to have some grievance, as in origin they are very similar to *bajyastidars*, but the Tenancy Act gives them no special privileges. They are, however, only confined to the Khurda area, and the experience of this settlement does not suggest that their interests are in any real danger. The specific designation of *rafa tankidars* has been maintained in the record-of-rights.

The proposal to confer the right of free transfer on *sarbarakars* has no very valid ground. As far back as 1839 it was decided that they had no such right, and although in most respects the distinctions between different classes of sub-proprietors have disappeared, the right of the *sarbarakar* to transfer his tenure has never been recognized.

One grievance which is felt by *sarbarakars* in common with all holders of non-transferable tenures, is that the changing of mutation fees at six times the rental is a very heavy imposition. The prices obtained for such tenures are low and rents are high in proportion to the assets, and it frequently happens that six times the rental is a larger sum than the consideration money of the sale. There is a strong case for lowering this rate.

The question whether rent suits should be tried by revenue or by civil mutation fees have already been discussed elsewhere as also has the suggestion to define the law about rights in trees.

With regard to the proposal to allow co-sharer tenants to open separate accounts, there is no doubt a great deal to be said for protecting the co-sharer tenant from being proceeded against for the default of another co-sharer, but there are practical difficulties, and it would be advisable to wait and see how the provision has worked in other parts of the province where it has been introduced.

The questions affecting transfer of occupancy rights and the scale or courts is a matter of controversy. The present system of giving them to the revenue courts seems to command general approval, and I do not see sufficient reason for a change.

Clause 15 of the 1929 Bill aimed at the protection of parties who are not defaulters from harassment by decree-holders, and proposed that it should be compulsory to proceed first against the land of the defaulter. The present law by which the decree-holder can proceed against the moveables of any judgment-debtor is commonly used as a vehicle of blackmail and oppression and there is something to be said for an amendment of this law.

455. *Miscellaneous points.*—I add a few miscellaneous points concerning the Tenancy Act.

Section 78, which makes it necessary for the landlord to bring suits for recovery of produce-rent within a year, has been effective in saving the tenants from harassment.

Sections 79 and 80, providing for appraisal and division of produce by the Collector are not very much used. In five years the yearly average is found to be 66 division cases in Cuttack and 18 in Balasore. In Puri the average was 23 from 1924 to 1927, but in the next year there were 60 cases and in 1928-29 there were 237 cases. This abnormal rise may be attributed to the friction arising from the institution of commutation cases, which were encouraged by the settlement. In the same district an even more striking increase is found in the notices of abandonment under section 98 in that year, which were 651 in number.

Section 85, affording protection against *abwabs*, is very little used. The realization of *abwabs* is practically confined to the powerful landlords, whose tenants are afraid to institute proceedings against their landlords. In order to render the section effective it is advisable to give the Collector power to start proceedings on his own motion.

The so-called power of private distraint was given to the Orissa *zamindars* under the Act (Chapter 13). It does not appear that it is very much used, and the proportion of rent suits does not show any decline. Probably the procedure under the Act and Board's Rules is too cumbersome to attract the landlords. The chapter of the Act appears to have done neither much harm nor much good.

A point in the procedure for rent suits which has caused some grievance, is that under section 224 (3) the unrecognized purchasers of occupancy rights cannot release the holdings from attachment by payment of money into Court. In view of what has been noted above concerning recognition of transferees, I think this power should be extended to the purchasers.

In section 211 (1) of the Act the words "and in which such record is maintained" appear inappropriate, as they apparently imply that continuous maintenance of records which has been abandoned in Orissa.

456. *Rents for special crops*.—The Tenancy Act does not recognize that the growing of a special crop should be a valid reason for an enhancement of rent (sections 34 and 35). Many cases were detected at this settlement in which very high rents had been imposed on lands on which valuable crops such as sugar or *pan* had been introduced. In one case in the Motri estate the landlords, instead of enhancing the rent, levied a sort of water-rate on the lands growing sugar, purporting to be in return for the privilege of irrigating the fields from tanks and *jores*. It may be said that in economic theory the additional charge for growing a special crop is not rent for the land but a tax on the crop. Whatever it may be called, I think it would be expedient to place the practice on a legal footing and bring it within the control of the courts. To forbid it altogether is to destroy the landlord's incentive to encourage and assist the cultivation of valuable crops.

457. *Pasture problem*.—The problem of providing adequate grazing ground for the cattle of the province has recently engaged the attention of Government. The Cattle Committee of 1925 touched upon this subject and gave the opinion that increase of grazing lands alone would not remedy the existing condition of the cattle, as even with sufficiency of pasture lands grass is deficient during the hot season. The Cuttack Agricultural Farm has been making interesting experiments in the cultivation of fodder crops, which if introduced on a sufficient scale would go far to solve this problem. In the debate which took place on this subject in the Legislative Council in February 1926 attention was drawn to the difficulty of setting aside adequate grazing grounds in densely populated and highly cultivated districts where practically all available land is under cultivation. This is particularly apparent in the irrigated area in the centre of Cuttack district, where almost every available acre is cultivated in order to provide for the needs of a very dense population. The Settlement Officer was instructed to make enquiry during settlement on the present position in Orissa, and particularly in the permanently-settled estates.

458. *Clause 8 of the kabuliyat*.—In the temporarily-settled tract it is possible for Government to exercise some control over reserved lands as the *kabuliats* executed by the proprietors at each revenue settlement include a clause by which they bind themselves to allow no encroachment on these lands. At the present settlement this clause has been made more stringent by adding the obligation to report all encroachments to the Collector. Some objection was raised to this addition by the Orissa Landholders' Association but Government did not see fit to alter the clause, as it does not impose any unreasonable burden on the landlord.

459. *Khatians of reserved lands*.—The plots which the temporarily settled landlords thus bind themselves to preserve are shown in a schedule to

the *kabuliyat*. Following the example of the Provincial and Revisional Settlements, at this settlement the plots reserved for grazing and other purposes were entered in separate *khatians*. The methods adopted in the last two settlements are described by Mr. James in paragraphs 77 to 81. At the Provincial Settlement the Assistant Settlement Officers selected in each village a few large fields suitable for grazing and entered them in a separate *khatian* on which they had to get the signatures of some of the leading *raiya*s and of the landlord and his agent. Plots containing tanks used for drinking purposes were treated similarly. The clause referred to above was inserted in the *kabuliyat*, not without some objection from the landlords.

The plots thus recorded as reserved in the Provincial Settlement were again so recorded in the Revision Settlement, except that where it was found that these were actually unsuitable for reservation, exchanges were effected and other suitable land reserved by order of the Collector. Some additional plots were also reserved for grazing, these being generally cattle paths leading to the grazing grounds (*godandas*). Mr. James reports that "practically every reserved plot had been partly cultivated but the encroachments were in nearly all cases very small in extent. The *zamindar* is possibly in these cases liable to have his *kabuliat* cancelled, but the penalty is so heavy that it cannot be enforced. It is obviously desirable that these lands should be protected; but if this is to be done the Collector needs to be empowered to eject trespassers by a summary proceeding". It was originally proposed in the Orissa Tenancy Bill of 1912 to give such powers to Collectors: but it was finally decided to leave the question for fuller consideration at the next revision of the revenue settlement.

460. *Present position*.—The position found at the present settlement is practically the same as that described by Mr. James. Every effort has been made to record sufficient areas as reserved for grazing. The area reserved has been increased to 145,991 acres,* and now represents $5\frac{1}{2}$ per cent of the total area of the temporarily-settled tract, and a very large proportion of this is reserved for grazing purposes. This was effected by recording all the old reserved plots again as *rakhit* except when unsuitable and by persuading the landlords to consent to reserve more plots where grazing ground was inadequate. A standard of 5 per cent at least of the total village areas was aimed at. The landlords were often unwilling to consent, as they wanted to retain all available waste land for settlement with *raiya*s.

It was observed that the tendency for all reserved plots to be gradually encroached upon continued in all parts, and there were some peculiarly flagrant cases. The difficulty of dealing with these encroachments was brought clearly into prominence in the course of this settlement. As Mr. James remarked, the penalty of cancelling the *kabuliyat* is too extreme for ordinary use, although in fact it has been put into force very recently in a particularly bad case. The encroachments which came to light through the new survey were reported to the Collectors for action. About 700 such cases were reported in Cuttack district alone.

461. *Procedure for dealing with encroachers*.—The method generally used by the Collectors is prosecution of the encroaching cultivator under section 290 of the Indian Penal Code. This is, of course, an indirect method. By the infliction of a fine the encroacher is punished for cultivating the reserved land and discouraged from continuing to cultivate it. The mere threat of such action is generally effective. The legal position, however, is somewhat complicated in those cases in which the *raiya* has been cultivating the land for four years. The opinion has been expressed by the Legal Remembrancer that under section 61 of the Orissa Tenancy Act the *raiya* will have acquired an occupancy right even if the land is *rakhit*. It has further been held by the Hon'ble High Court of Patna that the remedy of Government should not be taken by criminal process in a case where the encroacher has been recorded as having an occupancy right in the land encroached upon. An order of the District Magistrate of Balasore

* This is exclusive of 4,278 acres recorded as *rakhit* in the permanently-settled estates. It also does not include cremation grounds, which are now recorded in the *sarbasadhara* *khatian*. At Provincial Settlement the area recorded as reserved exclusive of cremation grounds, was 107,500 acres.

directing the prosecution of an encroacher was quashed on this ground (Criminal Revision no, 23 of 1926.) If this is the state of the law, an act which is in itself a crime is not punishable after a lapse of four years—a curious exception to the fundamental principle that no limitation is applicable to criminal cases. It appears to me, however, that section 251 of the Orissa Tenancy Act is sufficient to exempt reserved lands from the operation of section 61 and to save them from the accrual of occupancy rights. If so, this difficulty does not arise. Nevertheless I do not think that the use of section 290 of the Penal Code is a very satisfactory method of dealing with these encroachments. It has been held that the landlord cannot be prosecuted as an abettor, if he has not actually settled the land with the encroaching tenants,

Another method which is occasionally tried by the Collectors is to call upon the landlord to evict the trespasser by suit. This device has not had very satisfactory results. The Collector of Balasore has recently tried it and has reported that it is not effective.

462. *Proposed legislation*—I therefore think that it is advisable to give power to the Collectors to eject encroachers by summary proceedings. The provisions of Chapter XA of the Orissa Tenancy Bill, 1912, as amended by the Select Committee, appear to be adequate, except that while evicting a trespasser the Collector should have power to impose a fine not only on the trespasser but on the landlord who by his negligence or connivance has allowed the encroachment. It may also be noted that the term *sarbasadharan* in that chapter is not now appropriate, as the term *rakhit* has been used for reserved lands at this settlement.

463. *Reserved tanks*.—At this settlement the *rakhit khatian* was used for recording, besides grazing grounds, water channels and tanks, where these were reserved, but not cremation grounds (these were placed in the *sarbasadharan khatians*). At the Provincial Settlement tanks used for drinking purposes were included in the list of reserved plots, “but there was some difficulty in reserving these without interfering with the proprietor’s right of fishery”. At this settlement also an effort has been made to effect the reservation of a sufficient number of suitable tanks. The consent of the landlords was taken for reservation of new tanks. The landlords are generally reluctant to consent to reservation unless they are given an assurance that their rights of fishery are not to be interfered with. The recording of a tank as reserved, however, does not imply any alteration in any fishery rights which may have existed from before. It implies that the villagers have a right to use the water for drinking purposes.

464. *Reserved lands in permanently-settled estate*.—The problem of pasture lands takes on a different complexion in the permanently-settled estates, where the proprietors do not execute fresh *kabuliyats* for the term of the settlement. A few of the killa proprietors have in fact given their consent to the recording of certain areas as reserved. In killa Aul this had been done at last settlement and the same area, 2,905 acres, was again recorded as reserved, the landlord not agreeing to the reservation of any additional area. In Sukinda, 1,243 acres have been reserved and in *Chhedra* 130 acres. In the *Ekhrajat mahal* lands had been recorded as reserved in previous settlements, and this was again done, an area of 3,916 acres being recorded. No lands were so recorded in any other estate. The general custom in the permanently-settled estates is to allow cattle to graze quite freely on all available waste lands without any charge. But these lands are also let out for cultivation when required and it would be difficult, if not impossible, to prove that on any particular plot the public had acquired a right of free grazing to debar the landlord from letting it out for cultivation. Even as regards those plots that are recorded as reserved, where the landlord must be taken to have consented to reservation, it is not very clear what action Government could take in the event of the landlord’s failure to keep the land reserved, unless the new sections described above are introduced and made applicable to the permanently-settled estates. In the killas along the coast of Cuttack there were frequent complaints from the

villagers that their cattle paths and grazing grounds were being Settled with tenants and brought under cultivation, and it is undeniable that in many villages this process has gone to dangerous lengths.

465. *Desheta jagirs in temporarily-settled estates.*—The system of giving service lands to village servants such as the barber, washerman and potter still prevails in Orissa. The general custom is for the *jagirdars* to receive also small payments of paddy annually from the *raiya*s. A tendency was noticed in some more advanced areas to introduce payment in cash. In the temporarily-settled estates these village servants were usually recorded as *desheta jagirdars* so as to make it clear that they are servants of the village community and are not liable to have their *jagirs* resumed at the will of the landlords; their lands were exempted from assessment to revenue. 8,082 acres have been recorded in this way, as compared with 5,553 acres recorded as ordinary* *jagir* in the temporarily-settled area.

466. *Desheta jagirs in permanently-settled estates.*—These village servants were also commonly found in the permanently-settled estates, and the question was frequently raised whether they could be recorded as *desheta jagirdars* there also. The *jagirdars* in the permanently-settled estates obviously served the village community, and it is of some importance to the public that they should not be liable to summary ejectment. But the landlords argued that the recording of *desheta jagirs*, implying that they are not at liberty to resume these lands at will, amounts to a deprivation of the complete proprietary rights made over to them by Government in perpetuity. They also urged that the *jagirs* were given by the estate for the purpose of services to the landlord himself or his officers, and it is generally found that the *jagirdars* do give their services to the *tahsildars* and other local officials. In the last year of the settlement this point was taken to the Civil Court, where the decision (subject to appeal) was that this class of tenants were entitled to the status of *desheta jagirdars*. Previously, however, this principle had not consistently been followed in preparing the record, merely because the tenants themselves were reluctant to claim the status against principal landlords, and so they will very frequently be found recorded as mere *jagirdars*.

* *Jagirs* granted by the landlord for services rendered to himself, and not exempted from revenue.

CHAPTER XV.

Officers.

467. *Settlement Officers.*—Mr. A. R. Toplis was the first Settlement Officer and held charge from October 1922 to March 1924. He had the very difficult task of getting the settlement into working order with an inexperienced staff, and of framing rules and principles for future guidance. He effected great improvement in the quality of the staff, and was also responsible for simplifying the entries of status, so that the legal position of each tenant under the Act is clear and definite, a principle which was adhered to throughout the settlement. Mr. P. T. Mansfield was Settlement Officer from April 1924 to March 1928 with an interval of leave in 1926. He carried on the work of Mr. Toplis in training the staff and inculcating the habit of accurate work, and effected much simplification and cheapening of the operations by introducing improved methods and eliminating superfluous procedure. He carried the settlement through the heavy middle period. He was mainly responsible for dispensing with the need for a regular settlement in the Khurda *khas mahal*. Mr. P. J. Scotland took over charge in March 1928 and carried on until February 1929, although hampered by ill-health. He had to cope with some difficult problems in attestation of Block E. Mr. Scotland also worked as Settlement Officer for a few months after his return from leave in November 1929. Mr. D. E. Reuben held the post of Settlement Officer for ten months while Mr. Mansfield was on leave in 1926. Rai Sahib Phanindra Nath Gupta held it for three weeks in 1925, and for five months in 1930. I took over charge from Mr. Scotland in February 1929 until November 1929 and on my return from leave was again Settlement Officer from August 1930 to April 1932. Mr. Samuel Das acted in my place for fifteen days in June 1931 and took over charge from me in April 1932.

468. *Assistant Settlement Officers.*—The officers employed in the settlement included 31 Deputy Collectors, 54 Sub-Deputy Collectors, 24 Munsifs (including probationary Munsifs), 17 non-gazetted officers and 11 junior civilians on training. The system of charges was adopted and the following officers were employed as Charge Officers, excluding those who also became Settlement Officers:—Mr. N. Senapati, Mr. S. M. Dhar, Mr. K. P. Sinha, Babu Nalini Kanta Ghosh and Rai Sahib Uma Charan Das.

The following Officers received promotion for their good work in the course of the Settlement:—

- (1) From Sub-Deputy Collector to Deputy Collector:—Babu Bhagaban Mohapatra, Babu Jadunath Mohapatra, Babu Chintamani Acharjya, Babu Ganesh Chandra Chandra, Babu Parameswar Dayal, Maulavi Musahab Khan, Babu Satish Chandra Banerjee, and Babu Udit Narayan Pandey.
- (2) From non-gazetted posts to Sub-Deputy Collectors:—Babu Sadhu Charan Sahu, Babu Jai Behari Parhi, Babu Apurba Krishna Singh, Babu Lalit Mohan Bhattacharya, Babu Tejendranath Gupta, Babu Lokanath Patnaik, Babu Durga Charan Patnaik, Babu Dibya Singh Patnaik and Babu Banamber Mohanti.

Rai Sahibs Phanindra Nath Gupta, Lauhar Singh and Uma Charan Das received their titles for good work on settlement.

Besides the officers mentioned above several others did good work in the settlement. I mentioned the following as having done useful work under me:—Mr. Samuel Das (to whom I am also indebted for assistance in writing this report). Maulavi Saiyid Wasi Ahmad Bilgrami, Mr. C. H. McNeill, Mr. Isaiah Das, Babu Krishna Chandra Ghosh, Babu Padma Charan Das and Babu Sachidanand Misra, Deputy Collectors; Babu Gopal Charan Patnaik, Babu Sudhakar Patnaik, Babu Somnath Mahapatra,

and Babu Raj Kishore Ray, Sub-Deputy collectors ; and Babu Duryodhan Mahanti, non-gazetted officer.

The civilians, on training, were given experience in *khanapuri*, attestation and recess work and derived considerable benefit from their period in the settlement. Some of them also did valuable work. The work of Mr. A. Whittaker in Sukinda deserves special mention.

I regret to have to report the death of two valuable officers in the course of the settlement. Babu Sudhir Chandra Ray, Sub-Deputy Collector, was a sound and hard-working officer, whom we could ill-afford to lose. Babu Binda Charan had done conspicuously good work and was marked out for early promotion to sub-Deputy Collector.

469. *Acknowledgments.*—Throughout the settlement the successive Directors of Land Records and Surveys supervised and guided the work. Mr. J. A. Hubback was mainly responsible for the framing of the principles of rent settlement, Mr. A. D. Tuckey took a great interest in the improvement of the rules of procedure. I am personally indebted to Messrs. Mansfield and Houlton for their guidance. The successive Commissioners and the Collectors of the three districts also gave useful assistance at several points in the Settlement.

1. The first step in the process of the investigation is the identification of the problem. This is done by the investigator who is responsible for the study. The next step is the formulation of the research objectives. This is done by the investigator who is responsible for the study. The next step is the design of the study. This is done by the investigator who is responsible for the study. The next step is the collection of data. This is done by the investigator who is responsible for the study. The next step is the analysis of the data. This is done by the investigator who is responsible for the study. The next step is the interpretation of the results. This is done by the investigator who is responsible for the study. The next step is the presentation of the results. This is done by the investigator who is responsible for the study. The next step is the conclusion. This is done by the investigator who is responsible for the study.

1. The first step in the process is to identify the problem or issue that needs to be addressed. This involves gathering information and understanding the context of the problem.

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Note—The statistics are for the area included in the settlement unless otherwise mentioned in the appendices.

APPENDIX

MIHAN KHASRA

(1) Area included in Settlement:—

District—

Name of thana	Cropped area.							Current fallow
	Bhadoi.	Aghani	Rabi.	Other cropped area, i.e., mango, tea, pan and plantain, etc.	Total	Dofasli or twice cropped area.	Net cropped area.	
1	2	3	4	5	6	7	8	9
Jajpur	20,659	123,516	26,494	3,064	173,733	20,439	1,53,294	2,998
Dharmasala ...	24,755	116,128	28,440	1,949	171,272	18,133	153,139	4,933
Total of Jajpur subdivision	45,414	239,644	54,934	5,013	345,005	38,572	306,433	7,931
Kendrapara ...	26,645	116,748	33,538	1,675	178,706	30,202	148,504	1,450
Patamundai ...	8,426	88,650	15,869	503	113,443	8,523	104,925	1,939
Aul ...	2,750	111,443	9,626	822	124,641	3,486	121,155	3,984
Total of Kendrapara subdivision	37,821	316,841	59,133	3,000	416,795	42,211	374,584	7,373
Salepur ...	22,924	94,839	36,755	3,792	158,310	34,170	124,140	2,116
Jagatsingpur ...	32,310	133,122	48,111	2,769	216,312	45,009	171,303	1,031
Tirtol ...	13,435	121,147	14,048	1,132	149,762	13,112	136,650	3,499
Cuttack ...	19,687	60,261	23,268	2,439	105,655	17,278	88,377	1,152
Total of Cuttack subdivision	88,356	409,369	122,182	10,132	630,039	109,569	520,470	7,798
Total of the district included in this settlement	117,561	965,854	236,249	18,145	1,391,839	190,352	1,201,487	23,102

(2) Area excluded from this Settlement:—

Name of estates.								
Banki (1917-20 ...)	4,085	32,746	11,927	4,366	52,854	10,404	42,450	2,070
Dampara (1905-07) ...	975	6,406	4,398	2,468	14,245	714	13,531	707
Darpan (1906-12) ...	2,673	30,987	3,259	182	37,101	1,456	35,645	508
Madhupur (1906-12) ...	5,774	18,265	8,406	563	33,008	3,928	29,080	1,454
Total of the district Cuttack excluded from this settlement.	13,507	88,134	27,988	7,579	137,208	16,502	120,706	4,739
Total of the whole district	185,098	1,053,988	264,237	25,724	1,529,047	206,854	1,322,193	27,841

I-A.

(AREA IN ACRES).

CUTTACK

Culturable area other than current fallow,					Area not available for cultivation,				Total unculti- vated area (columns 9, 14 and 18).	Total area (columns 8 and 19).
Old fallow.	Groves not fruit bearing and bamboos.	Cultur- able jungle.	Other kinds.	Total.	House site.	Water.	Other kinds.	Total.		
10	11	12	13	14	15	16	17	18	19	20
13,904	1,638	819	5,774	22,135	3,249	14,410	12,198	29,857	54,990	208,264
22,760	1,238	103,729	11,902	139,629	2,448	20,533	80,683	103,664	248,326	401,365
36,664	2,876	104,548	17,676	161,764	5,697	34,943	92,881	133,521	303,216	609,649
11,671	994	717	3,863	17,245	2,893	13,343	13,064	29,320	48,015	196,519
9,283	349	9,303	1,644	20,579	1,468	10,286	9,261	21,015	43,533	148,458
12,723	291	5,282	1,901	20,197	1,396	13,029	13,938	28,363	52,544	173,609
33,677	1,634	15,302	7,408	58,021	5,957	36,658	36,283	78,698	144,092	518,676
9,451	1,616	967	5,581	17,615	3,312	23,777	12,118	39,207	58,938	183,078
12,615	1,375	956	5,786	20,732	3,232	21,493	16,811	41,536	68,299	234,602
22,872	831	25,401	2,794	51,905	2,427	19,716	16,544	38,687	94,091	260,741
19,166	1,361	23,889	3,104	47,520	3,859	25,376	27,505	56,740	105,412	193,789
64,104	5,190	51,213	17,265	137,772	12,830	90,362	72,978	176,170	321,740	842,210
134,445	9,700	171,063	42,349	357,557	24,214	161,963	202,142	388,389	769,048	1,970,535

1,524	8	1,475	87	3,094	210	17,304	9,920	27,534	32,698	75,148
504	366	1,467	676	3,013	334	2,732	36,247	36,383	40,036	53,564
1,024	35	6,127	1,359	8,545	324	1,365	17,731	19,420	28,473	64,118
1,103	136	2,629	1,072	4,940	890	3,147	11,206	15,243	21,637	50,717
4,155	545	11,098	3,194	19,592	1,858	24,548	72,104	98,510	122,841	243,547*(a)
138,600	10,245	182,761	45,543	377,149	26,142	186,511	274,246	486,899	801,886	2,214,092

*(a) The figures do not include the following which were also excluded from the present Survey and Settlement :—

Jungle blocks in Killa Kujang	...	...	...	100 sq. miles.
Jungle blocks in Killa Kanika	...	...	...	90 "
Portions of navigable rivers in Brahmini, Baitarani and mahanadi, etc.	...	...	...	22 "
Jambu Hukitola and Light House	...	...	...	3 "
Mauze Madhuban in Killa Patia	...	...	...	1 "
Total	...	...	...	216 "

APPENDIX

MILAN KHASRA

District—

Name of thana.	Cropped area.							Current fallow.
	Bhadoi.	Aghani	Rabi.	Other cropped area, i.e., mango, tea, pan and plantain, etc.	Total.	Dofasli or twice cropped area.	Net cropped area.	
1	2	3	4	5	6	7	8	9
Balasore ...	3,256	89,011	1,675	817	94,759	123	94,636	2,401
Soro ...	865	190,366	6,318	1,463	199,012	39	198,973	1,110
Jaleswar ...	8,500	44,291	1,966	195	54,942	829	54,123	1,205
Basta ...	3,475	75,169	2,085	272	81,001	1,197	79,804	1,696
Baliapal ...	4,947	79,617	5,129	1,222	90,915	1,811	89,104	2,543
Total of Sadr subdivision ...	21,043	478,454	17,173	3,969	520,639	3,999	516,640	8,955
Basudebpur ...	1,112	78,222	493	950	80,777	265	80,512	3,084
Chandbali ...	304	73,377	2,235	828	76,744	16	76,728	10,886
Bhadrak ...	2,470	133,095	4,246	2,278	142,189	1,892	140,297	1,310
Dhamnagar ...	3,025	102,567	3,462	890	109,953	2,423	107,530	906
Total of Bhadrak subdivision ...	7,011	387,261	10,436	4,955	409,663	4,596	405,067	16,186
Total of the district ...	28,054	865,715	27,669	8,924	930,302	8,595	921,707	25,141

I-B

(AREA IN ACRES)

BALOSARE

Culturable area other than current fallow.					Area not available for cultivation.				Total uncultivated area (columns 9, 14 and 18).	Total area (columns 8 and 19).
Old fallow	Groves not fruit bearing and bamboos.	Culturable-jungle.	Other kinds.	Total	House site.	Water.	Other kinds.	Total.		
10	11	12	13	14	15	16	17	18	19	20
22,283	182	2,327	1,092	25,884	2,422	7,614	11,937	21,973	50,258	144,894
16,212	478	5,844	967	24,201	4,200	7,862	19,668	31,730	57,041	256,014
9,787	460	3,644	1,569	15,460	2,019	6,907	5,798	14,724	31,389	85,512
9,647	186	6,760	392	16,985	2,401	7,064	9,180	18,645	37,326	117,130
12,638	338	5,576	496	19,948	2,411	8,545	10,050	21,006	42,597	131,701
71,267	1,644	24,151	4,516	101,578	13,453	37,992	56,633	108,078	218,611	735,251
21,074	144	460	1,482	23,160	809	6,774	7,491	15,074	41,318	121,830
17,478	242	2,420	1,015	21,155	767	6,798	11,272	18,837	50,878	127,606
14,767	788	1,461	4,716	21,732	2,270	7,032	11,381	20,683	43,725	184,022
13,285	717	497	3,047	17,546	1,670	7,525	11,938	21,133	39,585	147,115
66,604	1,891	4,838	10,260	83,593	5,516	28,129	42,082	75,727	175,506	*(a) 580,573
137,871	3,535	23,989	14,776	185,171	18,969	66,121	98,715	183,805	394,117	1,315,624

*(a) The figures do not include an area of 9.38 sq. miles excluded from settlement in the following tracts :—

Chandnipal jungle in Killa Kanike ... 6.80 sq. miles.
 Lands appertaining to Khashmahals borne on the tauzi roll of the Midnapore district. 2.58 "

APPENDIX

MILAN KHASRA

District—

(1) Area included in Settlement :—

Name of thana.	Cropped area.							Current fallow.
	Bhadoi.	Aghani.	Rabi.	Other cropped area, i.e., mango, tea, pan and plantain, etc.	Total.	Dofasli or twice cropped area.	Net cropped area.	
1	2	3	4	5	6	7	8	9
Puri	4,302	130,669	28,880	9,041	172,892	16,440	156,452	4,493
Pepli	29,211	141,821	62,858	9,246	243,136	59,715	183,421	2,265
Gop	12,404	79,402	10,413	2,662	104,881	7,282	97,599	3,147
Total of Sadr subdivision ...	45,917	351,892	102,151	20,949	520,009	83,437	437,472	9,905
Ekrajatmahal in Khurda subdivision.	1,711	32,667	1,198	3,552	39,128	611	38,517	357
Total of the district included in this settlement.	47,628	384,559	103,349	24,501	560,037	84,048	475,989	10,262

(2) Area excluded from this Settlement :—

Khurda (1897-98)	9,389	204,608	10,938	37,156	262,091	9,048	253,043	5,500
Jagirmahal (1906-09)	60	23,747	1,403	2,660	27,870	...	27,870	1,281
Total of the district Puri excluded from this settlement,	9,449	228,355	12,341	39,816	289,961	9,048	280,913	6,781
Total of the whole district ...	57,077	612,941	115,690	64,317	849,998	93,096	756,902	17,043

IC.

(AREA IN ACRES).

PURI

Culturable area other than current fallow.					Area not available for cultivation.				Total unculti- vated area (columns 9, 14) and 18).	Total area (columns 8 and 19).
Old fallow.	Groves not fruit bearing and bamboos.	Cultur- able jungle	Other kinds.	Total.	House site.	Water.	Other kinds.	Total.		
10	11	12	13	14	15	16	17	18	19	20
31,031	2,833	1,877	2,911	38,652	1,603	15,122	19,649	36,374	79,519	285,971
15,826	743	2,621	4,464	23,654	2,355	11,344	16,632	30,331	56,250	239,871
24,688	2,231	11,145	4,261	42,325	1,154	14,971	26,432	42,557	88,029	185,628
71,545	5,807	15,643	11,636	104,631	5,112	41,437	62,713	109,262	223,793	661,270
11,976	81	9,413	745	22,215	463	868	7,750	9,081	31,653	70,170
83,521	5,888	25,056	12,381	126,846	5,575	42,305	70,463	118,343	255,451	731,440
36,344	...	107,373	170	143,887	1,609	14,277	147,040	162,926	312,313	565,356
14,699	...	2,672	1,018	18,389	136	19,150	22,430	41,761	61,386	89,256
51,043	...	110,045	1,188	162,276	1,745	33,427	169,470	204,642	373,699	* (a) 654,612
134,564	5,888	135,101	13,569	289,122	7,320	75,732	239,985	322,958	629,150	1,386,052

*(a) The area does not include the following which were excluded from survey in this settlement :—

Revenue free lands in municipal area of the Puri town	...	...	2.68 sq. miles.
Scattered lands of Bhubaneswar and Sakthigopal Temple Endowment	...	...	5.74 "
Chilka Lake	...	...	310 "

APPENDIX

JIINSWAR OR CROP STATEMENT

District—

Name of thana.	Bhadoi								
	Cereals and pulses.							Fibres.	
	Rice,	Jowar janera masur.	Mandfa.	Maize.	Mung and Biri.	Kulthi.	Others.	Jute.	Others.
1	2	3	4	5	6	7	8	9	10
Jajpur	20,254	...	190	...	4	20	19	135	10
Dharmasala ...	22,943	38	151	409	659	259	136	113	14
Total of Jajpur sub- division.	43,197	38	341	409	663	279	155	248	37
Kendrapara ...	22,179	16	2,029	2	39	7	31	2,320	10
Patamundai ...	7,732	1	437	1	112	8	11	120	3
Aul	2,650	2	33	...	9	11	15	24	2
Total of Kendrapara subdivision.	32,561	18	2,499	3	160	26	57	2,464	15
Salepur	19,250	28	1,526	2	60	19	35	1,968	15
Jagatsinghpur ...	26,645	30	5,330	9	89	11	22	161	5
Tirtol	10,302	11	2,901	5	125	11	7	58	5
Cuttack	17,953	8	1,612	2	17	3	17	41	1
Total of Cuttack sub- division.	74,150	77	11,369	18	291	44	81	2,228	26
Total of the area under settlement.	149,908	133	14,209	430	1,114	349	293	4,940	78

II-A

(AREA IN ACRES)

CUTTACK

				Aghani.							
Dyes, miscellaneous.			Total.	Cereals and pulses.						Oil seed.	Condi- ments and spices.
Indigo.	Food.	Non- food.		Rice,	Jowar janera wheat.	Bajra	Mung and Biri,	Arhar.	Others.	Til.	
11	12	13	14	15	16	17	18	19	20	21	22
...	12	2	20,659	110,751	1	5	303	1,596	1,320	6	6
1	31	1	24,755	112,796	2	138	306	1,374	397	432	3
1	43	3	45,414	232,547	3	143	609	2,970	1,726	438	9
...	13	...	26,645	114,089	9	3	62	1,187	1,066	3	11
...	1	...	8,426	86,322	27	...	190	1,010	975	35	...
...	4	...	2,750	110,252	...	...	292	98	584	20	..
...	18	...	37,821	310,663	36	3	454	2,295	2,625	58	11
...	21	...	22,926	92,164	...	...	54	1,550	541	7	35
...	8	...	32,310	128,284	2	...	267	1,365	2,531	6	38
...	10	...	13,435	118,082	1	7	43	848	1,972	30	9
...	33	...	19,687	58,529	...	1	51	726	297	105	4
...	72	...	88,356	397,061	3	8	415	4,489	5,341	148	86
1	133	3	171,591	940,271	42	154	1,478	9,754	9,692	644	106

APPENDIX

JINWAR OR CROP STATEMENT

District

Name of thana.	Aghani.						Rabi		
	Sugar.		Fibres.	Miscellaneous.		Total.	Cereals		
	Sugar cane.	Others.	Cotton.	Food.	Non-Food.		Rice.	Wheat.	Barley.
1	23	24	25	26	27	28	29	30	31
Jajpur	116	16	5	377	5	123,516	2,041	118	118
Dharmasala	406	35	4	222	14	116,128	871	160	9
Total of Jajpur subdivision. ...	521	51	9	599	19	239,644	2,912	278	127
Kendrapara	86	...	1	231	...	116,748	1,481	90	1,003
Patamundai	7	...	...	174	...	88,650	2,549	17	82
Aul	7	4	...	182	4	111,443	1,996	58	66
Total of Kendrapara sub-division.	100	4	1	587	4	316,841	6,026	165	1,151
Salepur	194	1	4	308	9	94,639	140	4	2
Jagatsinghpur	375	...	5	249	...	133,122	15	53	11
Tirtol	58	...	1	96	...	121,147	9	5	38
Cuttack	124	...	2	422	...	60,261	1,250	1	...
Total of Cuttack subdivision.	661	1	12	1,135	9	409,369	1,414	63	51
Total of the area under settle-ment.	1,282	56	22	2,321	32	965,854	10,352	506	1,329

II-A—(contd.).

(AREA IN ACRES)

CUTTACK

and pulses.					Oil seed.				Condi- ments and spices.	Fibres.	
Gram.	Mung and Biri.	Kulthi.	Arhad.	Others.	Linseed.	Rape and Mustard.	Til.	Others.		Cotton.	Others.
32	33	34	35	36	37	38	39	40	41	42	43
106	1,173	2,242	7,275	7,416	182	1,421	41	245	1,095	2	2
32	1,921	2,059	10,140	7,687	46	1,817	53	744	552	8	2
138	3,394	4,301	17,415	15,103	228	3,268	94	989	1,647	10	4
13	2,116	1,159	11,867	9,429	188	3,297	6	80	163	13	...
1	377	828	4,066	5,582	31	619	38	68	28	1	...
14	850	451	891	3,303	181	564	118	16	161	4	4
28	3,343	2,438	16,824	18,314	400	4,460	162	164	352	18	4
51	12,820	2,271	14,462	3,782	131	170	11	150	133	9	...
7	13,091	726	20,757	6,494	255	1,992	23	111	214	23	...
...	2,297	271	4,335	3,770	25	1,557	9	24	37	8	...
6	1,429	281	14,794	1,527	1	319	46	41	247	...	1
64	30,237	3,549	45,318	15,573	412	4,339	89	326	631	40	1
230	36,974	10,288	88,587	48,090	1,040	12,087	345	1,479	2,630	68	9

JINWAR OR CROP STATMENT

District—

Name of thana.	Rabi.								
	Dyes.	Drugs and Narcotics.				Fodder crops.	Miscellaneous crops.		
		Tobacco.	Opium.	Narcotics.	Others.		Potatoes.	Other food.	Non-food.
1	44	45	46	47	48	49	50	51	52
Jajpur ...	...	131	...	...	12	...	27	2,519	28
Dharmasala ...	1	164	...	...	...	6	9	2,064	65
Total of Jajpur sub-division.	1	295	...	...	12	6	36	4,583	93
Kendrapara ...	...	92	...	...	...	...	60	2,581	...
Patamundai ...	...	130	...	...	...	...	33	1,419	...
Aul ...	...	11	...	...	1	...	1	934	2
Total of Kendrapara sub-division.	...	233	...	...	1	...	94	4,934	2
Salepur ...	...	38	...	...	...	1	227	2,045	8
Jagatsinghpur ...	...	562	...	...	...	...	329	2,847	...
Tirtol ...	...	24	...	...	...	...	14	1,626	...
Cuttack ...	...	169	...	...	...	...	796	2,360	...
Total of Cuttack sub-division.	...	793	...	...	...	1	1,366	8,877	8
Total of the area under settlement,	1	1,321	...	...	13	7	1,496	18,394	103

II-A—concl'd.

(AREA IN ACRES).

CUTTACK.

Total	Orchards and gardens.				Total cropped area (columns 14,28,53 to 57)	Area cropped more than once	Net cropped area	Remarks.
	Mangoe.	Cocoanut and Plantain.	Pan garden.	Others.				
53	54	55	56	57	58	59	60	61
26,494	2,089	277	13	685	178,733	20,439	153,294	
28,440	1,421	58	3	467	171,272	18,133	153,139	
54,934	3,510	335	16	1,152	345,005	38,572	806,433	
33,638	1,256	187	1	231	178,706	30,202	148,504	
15,869	382	44	3	74	113,448	8,523	104,925	
9,626	523	235	...	64	124,641	3,486	121,155	
59,133	2,161	466	4	309	416,795	42,211	374,584	
36,755	2,730	497	36	529	158,310	34,170	124,140	
48,111	1,757	409	174	429	216,312	45,009	171,303	
14,048	569	258	96	218	149,762	13,112	136,650	
23,268	2,171	76	43	149	105,655	17,278	88,377	
122,182	7,218	1,240	349	1,325	630,039	109,569	520,470	
236,249	12,889	2,041	369	2,846	1,391,839	190,352	1,201,487	

APPENDIX

JINSWAR OR CROP STATEMENT

District—

Name of thana.	Bhadoi.								
	Cereals and pulses.							Fibres.	
	Rice.	Jowar. Janera. masur	Mandia.	Maize.	Mung and Biri.	Kulthi.	Others.	Jute.	Others.
1	2	3	4	5	6	7	8	9	10
Balasore	2,410	8	...	...	738	9	23	61	1
Soro	626	...	...	1	183	6	5	34	4
Jaleswar	6,722	1	...	100	449	33	846	26	5
Basta	3,013	5	...	...	315	15	18	89	9
Baliapal	3,625	1	...	1	505	47	255	230	70
Total of Sadr subdivi- sion.	16,396	15		112	2,190	110	1,147	437	89
Basudebpur	938	...	...	11	25	8	9	118	1
Chandbali	200	...	8	2	29	6	17	39	...
Bhadrak... ..	2,300	...	...	...	9	49	34	145	16
Dhamnagar	2,951	...	...	...	1	2	10	56	2
Total of Bhadrak sub- division	6,389	...	8	13	64	65	70	358	19
Total of the area under settlement.	22,785	15	8	125	2,254	175	1,217	795	108

APPENDIX

JINSWAR OR CROP STATEMENT

District—

Name of thana.	Bhadoi.								
	Cereals and pulses.							Fibres.	
	Rice.	Jowar. Janera. masur.	Mandia	Maize.	Mung and Biri.	Kulthi.	Others.	Jute.	Others.
1	2	3	4	5	6	7	8	9	10
Puri	3,396	9	796	21	23	2	21	21	7
Plpli	25,535	10	3,470	5	89	4	11	51	5
Gop	8,716	104	3,362	12	142	21	15	27	5
Total of Sadr subdivi- sion.	37,647	120	7,628	38	254	27	47	99	17
Ekrajat mahal in Khurda subdivision	1 189	1	340	1	4	8	124	28	...
Total of the area under settlement.	38,836	121	7,968	39	258	35	171	127	17

II-B—

(AREA IN ACRES).

BALASORE.

				Aghani.							
Dyes, miscellaneous.			Total.	Cereals and pulses.						Oil seed.	Condi- ments and spices.
Indigo.	Food.	Non- food		Rice.	Jowar, Janera, wheat	Bajra.	Mung and Biri	Arhad.	Others.	Til.	
11	12	13	14	15	16	17	18	19	20	21	22
...	6	...	3,256	83,856	...	...	26	3	5	7	8
...	4	2	865	190,353	...	...	4	...	3	...	1
2	290	19	8,500	43,954	...	...	273	3	1	...	...
3	...	8	3,475	74,298	32	...	764	13	2	2	...
21	3	189	4,947	78,862	...	3	592	7	7	94	13
26	303	218	21,043	473,323	32	3	1,659	26	18	103	22
1	1	...	1,112	78,158	...	28	5	12	2	...	3
2	1	...	304	73,279	...	...	15	10	6	1	1
9	7	1	2,570	132,693	...	...	14	88	36	12	9
...	2	1	3,025	101,869	...	...	12	120	40	...	3
12	11	2	7,011	385,999	...	28	46	230	33	13	16
33	314	220	28,054	862,322	32	31	1,705	256	101	116	38

II-C—

(AREA IN ACRES).

PURI

				Aghani.							
Dyes, miscellaneous.			Total.	Cereals and pulses.						Oil seed.	Condi- ments and spices.
Indigo.	Food.	Non- food		Rice	Jowar, Janera, Wheat	Bajra.	Mung and Biri.	Arhad.	Others.	Til.	
11	12	13	14	15	16	17	18	19	20	21	22
...	5	1	4,302	130,025	1	...	68	128	198	3	12
14	16	1	29,211	139,490	32	1	174	145	348	38	19
2	1	...	12,404	77,250	...	...	65	342	615	5	6
16	22	2	45,917	346,774	33	1	307	615	1,161	46	37
...	16	...	1,711	32,198	...	...	9	295	24	8	...
16	38	2	47,628	378,972	33	1	316	910	1,185	54	37

JINSWAR OR CROP STATEMENT

District—

Name of thana.	Aghani.					Total.	Rabi-		
	Sugar.		Fibres.	Miscellaneous.			Cereals		
	Sugar-cane.	Others.	Cotton.	Food.	Non-Food.		Rice.	Wheat.	Barley.
1	23	24	25	26	27	28	29	30	31
Balasore	86	1	...	18	1	89,001	...	...	...
Sore	3	...	...	2	...	190,366	...	...	...
Jaleswar	55	...	3	2	...	44,291	...	...	...
Basta	52	...	...	9	...	75,169	1	...	...
Baliapal	7	4	...	28	...	79,617	1	...	...
Total of Sadr subdi- vision	203	5	3	56	1	478,444	2	...	...
Basudebpur	10	...	1	3	...	78,222	...	...	...
Chandbali	4	10	...	50	1	73,377	1,868	...	...
Bhadrak... ..	136	3	...	103	2	133,095	3	2	...
Dhamnagar	387	11	2	121	2	102,567	6	2	1
Total of Bhadrak sub- Division	537	24	3	277	5	387,261	1,877	4	1
Total of the area under Settlement.	740	29	6	333	6	865,705	1,879	4	1

APPENDIX

JINSWAR OR CROP STATEMENT

District—

Name of thana.	Aghani.						Rabi-		
	Sugar.		Fibres,	Miscellaneous.		Total.	Cereals		
	Sugar. cane.	Others.	Cotton.	Food.	Non- Food.		Rice.	Wheat.	Barley.
1	23	24	25	26	27	28	29	30	31
Puri	147	21	2	61	3	130,669	10,082	...	...
Pipli	1,215	23	19	300	8	141,821	95	5	...
Gop	1,085	1	11	22	...	79,402	935	7	...
Total of Sadr subdivi- sion.	2 447	45	32	383	11	351,892	11,112	12	...
Ekrajat mahal in Khurda Subdivision	54	...	...	79	...	32,667	40	...	...
Total of the area under settlement.	2,501	45	32	462	11	384,559	11,152	12	...

II-B—Contd.

(AREA IN ACRES).

BALASORE.

Rabi											
and pulses.					Oil seeds.				Condi- ments and spices.	Fibres	
Gram.	Mung and Biri	Kulthi.	Arhad.	Others.	Linseed.	Rape and Mustard.	Til.	Others.		Cotton	Others
32	33	34	35	36	37	38	39	40	41	42	43
2	19	7	9	23	1	269	8	25	182	...	...
...	56	7	1	30	...	8	...	9	21	1	...
...	347	13	10	87	...	139	17	211	221	8	...
...	149	3	28	40	6	306	63	109	51	...	...
...	150	36	20	72	4	1,185	337	563	89	1	9
2	721	66	68	252	11	1,907	425	918	564	10	9
...	41	26	49	96	1	15	...	1	34	7	...
...	13	14	4	10	12	149	1	1	2	1	...
2	287	171	394	744	4	249	17	43	125	2	...
11	155	193	845	974	17	208	19	16	68	1	...
13	496	404	1,292	1,824	34	621	37	61	229	11	...
15	1,217	470	1,360	2,076	45	2,528	462	979	793	21	9

II-C—Contd

(AREA IN ACRES).

PURI

Rabi.											
and Pulses.					Oil seeds				Condi- ments and spices.	Fibres.	
Gram.	Mung and Biri.	Kulthi	Arhad.	Others.	Linseed.	Rape and Mustard	Til.	Others.		Cotton	Others.
32	33	34	35	36	37	38	39	40	41	42	43
33	11,155	471	3,880	963	649	100	125	88	6	3	6
44	30,067	2,184	25,512	977	1,308	327	972	121	57	39	3
...	3,146	383	3,815	386	136	882	23	191	50	54	...
77	44,368	3,038	33,207	2,326	2,093	1,309	1,120	400	113	96	9
2	306	47	391	72	18	10	6	...	1	...	...
79	44,677	3,085	33,598	2,398	2,111	1,219	1,126	400	114	96	9

APPENDIX

JINSWAR OR CROP STATEMENT

District—

Name of thana	Rabi.								
	Dyes	Drugs and Narcotics				Fodder crops.	Miscellaneous crops		
		Tobacco.	Opium.	Narcotics.	Others.		Potatoes.	Other food.	Non food
1	44	45	46	47	48	49	50	51	52
Balasore	1	...	...	...	...	1	2	1,134	1
Sore	...	...	...	...	...	...	1	6,132	2
Jaleswar	...	5	...	...	...	...	1	904	3
Basta	...	2	...	...	2	...	1	1,324	...
Baliapal	1	37	...	...	13	...	9	2,531	71
Total of Sadr subdi- vision	2	44	...	...	15	1	14	12,065	77
Basudebpur	...	...	...	...	5	...	2	213	3
Chandbali	...	...	...	...	...	1	...	157	2
Bhadrak... ..	...	...	...	...	...	...	24	2,162	17
Dhamnagar	...	3	...	...	3	4	2	915	19
Total of Bhadrak sub- Division	...	3	...	...	8	5	28	3,427	41
Total of the area under Settlement.	2	47	...	...	23	6	42	15,512	118

APPENDIX

JINSWAR OR CROP STATEMENT

District

Name of thana.	Rabi.								
	Dyes.	Drugs and Narcotics				Fodder crop.	Miscellaneous.		
		Tobacco	Opium.	Narcotics	Others		Potatoes.	Other food	Non-food.
1	44	45	46	47	48	49	50	51	52
Puri	...	23	...	...	2	2	8	1,276	8
Pipli	7	67	...	...	3	2	107	944	17
Gop	1	2	...	...	...	1	4	385	12
Total of Sadr subdivi- sion	8	92	...	...	5	5	119	2 605	37
Ehrajat mahal in Khurda Subdivision	...	...	...	...	...	...	...	302	...
Total of the area under settlement	8	92	...	...	5	5	119	2,907	37

II-B—concl'd.

(AREA IN ACRERS).

BALASORE.

Orchards and gardens.					Total cropped area (columns 14, 28, 53 to 57).	Area cropped more than once.	Net cropped area.	Remarks.
Total.	Mangoes.	Cocconut and plantain.	Pan garded	Others.				
53	54	55	56	57	58	59	60	61
1,675	705	...	...	111	94,759	123	94,636	
6,318	1,215	...	...	248	199,012	39	198,973	
1,966	173	...	...	22	54,962	829	54,123	
2,085	221	...	...	51	81,001	1,197	79,804	
5,129	203	...	335	679	90,915	1,811	89,104	
17,173	2,513	...	335	1,111	520,639	3,999	516,640	
493	101	...	2	847	80,777	265	80,512	
2,235	333	...	5	490	76,744	16	76,728	
4,246	1,916	...	3	359	142,189	1,892	140,297	
3,462	676	...	24	199	109,953	2,423	107,530	
10,436	3,026	...	34	1,895	409,663	4,596	405,067	
27,609	5,549	...	369	3,006	930,302	8,595	921,707	

II-C—concl'd.

(AREA IN ACRES).

PURI.

Orchards and gardens.					Total cropped area (columns 14, 28, 50 to 57).	Area cropped more than once.	Net cropped area.	Remarks.
Total.	Mangoes.	Cocconut and plantain.	Pan garden.	Others.				
53	54	55	56	57	58	59	60	61
28,880	1,625	4,378	77	2,961	172,892	16,440	156,452	
62,858	3,472	2,473	163	3,138	243,136	59,715	183,421	
10,413	651	433	200	1,378	104,191	7,282	97,593	
102,151	5,748	7,284	440	7,477	520,909	83,437	437,472	
1,198	3,261	24	...	297	39,128	611	38,517.	
103,349	9,009	7,308	440	7,741	560,037	84,048	475,989	

APPENDIX III-A.

AGRICULTURAL STOCK LIST

District—Cuttack.

Name of thana.	Name of police-station.	Bulls and bullocks.	Cows.	Buffalo bullocks.	Buffalo cows.	Young stocks.	Sheep.	Goats.	Horses and ponies.	Mules.	Camels.	Ploughs.	Carts.	Remarks.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Jajpur	{ Jajpur Binjharpur Dharmasala Korai Sukinda Barachana	29,207	45,748	326	1,370	34,261	5,892	8,956	119	39	...	18,694	991	
Dharmasala	{	42,907	38,010	1,019	3,001	28,950	3,079	12,226	102	3	...	21,381	2,968	
Total of Jajpur subdivision	...	82,114	83,758	1,345	4,371	63,211	8,971	21,182	221	42	...	40,075	3,959	
Kendrapara	{ Kendrapara Patakura Patamundai	43,711	41,275	416	1,599	28,819	6,606	5,812	52	12	...	20,734	652	
Patamundai	{ Mahakalpara Aul	23,211	21,494	286	2,503	16,056	1,526	1,158	20	1	6	11,105	159	
Aul	{ Raj-nagar	23,384	21,967	904	3,287	19,855	2,165	631	38	1	...	11,105	259	
Total of Kendrapara subdivision	...	90,306	84,736	1,606	7,389	64,730	10,297	7,601	110	14	6	42,944	1,070	
Salepur	{ Salepur Mahanga Kesnagar	43,175	38,064	435	925	26,713	9,522	11,049	67	1	...	20,795	1,525	
Jagatsinghpur	{ Jagatsinghpur Baikuda Gobindpur	55,835	50,407	651	1,839	30,987	9,668	4,209	108	10	...	26,869	1,966	
Tirtol	{ Tirtol Ersama Cuttack	44,716	32,069	657	2,929	24,728	4,875	3,903	18	15	...	21,209	1,732	
Cuttack	{ Tangi	28,080	29,659	468	953	18,557	4,640	5,778	234	22	3	12,794	4,353	
Total of Cuttack subdivision	...	171,806	150,199	2,211	6,646	100,985	28,705	25,839	427	48	3	81,667	9,576	
Total of the area under settlement		344,226	318,693	5,162	18,406	228,926	47,973	54,622	758	104	9	164,686	14,605	

APPENDIX III-B. AGRICULTURAL STOCK LIST

District—Balasore,

Name of thana.	Name of police-station	Bulls and bullocks.	Cows.	Buffalo bullocks.	Buffalo cows.	Young stocks.	Sheep.	Goats.	Horses and ponies.	Mules.	Camels.	Ploughs.	Carts.	Remarks.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Jaleswar	Jaleswar	16,232	12,575	190	217	9,123	636	4,319	47	1	1	7,941	333	
Baliapal	Baliapal	15,247	10,983	74	305	7,349	232	2,517	8	...	...	7342	41	
Basta	Bhagrai	8,946	6,749	35	265	4,772	128	787	29	2	...	4,126	13	
	Basta	15,448	10,593	334	453	8,224	163	4,033	13	9	...	7,185	186	
	Singla	3,877	2,428	20	2	1,913	30	938	15	2	...	1,885	9	
	Soro	24,591	7,581	223	395	10,670	444	4,124	26	6	8	12,438	308	
	Similia	11,774	8,071	29	93	4,716	330	2,207	16	1	1	5,850	139	
	Khaira	12,943	8,195	214	161	4,916	148	1,920	25	...	...	6,060	37	
	Balasore	15,728	12,778	159	326	8,709	159	2,647	42	1	11	7,518	267	
	Remuna	5,575	4,928	27	48	3,698	45	1,497	4	...	...	2,412	76	
Total of Sadr subdivision		130,461	94,879	1,305	2,355	64,090	2,308	24,989	225	22	21	62,757	1,407	
Basudebpur	Basudebpur	17862	13,105	431	2,241	9,608	210	1,829	62	7	11	8,284	402	
Chandbali	Chandbali	15,836	12,034	1,699	3,479	9,995	570	5,158	9	1	3	7,527	1,365	
Bhadrak	Bhadrak	36,913	35,089	157	320	26,017	1,446	11,626	146	3	...	18,552	466	
Bhannagar	Bhannagar	26,341	26,700	276	754	18,380	1,403	5,243	49	3	...	13,012	285	
Bhandaripokhari	Bhandaripokhari	97,152	86,928	2,563	6,794	64,000	3629	18,856	266	14	14	47,375	2,517	
Total of Bhadrak subdivision		227,613	181,807	3,868	9,149	128,090	5,937	43,845	491	36	35	110,132	3,924	
Total of the area under settlement														

APPENDIX III-C.
AGRICULTURAL STOCK LIST.

District—Puri.

Name of thana.	Name of police-station.	Bulls. and Bullocks.	Cows.	Buffalo Bullocks.	Buffalo Cows.	Young stocks.	Sheep.	Goats.	Horse and ponies.	Mules.	Camel.	Ploughs.	Carts.	Remarks.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Pipili	Pipili	10,826	10,041	88	238	5,591	1,941	650	14	4	10	5,202	1,860	
	Nimapara	13,326	10,389	52	202	7,407	1,767	243	3	9	28	5,849	1,455	
	Delang	7,675	6,264	106	274	3,605	954	347	29	5	10	3,879	1,599	
	Balipatana	8,560	7,944	165	172	4,105	761	362	8	13	...	3,725	888	
	Balianta	6,240	5,701	93	207	2,985	1,027	252	4	...	15	2,866	547	
Puri	Puri	9,715	6,946	50	676	4,152	1,310	63	20	...	...	7,762	1,397	
	Satyabadi	13,093	8,338	213	281	4,981	947	401	18	...	73	5,372	1,801	
	Brahmagiri	7,398	4,883	232	521	3,413	504	166	1	...	...	3,804	967	
Gop	Gop	8,671	8,791	99	408	5,393	758	230	35	1	52	4,484	1,109	
	Kakatapur	12,480	11,144	517	1,465	7,638	1,304	1,037	14	...	...	5,749	684	
Total of Sadr subdivision		97,984	80,441	1,615	4,444	49,270	11,173	3,751	146	32	188	48,292	12,097	
Ekrajatmahal in Khurda subdivision		7,563	7,170	368	475	4,368	930	2,407	16	...	...	3,826	2,137	
Total of the area under settlement		105,547	87,611	1,983	4,922	53,638	12,103	6,158	162	32	188	52,118	14,234	

APPENDIX IV-A,

APPENDIX IV-A

STATISTICS OF TRANSFERS OF OCCUPANCY RIGHTS FOR THE PAST 12 YEARS.

District—Cuttack.

Name of thana.	Name of police station.	Transfers					Purchase money.	Profession of transferee.								Rate per acre.	Remarks.
		Entire holdings.		Part holdings				Landlord class.		Lawyer class.		Money-lending class.		Raiyat class.			
		Num-ber.	Area in acres.	Num-ber.	Area in acres.	Num-ber.		Area in acres.	Num-ber.	Area in acres.	Num-ber.	Area in acres.	Num-ber.	Area in acres.			
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	
Jajpur	Jajpur ...	4,986	2,805	10,878	4,934	Rs. 8,66,365	990	613	264	158	807	549	13,833	6,419	112		
	Binjharpur ...																
Dharmasala	Dharmasala ...	3,965	2,452	9,622	4,769	6,96,859	694	401	44	37	1,205	843	11,644	5,841	97		
	Korai ...																
	Sukinda ...																
	Barachana ...																
Total of Jajpur subdivision ...		8,951	5,257	20,500	9,694	15,63,224	1,654	1,104	308	195	2,012	1362	25,477	12,260	105		
Kendrapara	Kendrapara ...	4,647	2,978	15,448	7,378	10,99,379	468	276	65	102	876	699	18,751	9,279	106		
	Patakura ...																
Patamundai ...	Patamundai ...	1,978	2,289	6,310	5,056	5,76,598	56	52	69	87	354	587	7,812	6,619	79		
	Mahakalpara ...																

A	Aul ...	2,313	3,300	5,399	4,922	4,03,094	291	319	75	95	697	1,209	6,649	6,089	48
	Rajnagar	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Total of Kendrapara subdivision	8,938	8,657	27,157	17,356	20,79,071	747	647	209	284	1,927	2,495	33,212	22,587	80
Salepur	Salepur	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Mahanga	4,013	1,670	15,685	5,200	12,23,793	955	461	74	36	620	271	18,049	6,099	178
	Kesanagar	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Jagatsinghpur	Jagatsinghpur	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Balekuda	4,424	1,950	17,726	5,862	10,46,269	1,310	674	108	50	779	359	19,953	...	134
	Gobindpur	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Tirtol	Tirtol	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Ersama	4,176	2,696	13,497	7,837	7,95,221	437	343	28	24	877	756	16,331	9,405	75
Cuttack	Cuttack	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Tangi	2,730	1,635	7,720	3,517	6,21,578	364	217	59	95	807	583	9,190	4,257	121
	Total of Cuttack subdivision	15,343	7,951	54,628	22,416	36,86,861	3,066	1,703	299	205	3,083	1,469	63,523	26,490	121
	Total of the area under settlement	33,232	21,865	1,02,285	49,466	73,29,156	5,467	3,474	816	684	7,022	5,856	122,212	61,337	103
Cuttack Town	Cuttack Town	...	...	...	...	...	...	...	...	...	...	...	...	...	...
		331	91	370	84	3,41,620	40	23	16	5	135	54	510	93	1,950

APPENDIX IV-B.

STATISTICS OF TRANSFERS OF OCCUPANCY RIGHTS FOR THE PAST 12 YEARS.

District—Balasore.

Name of thana.	Name of police-station.	Transfers.				Purchase money.	Profession of transferee.						Rate per acre.	Remarks.			
		Entire holdings.		Part holdings.			Landlord class.		Lawyer class.		money-lending class.				Raiyat class.		
		Num-ber.	Area in acres.	Num-ber.	Area in acres.		Num-ber.	Area in acres.	Num-ber.	Area in acres.	Num-ber.	Area in acres.			Number.	Area in acres.	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	
Jaleswar	...	647	553	1,514	917	Rs. 1,73,474	79	65	10	4	129	118	1,943	1,283	Rs. 118		
Baliapal	...	1,365	1,152	2,768	1,823	2,14,794	84	78	6	8	211	198	3,832	2,691	72		
	Bhograi	778	894	1,238	826	1,32,311	...	...	...	...	...	25	27	1,991	1,693	77	
Basta	...	1,561	1,789	3,228	2,737	2,67,223	232	332	89	189	365	521	4,103	3,484	59		
	Singla	212	150	487	372	40,480	34	46	...	...	21	22	644	454	78		
	Soro	1,756	1,808	7,752	6,221	5,40,764	220	289	...	...	340	467	8,948	7,273	67		
Soro	...	287	335	2,484	1,869	70,422	21	30	1	3	92	93	2,657	2,088	32		
	Khaira	502	550	1,728	1,654	1,25,285	36	48	2	3	89	99	2,103	2,054	57		
Balasore	...	2,089	2,282	3,167	2,406	2,73,729	159	195	53	85	150	214	4,894	4,194	58		
	Remuna	645	545	1,166	824	69,729	80	88	...	...	66	81	1,665	1,200	51		
Total of Sadr subdivision		9,842	10,058	25,532	19,649	19'08,211	945	1,171	161	292	1,488	1,830	32,780	26,414	64		

Basudebpur	...	...	918	1,182	2,694	2,401	1,14,508	174	211	...	...	133	110	3,305	3,363	32
Chandbali	...	...	465	937	1,337	1,480	60,765	71	97	...	...	143	321	1,588	1,999	25
Bhadrak	...	...	2,994	2,088	8,518	5,320	5,66,212	426	302	182	156	751	708	10,173	6,242	76
Banta	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Dhamnagar	...	...	1,655	1,214	7,044	3,956	4,46,203	427	360	33	23	175	98	8,064	4,689	86
Bhandaripokhari	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Total of Bhadrak subdivision	...	...	6,032	5,422	19,593	13,157	11,87,688	1,098	970	195	179	1,202	1,237	23,130	16,193	64
Total of the district	...	...	15,874	15,480	45,125	32,806	30,95,899	2,043	2,141	356	471	2,690	3,067	55,910	42,607	64

APPENDIX IV-C.
STATISTICS OF TRANSFERS OF OCCUPANCY RIGHTS FOR THE PAST 12 YEARS.
District—Puri.

Name of thana.	Name of police-station.	Transfer.			Purchase money.	Profession of transferee						Rate per acre	Remarks.			
		Entire holdings.		Part holding		Landlord class.		Lawyer class.		Money-lending class.				Raiyat class.		
		Num-ber	Area in acres.	Num-ber.		Area in acres.	Num-ber	Area in acres.	Num-ber	Area in acres.	Num-ber			Area in acres.	Num-ber	Area in acres.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
Pipli	...	1,390	885	5,816	2,565	Rs. 2,95,968 4,48,363 3,04,128 2,36,249 2,38,192	427	343	3	2	175	125	6,601	2,980	Rs 115	
	Nimapara	1,509	274	6,747	3,477		481	386	37	49	443	344	7,295	3,992	94	
	Delang	1,087	614	3,419	1,561		225	150	6	5	54	65	4221	1,955	140	
	Baliapatna	626	425	3,502	1,548		308	200	22	20	398	242	3,490	1,511	120	
	Baliasta	895	487	3,550	1,522		136	103	11	10	242	144	4,056	1,752	116	
Puri	...	1,311	1,613	2,241	1,976	113	113	45	49	99	234	3,295	3,193	77		
	Satyabadi	482	406	2,769	1,706	107	77	12	19	90	100	3,042	1,916	124		
	Brahmagiri	593	894	2,853	2,695	125	312	84	112	399	673	2,846	2,492	87		
Gop	...	1,289	1,368	3,280	2,337	269	331	32	29	260	261	4,008	3,064	81		
	Kakatpur	1,040	1,075	4,003	2,573	315	372	16	37	215	235	4,497	3,004	73		
Total of Sadr subdivision		10,227	9,641	38,180	21,960	30,32,290	2,506	2,367	265	332	2,235	2,443	43,351	25,859	98	
Ekrajatmahal in Khurda subdivision		981	644	4,170	2,265	6,00,414	3	2	13	16	321	326	4,814	2,565	206	
Total of the area under settlement		11,208	9,685	42,350	24,225	36,32,705	2,509	2,369	278	348	2,606	2,769	48,165	28,424		

APPENDIX V-A.

STATISTICS OF MORTGAGES WITH

District—

Name of thana.	Name of police-station.	Area held by							
		From Proprietors.		From Tenure-holders.		Form raiyats. at fixed rent.		From settled raiyats.	
		Num. ber.	Area in acres	Number	Area in acres.	Number	Area in acres	Number	Area in acres
1	2	3	4	5	6	7	8	9	10
Jajpur ...	{ Jajpur ... Binjharpur ... }	26	31	14	5	13	11	636	468
Dharmasala	{ Dharmasala ... Korai ... Sukinda ... Barachana ... }	34	36	59	39	131	100	1,098	854
Total of Jajpur subdivision		60	67	73	44	144	111	1,734	1,322
Kendrapara	{ Kendrapara ... Patakura ... }	3	2	8	9	37	31	617	575
Patamundai	{ Patamundai ... Mahakalpara ... }	...	...	2	2	4	5	243	334
Aul	{ Aul ... Rajnagar... }	1	1	...	...	3	3	702	990
Total of Kendrapara subdivision		4	3	10	11	44	39	1,562	1,899
Salepur	{ Salepur ... Mahanga ... Kesanagar ... }	26	12	15	10	36	22	774	355
Jagatsinghpur	{ Jagatsinghpur ... Balikuda ... Gobindpur ... }	19	10	8	3	18	10	657	369
Tirtol	{ Tirtol ... Ersama ... }	6	5	5	7	33	23	340	273
Cuttack	{ Cuttack ... Tangi ... }	...	...	28	15	19	10	812	492
Total of Cuttack subdivison		51	27	56	35	106	65	2,583	1,489
Total of the area under settlement		115	97	139	90	294	215	5,879	4,710
Cuttack Town	...	...	...	...	...	...	...	19	9

V-A.

POSSESSION FOR THE PAST 12 YEARS.

Cuttack.

mortgagees.				Profession of mortgagees.								Amount advanced	Rate per acre.
From occupancy raiyats.		From non-occupancy raiyats.		Landlord class.		Lawyer class.		Money-lending class.		Raiyat class.			
Number.	Area in acres.	Number.	Area in acres.	Number.	Area in acres.	Number.	Area in acres.	Number.	Area in acres.	Number.	Area in acres.		
11	12	13	14	15	16	17	18	19	20	21	22	23	24
51	31	3	1	56	49	9	11	91	64	587	408	Rs. 50,481	Rs. 92
25	11	67	48	53	45	3	5	137	129	1,221	909	86,850	80
76	42	70	49	109	94	12	16	228	193	1,808	1,332	1,37,331	84
11	15	3	3	8	4	3	5	120	123	548	503	46,840	74
...	...	1	1	1	2	2	4	25	61	222	275	16,851	49
3	8	6	12	24	38	3	8	117	265	571	708	30,118	30
14	23	10	16	33	44	8	17	262	449	1,341	1,481	93,809	47
16	4	...	...	36	18	4	3	31	19	706	363	59,948	149
82	42	...	...	27	20	5	3	48	40	704	371	43,742	101
6	4	2	1	21	14	4	3	84	81	283	215	24,749	79
111	89	11	7	16	12	11	10	115	116	839	475	60,376	98
215	139	13	8	100	64	24	19	278	256	2,622	1,424	1,88,815	107
305	204	93	73	242	202	44	52	768	898	5,771	4,264	4,19,955	78
...	...	...	...	...	...	4	1	15	8	...	...	5,178	509

APPENDIX

STATISTICS OF MORTGAGES WITH

District—

Name of thana	Name of police-station.	Area held by							
		From Proprietors.		From Tenure-holders.		From raiyats at fixed rent.		From settled raiyats.	
		Number.	Area in acres.	Number.	Area in acres.	Number.	Area in acres.	Number.	Area in acres.
1	2	3	4	5	6	7	8	9	10
Jaleswar	Jaleswar	...	...	1	3	...	...	299	308
Baliapal	Baliapal	...	...	...	...	...	...	9	15
	Bhegrā	...	...	...	...	...	...	16	13
Basta	Basta	2	64	19	18	...	...	299	333
	Singla	3	182	...	...	...	...	34	43
	Sore	15	12	14	10	33	34	1,251	1,248
Soro	Similia	...	...	1	1	...	...	256	236
	Khāira	14	13	4	8	21	13	374	417
Balasore	Balasore	3	4	...	...	51	47	223	224
	Ramasa	3	1	...	...	4	3	50	49
Total of Sadr subdivision		40	276	39	40	109	97	2,811	2,886
Basudebpur	Basudebpur	1	1	2	1	36	40	568	569
Chandbali	Chandbali	1	1	7	6	16	19	547	1,059
Bhadrak	Bhadrak	21	14	20	27	49	33	1,250	1,025
	Banta	...	...	...	...	...	...	...	...
Dhamnagar	Dhamnagar	14	17	3	2	11	6	762	681
	Bhandaripokhari	...	...	...	...	...	...	...	...
Total of Bhadrak subdivision		37	33	32	36	112	98	3,127	3,334
Total of the district		77	309	71	76	221	195	5,938	6,220

V-B.

POSSESSION FOR THE PAST 12 YEARS.

Balasore.

mortgagees.				Profession of mortgagees.								Amount advanced	Rate per acre.
From occupancy raiyats.		From non-occupancy raiyats.		Landlord class.		Lawyer class.		Money-lending class.		Raiyat class.			
Number.	Area in acres.	Num-ber.	Area in acres.	Num-ber.	Area in acres.	Num-ber.	Area in acres.	Num-ber.	Area in acres.	Number.	Area in acres.		
11	12	13	14	15	16	17	18	19	20	21	22	23	24
...	...	...	...	11	12	...	...	57	84	232	215	Rs.	Rs.
...	...	...	...	2	5	...	...	1	1	6	9	24,456	79
1	1	...	...	...	...	...	...	...	...	17	14	1,751	116
...	...	...	...	19	81	...	...	54	94	247	240	905	65
...	...	...	...	11	132	...	...	10	75	16	18	20,042	48
49	53	11	15	20	24	5	7	169	198	1,179	1,143	4,151	18
...	...	...	...	5	8	...	...	3	1	249	228	85,700	62
2	4	...	...	17	16	...	...	27	41	371	398	12,400	52
22	19	11	15	14	18	...	...	29	35	267	256	32,463	71
5	2	...	...	6	9	...	...	2	1	54	45	22,909	74
79	79	22	30	105	305	5	7	352	530	2,638	2,566	2,879	53
...	...	...	...	8	14	...	...	66	62	533	535	2,07,656	61
...	...	...	...	9	26	2	2	79	154	481	906	27,257	45
37	37	...	...	51	46	41	28	238	226	1,047	836	18,210	17
6	5	1	1	38	39	1	1	36	41	722	631	81,718	72
43	42	1	1	106	122	44	31	419	483	2,783	2,908	46,808	66
122	121	23	31	211	427	49	38	771	1,013	5,421	5,474	1,73,993	49
...	...	...	...	...	...	...	...	...	...	...	...	3,81,649	55

STATISTICS OF MORTGAGES WITH

District—

Name of thana.	Name of police-station.	Area held by							
		From Proprietors.		From Tenure-holders.		From raiyats at fixed rent.		From settled raiyats.	
		Number.	Area in acres.	Number.	Area in acres.	Number.	Area in acres.	Number.	Area in acres.
1	2	3	4	5	6	7	8	9	10
Pipli ...	Pipli ...	...	...	...	...	...	...	39	30
	Nimapara ...	...	...	...	...	1	1	106	86
	Delang ...	...	...	...	...	4	4	27	21
	Balipatna ...	1	1	...	...	...	...	18	15
	Balianta ...	...	...	...	...	1	1	49	31
Puri ...	Puri ...	...	...	2	1	3	3	51	84
	Satybadi ...	...	...	3	1	7	4	24	24
	Brahmagir ...	...	...	...	...	...	...	8	7
Gop ...	Gop ...	...	...	...	...	...	...	69	51
	Kakatpur ...	2	2	2	1	10	22	87	109
Total of the Sadr subdivision		3	3	7	3	26	35	478	458
Ekrajatmahal in Khurda subdivision		...	...	...	...	...	...	148	116
Total of the area under settlement		3	3	7	3	26	35	626	574

V. C.

POSSESSION FOR THE PAST 12 YEARS

Puri

mortgagees.				Profession of mortgagees.								Amount advanced.	Rate per acre.
From occupancy raiyats.		From non-occupancy raiyats.		Landlord class.		Lawyer class.		Money-lending class.		Raiyat class			
Number.	Area in acres.	Num-ber.	Area in acres.	Num-ber.	Area in acres.	Num-ber.	Area in acres.	Num-ber.	Area in acres.	Number.	Area in acres.		
11	12	13	14	15	16	17	18	19	20	21	22	23	24
...	...	...	...	2	2	3	1	4	6	30	21	Rs. 2,698	Rs. 89
6	5	...	...	6	9	...	...	5	5	102	78	4,985	54
...	...	...	...	...	...	...	...	...	...	31	25	1,775	70
15	7	...	...	1	1	...	...	13	8	20	14	2,011	91
4	1	...	...	...	...	...	...	22	12	32	21	3 120	96
17	13	...	...	2	2	...	...	17	26	54	73	6,850	
...	...	...	...	...	...	...	...	...	...	34	29	2,204	
1	7	...	...	...	...	...	...	4	3	5	11	671	4
1	1	...	...	11	7	...	...	1	1	58	44	3,165	61
4	3	...	...	11	25	1	5	24	19	69	83	6,863	5
48	37	...	...	33	46	4	6	99	80	435	404	34,347	62
1	1	...	...	...	...	...	...	12	11	137	106	19,149	16
49	38	...	...	33	46	4	6	102	91	572	510	53,487	

APPENDIX VI

Statistics of Sales of Proprietary right for the past 12 years

Name of district	Sales of estates or portion of estate			Number of sales to				Remarks
	Number of sales	Land revenue trans. ferred.	Price paid.	Landlord class.	Lawyer class.	Money, lending class.	Raiyat class.	
1		3	4	5	6	7	8	9
Cuttack ...	1,259	Rs. 66,635	Rs. 15,84,667	943	16	137	163	
Balasore ...	521	35,823	7,62,890	395	16	68	45	
Puri ...	468	20,791	2,77,711	430	1	22	15	
Total of three districts.	2,248	1,23,249	26,25,268	1,768	33	224	223	

ABSTRACT OF RECORDS-OF-RIGHTS OF TEMPORARILY

NOTE—The area in columns 51 to 68 is already included in columns 10 to 23

Serial no.	Name of thana.	Area in acres of Nij-jote in khas possession.	Nij-jote in which raiyati rights have accrued.					Area in acres of Nij-chas.
			Cash-rented.			Produce-rented.		
			Number of holdings.	Area in acres	Rent	Number of holdings	Area in acres	
1	2	3	4	5	6	7	8	9
	<i>District Cuttack.</i>				Rs.			
1	Jaipur	12,646	6,664	2,908	10,007	1,892	931	6,933
2	Dharmasala	4,268	2,135	842	2,759	451	183	3,163
3	Kendrapara	3,110	1,821	838	3,341	360	164	1,778
4	Patamundai	3,125	778	659	2,602	391	538	1,290
5	Aul	3,632	1,252	1,146	2,509	363	326	1,547
6	Salepur	5,889	3,813	1,323	5,745	670	232	4,670
7	Jagatsinghpur	14,239	8,655	3,320	11,465	1,533	590	5,043
8	Tirtol	2,611	2,374	884	3,471	544	229	1,472
9	Cuttack	3,04	2,502	1,042	3,671	226	115	3,423
	Total of District Cuttack ...	52,560	29,994	12,962	45,569	6,430	3,308	29,319
	<i>District Balasore.</i>							
	Balasore	1,192	819	513	1,349	163	106	4,216
	Soro	4,156	1,869	1,649	3,368	479	316	6,084
	Jaleswar	...	...	...	...	...	...	39
	Basta	922	620	410	1,017	138	99	3,082
	Baliapal	881	713	423	1,363	70	45	1,790
	Basudebpur	1,356	407	351	707	22	13	2,253
	Chandbali	411	103	182	362	38	42	1,571
	Bhadrak	3,895	2,432	1,349	3,744	294	164	2,078
	Dhamnagar	6,245	2,360	1,527	3,868	611	395	3,979
	Total of District Balasore ...	19,058	9,323	6,404	15,778	1,815	1,180	25,092
	<i>Puri Sadr subdivision.</i>							
	ri	1,326	514	578	1,409	289	292	21,434
	Pipli	10,640	4,891	3,095	9,309	633	346	11,948
	Gop	2,766	858	440	1,022	165	103	4,836
	Total of Puri Sadr subdivision ...	14,732	6,263	4,113	11,740	1,087	741	38,248
	Total of three districts excluding Orda Subdivision.	86,330	45,580	23,479	73,087	9,332	5,229	92,659

* The cash rents shown in the statement

VII

SETTLED ESTATES AND GOVERNMENT ESTATES.*

and the area in columns 70 and 73 is already included in the raiyats, column.

Holdings under section 26 (2) Orissa Tenancy Act.			Kharida Jamabandi tenures.			Bajyaki tenures			Other-tenures.		
									Cash rented.		
Number of holdings.	Area in acres.	Rent	Number of holdings.	Area in acres.	Rent	Number of holdings.	Area in acres.	Rent.	Number of holdings.	Area in acres.	ent.
10	11	12	13	14	15	16	17	18	19	20	21
		Rs.			Rs.			Rs.			Rs.
930	761	2	11,853	10,869	22,775	12,761	11,837	20,937	319	913	2,797
770	995	...	821	965	1,921	3,937	6,329	9,162	267	1,124	1,720
569	537	...	1,238	1,107	2,808	6,241	5,017	10,622	629	1,085	3,150
74	94	...	115	106	183	1,691	2,705	5,280	213	882	2,277
85	139	...	327	686	1,121	396	902	1,207	56	170	283
1,185	927	4	5,395	4,580	11,021	6,073	5,476	10,994	498	837	3,189
1,719	1,522	...	5,918	4,552	9,716	13,962	12,343	22,817	1,227	1,067	2,354
629	723	...	2,349	2,121	5,247	6,261	6,126	11,247	464	365	975
403	413	...	3,090	3,020	5,898	2,409	2,896	4,965	280	2,444	2,650
6,364	6,131	6	31,076	28,096	60,690	53,731	53,568	96,572	3,893	8,887	19,395
349	697	1,239	301	2,331	2,598	4,268	9,587	12,075	596	5,952	10,554
527	1,717	2,799	54	1,087	1,143	5,346	15,384	16,366	561	3,290	4,797
...	...	...	...	...	...	37	50	107	17	27	79
306	914	1,519	101	631	762	2,760	6,979	7,517	321	3,609	6,450
94	262	618	...	...	...	2,877	6,455	10,109	445	2,637	5,358
281	872	149	122	443	1,144	2,089	4,652	5,122	126	337	596
58	240	...	43	328	393	459	744	859	104	117	195
396	527	3	1,070	1,974	4,510	6,143	11,006	16,531	782	1,945	3,278
388	536	10	2,549	3,950	4,404	4,404	7,245	13,370	291	428	898
2,349	5,765	6,373	4,240	10,714	62,102	28,333	62,102	82,056	3,243	18,342	32,205
263	930	...	196	249	631	7,257	21,015	35,380	444	12,932	4,873
1,074	1,961	167	974	1,887	3,385	7,689	11,912	20,366	624	2,442	3,940
456	1,101	2	195	304	374	2,583	5,386	6,979	107	6,852	1,488
1,793	3,992	169	1,365	2,440	4,390	17,529	38,313	62,725	1,175	22,226	10,301
10,506	15,888	6,512	30,681	41,190	83,135	99,593	153,983	2,41,353	8,311	49,455	61,901

indicate settled rents.

ABSTRACT OF RECORDS-OF RIGHTS OF TEMPORARILY

NOTE.—The area in columns 51 to 68 is already included in columns 10 to 23,

Serial no.	Name of thana,	Other tenures.		Holdings, at fixed Rent or rate of rent.			Bajyafidat raiyat.		
		Rent-free.		Number of holdings.	Area in acres.	Rent.	Number of holding.	Area in acres.	Rent.
		Number of holdings.	Area in acres.						
1	2	22	23	24	25	26	27	28	29
	<i>District Cuttack.</i>					Rs.			Rs
1	Jajpur ...	31	21	...	...	...	18,685	9,788	16,969
2	Dharmasala ...	520	4,650	...	...	...	9,600	7,352	11,862
3	Kendrapara ...	...	...	...	...	...	7,295	4,508	8,026
4	Patamundal ...	2	16	...	...	...	3,625	3,701	6,910
5	Aul ...	4	5	...	...	...	1,068	959	1,241
6	Salepur ...	17	35	...	...	...	9,745	10,680	19,727
7	Jagatsinghpur ...	9	3	...	...	...	19,815	9,736	15,583
8	Tirtol ...	1	26	...	...	...	9,148	4,006	7,008
9	Cuttack ...	...	...	...	...	...	4,635	3,081	8,386
	Total of District Cuttack	584	4,757	...	...	...	83,616	53,811	95,712
	<i>District Balasore.</i>								
1	Balasore ...	...	...	...	...	...	5,129	4,661	5,414
2	Soro ...	38	137	...	...	...	9,396	10,583	11,501
3	Jaleswar ...	1	1	...	...	...	30	21	43
4	Basta ...	2	8	...	...	...	1,990	2,401	2,530
5	Baliapal ...	2	1	...	...	...	2,795	2,103	3,038
6	Basudebpur ...	5	15	...	...	...	2,676	2,548	2,923
7	Chandabali ...	2	2	...	...	...	581	632	766
8	Bhadrak ...	21	56	...	...	...	10,286	8,006	11,908
9	Dhamnagar ...	30	49	...	...	...	8,831	5,821	10,507
	Total of District Balasore	101	269	...	...	...	41,714	36,770	48,639
	<i>Puri Sadr subdivision</i>								
1	Puri ...	7	2	...	...	...	4,746	5,124	8,721
2	Pipli ...	3	11	...	...	...	18,550	14,688	23,553
3	Gep ...	...	...	...	...	...	5,636	5,430	6,783
	Total of Puri Sadr subdivision	10	14	...	...	...	28,932	25,242	39,057
	Total of three districts excluding Khurda Subdivision.	695	5,040	...	...	...	154,262	115,829	1,83,408

*The cash rents shown in the statements

VII—contd.

SETTLED ESTATES AND GOVERNMENT ESTATE *—contd.

and the area in columns 70 and 73 is already included in the raiyats' column.

Settled and occupancy raiyats holding directly under proprietors and sub-proprietors.							Non-occupancy raiyats holding directly under proprietors and sub-proprietors.				
Cash-rented.			Produce-rented.		Rent-free.		Cash-rented.			Produce-rented.	
Number of holdings.	Area in acres.	Rent.	Number of holdings.	Area in acres.	Number of holdings.	Area in acres.	Number of holdings.	Area in acres.	Rent.	Number of holdings.	Area in acres.
30	31	32	33	34	35	36	37	38	39	40	41
		Rs.							Rs.		
119,976	91,715	2,97,339	12,766	6,164	2,179	509	231	123	328	41	39
123,075	79,943	2,27,463	2,000	928	2,803	1,035	452	282	661	16	11
77,498	62,193	2,39,469	2,637	2,160	1,041	676	115	49	115	...	...
29,461	42,361	1,39,874	1,632	1,415	261	340	60	23	72	3	6
12,902	19,008	42,453	1,073	949	253	141	24	21	65	14	7
122,728	79,047	3,15,429	2,703	1,073	1,657	548	105	66	273	24	20
167,310	105,691	3,47,177	3,729	1,780	2,009	986	173	93	249	10	6
64,534	50,207	1,94,913	618	263	1,066	602	133	87	280	...	...
74,373	55,579	1,84,295	1,065	508	1,235	554	887	1,464	2,706	6	2
794,857	585,714	19,88,412	28,283	15,240	12,509	5,391	2,180	2,199	4,750	114	91
40,573	64,268	1,33,273	702	635	471	367	377	1,460	2,708	9	8
67,815	139,833	2,47,548	1,182	784	1,315	1,156	603	347	541	17	10
785	7,777	2,437	1	1	4	1	...	...	...	...	...
26,524	45,742	86,035	859	759	151	129	550	3,119	5,652	11	21
45,703	62,298	1,54,939	637	501	474	368	690	637	1,296	28	20
33,216	67,327	1,44,502	661	498	525	328	109	116	227	10	15
5,974	12,049	22,547	330	331	133	46	23	57	66	...	...
83,634	99,095	2,60,025	923	518	1,963	1,157	336	125	295	2	3
63,546	68,391	1,92,829	3,018	1,765	1,685	654	129	64	144	2	1
367,770	559,780	12,44,135	8,313	5,792	6,721	4,208	2,877	5,925	10,929	79	78
52,087	73,678	1,54,701	7,412	6,722	1,767	536	87	130	160	1	1
114,231	115,249	3,03,316	2,204	1,189	2,552	536	235	146	313	11	10
34,904	49,660	1,00,942	719	484	570	196	131	86	170	1	1
201,222	238,587	5,61,959	10,425	8,395	4,889	1,268	453	362	643	13	12
1,363,849	1,384,081	37,94,506	47,021	29,427	24,119	10,865	5,510	8,486	16,322	206	181

indicate settled rents.

APPENDIX

ABSTRACT OF RECORDS OF RIGHTS OF TEMPORARILY-

NOTE.—The area in columns 51 to 68 is already included in columns 10 to 23,

Serial no.	Name of thana.			Chandna.			Jagir.	Desh heta jagir.	Anabadi.	Sarbas-adharan.
				Number of holdings.	Area in acres.	Rent.				
1	2			42	43	44	45	46	47	48
	<i>District Cuttack.</i>					Rs.	Acres.	Acres.	Acres.	Aeres.
1	Jajpur	...	...	4,729	701	4,972	265	197	19,277	1,732
2	Dharmasala	...	...	1,068	139	914	1,855	476	35,162	1,354
3	Kendrapara	...	...	1,994	286	2,153	61	434	8,745	1,006
4	Patamundai	...	...	585	102	959	172	199	6,818	720
5	Aul	...	...	319	56	375	37	35	4,177	213
6	Salepur	...	...	4,515	954	4,752	269	938	27,358	1,706
7	Jagatsinghpur	...	...	2,439	417	2,011	77	952	25,159	2,121
8	Tirtol	...	...	1,249	252	1,293	48	508	14,342	1,457
9	Cuttack	...	...	3,644	621	6,072	76	358	58,754	1,127
	Total of District Cuttack			20,542	3,525	23,501	2,960	4,097	199,792	11,526
	<i>District Balasore.</i>									
1	Balasore	...	...	2,632	542	3,624	69	298	18,479	1,482
2	Soro	...	...	642	146	374	599	722	23,381	2,346
3	Jaleswar	...	...	17	7	24	...	2	173	10
4	Basta	...	...	130	29	77	157	148	15,533	810
5	Baliapal	...	...	440	187	521	88	88	17,587	1,174
6	Basudebpur	...	...	1	12	94	113	405	24,836	820
7	Chandbali	...	...	225	88	956	37	17	5,134	214
8	Bhadrak	...	...	2,326	417	2,242	424	338	15,085	1,610
9	Dhamanagar	...	...	2,094	358	2,517	218	291	15,317	904
	Total of District Balasore			8,507	1,786	10,420	1,615	2,399	135,525	9,379
	<i>Puri Sadr Subdivision.</i>									
1	Puri	...	...	856	215	24,280	483	168	30,899	1,440
2	Pipli	...	...	2,354	235	2,279	236	986	19,261	2,642
3	Gop	...	...	194	30	138	237	435	42,523	1,499
	Total of Puri Sadr subdivision			3,404	480	26,706	956	1,589	92,383	5,581
	Total of three districts excluding Khurda Subdivision.			32,453	5,791	60,636	5,531	8,085	427,700	26,486

* The cash rents shown in the statment

VII—contd.

SETTLED ESTATES AND GOVERNMENT ESTATES.*

and the area in columns 70 and 73 is already included in the raiyats' column.

Rakhit.	Total area of temporarily-settled estates.	Under tenure-holdings.			Chandna under tenure-holders.			Settled, occupancy and non-occupancy holdings under tenure-holders.		
		Number of holdings.	Area in acres.	Rent.	Number of holdings.	Area in acres.	Rent.	Cash-rented		
								Number of holdings.	Area in acres.	Rent.
49	50	51	52	53	54	55	56	57	58	59
Acres.	Acres.			Rs.			Rs.			Rs.
9,336	187,565	54	30	83	1,346	260	1,326	14,866	6,039	21,852
9,254	169,281	11	10	12	86	11	55	8,998	4,793	17,323
5,642	99,484	5	4	10	446	33	665	6,102	2,689	11,628
3,971	69,243	...	...	...	232	137	469	1,418	1,119	3,368
2,298	36,479	5	2	2	4	1	1	1,232	837	2,021
5,770	152,488	120	104	208	17	3	16	9,513	3,762	17,575
11,271	209,638	39	26	40	124	33	124	16,378	5,836	1,18,898
8,552	94,881	54	556	728	11	2	10	7,843	3,111	12,828
7,506	145,960	22	98	180	162	26	903	5,684	2,615	9,910
63,600	1,147,444	310	836	1,263	2,478	446	3,569	72,034	30,801	2,15,603
8,227	124,690	...	...	...	...	...	...	12,425	10,868	26,038
13,138	226,775	...	...	...	...	...	...	11,211	11,051	19,880
36	1,154	...	...	...	...	...	...	79	37	120
3,354	88,856	14	20	38	...	...	...	7,158	5,973	12,742
3,459	101,004	...	...	...	...	...	...	8,875	6,981	19,155
6,165	112,565	6	8	9	8	1	8	4,373	3,063	6,992
1,358	23,600	5	26	39	22	4	26	776	636	1,157
9,404	159,176	59	61	83	1,199	179	1,050	11,755	7,243	18,215
10,524	123,662	97	74	178	351	48	375	8,148	5,100	14,676
55,665	967,882	181	189	338	1,689	232	1,459	64,800	51,852	1,18,984
7,211	185,066	7	31	28	...	...	...	8,948	8,146	17,445
12,328	211,748	58	163	264	229	21	213	8,467	4,132	13,165
7,170	129,569	19	2,525	2,692	12	849	199	3,132	3,460	7,838
26,709	526,383	84	2,718	2,984	241	870	1,120	20,547	15,738	38,847
146,974	2,641,709	676	3,743	4,585	4,299	1,548	6,148	157,381	98,301	3,73,434

indicate settled rents.