

The Aska estate originally formed a part of the Aska zamindary which was dismembered about the beginning of the Seventeenth Century during the Mogul Government of the Northern Circar (1560 to 1753) upon the death of Rama Rautu Rau, the last zamindar, and was divided amongst the neighbouring zamindars of Goomsur, Dharakote and Athagada. Due to the partible nature of these estates and also for the reasons given above, these three estates were split up into several petty estates whose number was 27 as detailed below:—

1. Kurla	10. Chadiyapalli	19. Haridapodar
2. Devabhumi	11. Narasingapalli	20. Padhalo
3. Torasingi	12. Aska Damodarpalli	21. Kaparanuvagam
4. Kumbhari	13. Niralo	22. Jaypur
5. Allipur	14. Boisipalo	23. Venkatarapalli
6. Gottagam	15. Sunambo	24. Bodalundi
7. Nuagoda	16. Kalasandhapur	25. Singapur
8. Maguru	17. Mentapada	26. Aska
9. Khaspa	18. Pakalapalli	27. Khambeswari Patna

The total quit rent payable by all these estates was Rs. 21,781-9-3 as recorded in the record-of-rights prepared for each of the above estates as against Rs. 19,065-2-4 before fragmentation. The extent of land under different classes in Aska Malukdari as recorded in the settlement is given below:—

Sl. No.	Name of Estate	Wet	Rainfed	Dry	Abad jogya anabadi	Abad ajogya anabadi	Poramboke	Total
1	2	3	4	5	6	7	8	9
1	Aska Malukdari	3,877-74	2,663-03	1,625-75	482-91	3,129-66	1,486-82	12,265-91

B. INAMS

99. (i) The existence of beneficial tenures originally known by the Sanskrit name "Manyam" and later by the Arabic term "Inam", after the Mohammadan conquest can be traced to a remote antiquity in India. When the State has given up its right to the land tax or a portion of it, in favour of an individual or an institution or to remunerate persons for performing certain duties, the grant is termed as "Inam" or "Manyam". It was a custom of the Hindu Governments to grant assignment of land revenue free or with low quit rent whether they granted the land itself or not, for the payment of troops and civil officers, for the support of temples and their servants, for maintenance of charitable and religious institutions for the maintenance of holy learned men as rewards for public service, or for support of their favourites or dependants. When a king made a grant of the land, he was usually required to give a deed or a sanad evidencing it. During the period of anarchy which followed the overthrow of the Hindu dynasties and which continued though in a less degree after the establishment of the Muhammadan Rule in South India, the power of granting inam for numerous purposes was assumed by various petty chiefs, officers of Government and others who alienated revenues to a considerable extent. Numerous minor inams of this description were granted by zamindars, foudars and even by renters in the northern Circars. Another period of political confusion ensued during the later part of the 18th century when the British and the French contested for supremacy in Southern India. There are good reasons to suppose that a large extent of lands was granted as inam during this interim period by parties who had not the least authority to make such alienations. During the earlier years of British Rule, the Government of the day, following the ancient custom of the country, adopted the practice of rewarding meritorious services by grants of tenures and thus many villages were alienated either in perpetuity or for a stated number of lives. This, however, gradually fell into disuse after receipt of despatches from the Court of Directors in 1822 and 1829 in which they expressed their preference for money pensions to grant of land on all ordinary occasions and directed that grant of land should be restricted to special cases.

(ii) The large sacrifices of State revenues involved in numerous and reckless grants of inams attracted the attention of the British Government at a very early period. Permanent Settlement was made with the zamindars exclusive of the alienated lands, pre-settlement inams as they are called. Section 12 of the Madras Permanent Regulation (Regulation XXV of 1802) clearly stated that the zamindars were not competent to resume beneficial grants made for religious or charitable purposes under the denomination of Debasthanam or Debadayam or Brahmadayam or Agraharam, Piran or Fakiran, or any other description of exempted lands described under the general term of "Lakhiraj". Generally speaking, the Jodi or the quit rent payable in respect of the alienated lands were not included in the assets of the Zamindary while fixing the land revenue permanently payable by them, under the Permanent Settlement Regulation. In all such cases, reversionary rights, therefore, always vested in the Government. After the permanent settlement, the Zamindar had no right to create beneficial tenures so as to exempt them from bearing their portion of the land revenue without previous permission of

Government. But in spite of this legal provision, generally in zamindaries held by successors of ancient rajas, the practice of granting inams continued, though not enforceable against Government or Government revenue. These inams have been considered to affect the revenue in future and to create difficult situation for the successors-in-interest of the zamindars. Such inams are known as post-settlement or darmila inams. With a view to preserving the revenue from being frittered away for nothing or on titles which would not bear examination while at the same time securing to the people endowments and maintainances which the good sense of the community would desire to maintain, a Special Inam Commission was appointed in 1858 to go into the history of the inams then existing. Some inam rules were sanctioned by Government on the 9th August 1959 under which "reversionary rights" of Government are surrendered to the inamdars in consideration of an equivalent annual quit rent and the inam lands are thus enfranchised and placed in the same position as other descriptions of alienated property in regard to their future succession or transmission. The work of the Inam Commission, therefore, consisted in validating and issuing title deeds for inams lawfully in possession (in the Inam Rules, land which was proved to have been held uninterruptedly as inam for period of 50 years with or without sanad, was treated as inam possessed under a valid title whatever may have been its origin) and in resuming those having no title. All kinds of grant were dealt with whether they included rights in land revenue only or both in land and land revenue. Next to validating titles, the chief operation of the Commission was the enfranchisement of the inams. Enfranchisement means conversion of an inam into the private property of the inam-holder on payment of a moderate quit rent (calculated at a fraction of the normal assessment—generally 1/8th to 1/12th—of the normal assessment) fixed for ever or a single commutation sum equal to so many years' purchase of the quit rent (this was in the beginning 20 years' purchase of the quit rent, but after the 28th February 1855 this was increased to 30 years' purchase). It may be stated in this connection that invariably some conditions were imposed by the former Governments to the grant of these inams. Some of the conditions were that (a) the inams cannot be alienated without the consent of the State, (b) they would revert to Government on failure of male heirs in the direct line and (c) they might be cancelled on the occurrence of any lapse. In some cases the grants were to be resumed after a certain number of lives, that is to say, after a certain number of successions by inheritance. Other inams were granted for certain religious observances or performance of certain state services. With the enfranchisement of the inams all these conditions ceased and the inams became absolute property. The Madras Enfranchised Inams Act, 1862 (Madras Act IV of 1862) provided that the title deed issued by the Inam Commissioner or an authenticated extract from the register of the Commissioner or the Collector should be taken as sufficient proof of the enfranchisement of land previously held on inam tenure. In respect of inams for which services of the inam-holders were still required by the State or by the community, the inams were not enfranchised. Unenfranchised inams consisted of religious and charitable service inams and artisan service inams. The work of the Inam Commission as a special organisation came to a close in November 1869. The bulk of the work had been completed by the Inam Commission. The work which remained was entrusted to a Member of the Board of Revenue who was appointed *ex officio* Inam Commissioner to satisfy the legal requirements.

(iii) As in many other districts of Orissa, there were numerous inams (both major and minor) in Ganjam which were dealt with by the Inam Commission and title deeds issued. Details of all such inams have been mentioned in the Inam Commission's Inam Register (otherwise known as Fair Inam Register or simply F. I. R.) which have been permanently preserved in Ganjam Collectorate. Most of these inams are situated in the ryotwari areas of Ganjam. The pre-settlement minor inams are separate estates under the Orissa Estates Abolition Act and they have not yet vested in Government. All whole inams which were not separate estates under the Madras Estates Land Act have vested in Government. The Darmila minor inams have vested along with the parent estates as it was ruled by the Supreme Court that darmila minor inams are part and parcel of the parent estate and for their abolition, issue of a separate notification under the Orissa Estates Abolition Act is not necessary.

(iv) It will thus be seen that the inams can be broadly divided into two categories namely enfranchised and unenfranchised (In Ganjam they are called "ସ୍ୱାଧୀନ ଭୂମି ଓ ସ୍ୱାଧୀନ ବେଢ଼ା ଭୂମି" according as they have been made into free holds either on payment of quit rent or on redemption or not). They are also divided into two other categories, namely, pre-settlement and post-settlement (also known as subsequent or Darmila inams) according as they had been granted prior to the Permanent Settlement Regulation of 1802 or after. But a more interesting division of the inams was into two categories, namely, major and minor. During the last 50 years or so no land tenure in Madras created so much controversy or gave rise to so many case laws as the dispute regarding the rights of parties in such inam villages. The major inams consisted of the grant of whole villages whereas minor inams consisted of isolated fields or plots. According to the Hindu Law, there are two beneficial interests in the lands, namely, (a) that of the sovereign or his representative (land revenue or *melavaram*) and (b) that of the cultivator (land proper or *kudivaram*). The cultivator's right arose from the occupation of lands. Thus the grant of inam could not touch the cultivator's right in the land except in rare cases where the grantor or the grantee was also holding the cultivator's interest or that it was waste at the time of the grant. The Madras Inams Act of 1869 (Act VIII of 1869) specifically provided that the enfranchisement of an inam or the grant of a title-deed to the inamdar was not to be deemed to define, limit, infringe or destroy the rights of any description of holders or occupiers of the land or to confer on the inamdar any rights in the land, which he would not otherwise possess. Thus, the right of an inamdar did not ordinarily extend to the occupancy right on the land in the case where an inam consisted of an entire village. Under the Madras Estates Land Act, as it stood in 1908, where the grant of a village as inam was of the land revenue alone to a person not owning *kudivaram*, then the village was an estate and so the tenants of the inamdars in such villages had occupancy rights. The Government and the Courts had held until the 1st July 1918 that there was always the presumption to the effect that all inams were grants of land revenue only and that the burden of proving that any inam included grant of land also was on the inamdar claiming this. But this presumption was upset by a decision of that date of the Privy Council that no such presumption existed and each case has to be decided on its own merit. This decision of the Privy Council together with similar decisions of later years completely reversed the law as it had been understood, interpreted, and implemented till 1918. This resulted in rapid growth of litigation which have ended in disastrous results on either side. The inamdars treated their tenants as tenants-at-will. Government decided to amend the Madras Estates Land Act so as to remove the effect of the Privy Council's decision that was operating very heavily in favour of the inamdars. A Bill was introduced in the Madras Legislature in 1933 for amending certain provisions of the Madras Estates Land Act and also for amending the definition of the word "estate" in the Madras Estates Land Act so as to include within its scope all categories of whole inam villages—whether the grant of land revenue (*melavaram*) alone or both land revenue and land, so that the tenants in all such villages might have occupancy rights. This was passed as Madras Act VIII of 1934. But as a result of the violent opposition, the provision regarding amendment of the definition of the term "estate" and other provisions relating to

inamdars were not assented to by the Governor, who after giving his assent to the remaining provisions of the Bill recommended that the provisions regarding inamdars should be made into a separate Act. Pending finalisation of the main question Madras Act VIII of 1934, however, contained temporary provisions giving protection against eviction to the tenants of the inamdars. As recommended by the Governor, a separate Bill regarding definition of Estate and consequential provisions regarding the inamdars was passed by the Madras Legislature and the Governor gave his assent to it in 1935 but the Governor-General withheld his assent to the Bill on the ground that the Bill was ex-proprietary and that it should not become law unless provision for compensation was made. The temporary protection against eviction given to the tenants by the Madras Act VIII of 1934 was about to lapse on the 1st November 1935. As the assent of the Governor-General was not received and it was necessary to continue the protection for a further period of 6 months till the 1st May 1936, Madras Act I of 1936 was passed which was assented to by the Governor-General on the 16th December 1935. In Madras, the main Bill giving substantive right to the tenants of the inamdars of all pre-settlement whole inam villages was ultimately assented to by the Governor-General and it became Act XVIII of 1936 which came into force on the 31st October 1936 by which time Ganjam had been separated from Madras. The temporary protection against eviction given to the tenants of inamdars was continued in Orissa by successive amendments to section 127 of the Madras Estates Land Act till similar law was passed in Orissa by the Madras Estates Land (Orissa Second Amendment) Act, 1946 (Orissa Act XVII of 1947). The provisions of the Orissa Act regarding the rights of the tenants of inamdars were exactly similar to those in the Madras Act XVIII of 1936 except that the rules of presumption with regard to private lands of inamdars was altered in Orissa in favour of the inamdars as most of them were small holders.

(v) Thus it will be seen that the pre-settlement whole inam villages became estates as late as 1947 by which occupancy rights of the tenants of the inamdars was statutorily recognised. That is why when the major settlement operations started in the year 1938 settlement of the whole inam villages was not included in the programme. The operation in inam villages was taken up after Act XVII of 1947 came into force and it included 388 pre-settlement whole inam villages and 150 post-settlement whole inam villages. Only the irresumable post-settlement inam villages were treated as estates and the resumable ones became parts of the main estate. After abolition of the inam estates the inamdars of 127 whole inam villages filed suits or writs against abolition, claiming that they were not estates under the Madras Estates Land Act and hence cannot be abolished under the Estates Abolition Act, the definition of estate in the Estates Abolition Act as originally enacted was more or less synonymous with that in the Madras Estates Land Act. Subsequently by the Orissa Estates Abolition (Amendment) Act XVII of 1954 all inams of whatever category have been brought under the definition of estate. The result is that all estates under the Madras Estates Land Act are estates under the Orissa Estates Abolition Act but not *vice versa*. Out of 127 cases, the law courts have so far held 39 to be not estates under the Orissa Estates Abolition Act and hence they cannot be treated as estates under the Madras Estates Land Act. The names of these villages are given in para. 28 of Chapter IV. As they are not estates under the Madras Estates Land Act, the entire settlement operation is without jurisdiction as the operation was conducted under the Madras Estates Land Act which applies only to estates. The records of these villages have been proposed to be consigned to the Collectorate Record Room and proposal is being submitted for taking up survey and settlement in these villages under the provisions of the Orissa Survey and Settlement Act, which applies to all kinds of lands whether Government or non-Government. In 63 villages, the Law Courts have held that they are estates and so there is no difficulty. In respect of 25 cases no final decision has yet been made.

CHAPTER XI

OFFICERS

100. *Settlement Officers*—Shri Satish Chandra Banerjee was the first Settlement Officer and he held charge from the 1st December 1938 to the 11th October 1939, the 9th July 1940 to the 30th September 1940, the 25th March 1942 to the 16th June 1942 and the 27th July 1947 to the 7th May 1948. He also worked as Special Officer from the 5th March 1947 to the 26th July 1947. In 1948 his failing health compelled him to go on long leave and at least he expired before he could complete the full term of his services. Shri F. E. A. Taylor, I. C. S., worked as Settlement Officer from the 12th October 1939 to the 8th July 1940 and again from the 21st January 1941 to the 24th March 1942. Shri Lokanath Patnaik, O. A. S., was the Settlement Officer from the 12th May 1948 to the 1st December 1951 and again from the 14th June 1953 to the 30th September 1953. Shri Hemansu Kumar Ghosh, I. A. S., was the Settlement Officer from the 1st December 1951 to the 27th May 1953 and from the 28th February 1954 to the 11th May 1954. Shri Dibyasinha Patnaik, O. A. S., functioned as Settlement Officer from the 20th October 1953 to the 27th February 1954. The Settlement Officer of Ganjam was also the Settlement Officer for the Koraput Settlement and was designated as Settlement Officer, Ganjam-Koraput Major Settlement. From March 1954 Berhampur ceased to be the headquarters of Ganjam-Koraput Major Settlement and this settlement was tagged to Dhenkanal Major Settlement under the Settlement Officer, Dhenkanal-Ganjam Major Settlement, with headquarters at Cuttack and the settlement operation in Koraput was placed in charge of a separate Settlement Officer with headquarters at Jeypore. Shri Bimal Kishore Mishra, I. A. S., worked as Settlement Officer of Dhenkanal-Ganjam Major Settlement from the 23rd June 1954 to the 15th April 1956. Shri Shyama Sundar Patra, I. A. S., was the Settlement Officer from the 16th April 1956 to the 15th October 1957. Shri Banchhanidhi Das, I. A. S., worked as Settlement Officer from the 16th October 1957 to the 6th March 1958. Shri Rabindranath Das, I. A. S., was the Settlement Officer from the 7th March 1958 to the 17th May 1960 and Shri Kallikinkar Samal, I. A. S., was the Settlement Officer from the 18th May 1960 to the 30th July 1960 after which Ganjam Settlement was again separated from Dhenkanal-Ganjam Major Settlement owing to Government decision to take up settlement operations in the ryotwari and agency area of Ganjam and in the ex-zamindary areas of Parlakimedi. The Ganjam and Koraput Settlements were again united under the designation of Ganjam-Koraput Major Settlement and I took over as Settlement Officer from the 1st August 1960.

101 (a) *Assistant Settlement Officers*—Of the officers employed in the Settlement 10 Deputy Collectors, 34 Sub-Deputy Collectors and 17 non-gazetted Officers. 6 I. C. S. Officers 4 I. A. S. Officers and 6 Munsifs were given training in Settlement. The system of charges was adopted. The following officers worked as Charge Officers for some period:—

- (1) Shri Satish Chandra Banerjee, Deputy Collector—the 12th October 1939 to the 8th July 1940 and the 1st October 1940 to the 24th March 1942.
- (2) Shri Md. Mujibar Rahaman, Deputy Collector—the 28th November 1948 to the 11th April 1951 the 12th August 1951 to the 3rd March 1955 and from the 4th May 1955 to the 28th February 1958.
- (3) Shri Jagadish Chandra Rath, Deputy Collector—the 14th April 1958 to the 31st March 1959.
- (4) Shri Bankim Chandra Mohanty, Deputy Collector—the 5th May 1959 to the 23rd December 1960.

(b) The list of Assistant Settlement Officers both gazetted and non-gazetted who worked in Ganjam Settlement will be found in Appendix VII.

102. *Promotions*—The following officers received promotion for their good work in this settlement:—

(a) From Deputy Collector to I. A. S.—Shri Satish Chandra Banerjee.

(b) From Sub-Deputy Collector to Deputy Collector—

(i) Shri Shyamsundar Patra

(ii) Shri Durjyadhan Mohanty

(iii) Shri Kanhucharan Misra

(iv) Shri Padmacharan Mohapatra, and

(v) Shri Bankim Chandra Mohanty

(c) From non-gazetted Officer to Sub-Deputy Collector—

(i) Shri Sudarsan Patra

(ii) Shri Govind Mishra, and

(iii) Shri R. Laxman Rao

(d) Shri Kishori Charan Das, and Sudhansu Mohan Patnaik, Deputy Collectors, while working in settlement, competed in the combined competitive examination for Central Services. Shri Sudhansu Mohan Patnaik was appointed to the I. A. S. and Shri Kishori Charan Das was appointed to the I. A. A. S. on their performance in the combined competitive examination.

APPENDIX I

(See Paragraph 8)

Statement showing details of 146 pending (Inam and Ryoti) villages

Serial No.	Name of village	Inam or ryoti		Name of ex-Estate in respect of ryoti village	Name of taluk	Reasons for pendency
		Inam	Ryoti			
1	2	3	4	5	6	7
1	Kalasingi ..	Inam	..	..	Parlakimedi	These villages were locked up in Supreme Court appeals. The appeals have since been dismissed. These villages were pending for rent settlement operation. As ordered by Director of Land Records & Surveys in his letter No. 3661—XXI-201/62-L. R. S., dated the 23rd April 1962, the rent settlement operation of these villages will be taken up along with the rent settlement operation of the ryotwari villages.
2	Endri ..	Do.	..	..	Do.	
3	Gantra ..	Do.	..	..	Do.	
4	Garaba ..	Do.	..	..	Do.	
5	Magada ..	Do.	..	..	Do.	
6	Bethaguda ..	Do.	..	..	Do.	
7	Nandagam ..	Do.	..	..	Berhampur taluk	
8	Mathasarasingi ..	Do.	..	..	Kodala taluk	
9	Rishipur ..	Do.	..	..	Ditto	
10	Salabana ..	Do.	..	..	Ditto	
11	Badarkhapalli ..	Do.	..	..	Ditto	
12	Matha Berhampur ..	Do.	..	..	Ditto	
13	Bartarni ..	Do.	..	..	Ditto	
14	Aitipur ..	Do.	..	..	Ditto	
15	Bellapur ..	Do.	..	..	Ditto	
16	Gudijhora ..	Do.	..	..	Ditto	
17	Jagilipadar ..	Do.	..	..	Ditto	
18	Patalampur ..	Do.	..	..	Chatrapur taluk	
19	Palasi ..	Do.	..	..	Ditto	
20	Daripodar ..	Do.	..	..	Ditto	
21	Somapur ..	Do.	..	..	Ditto	
22	Hatapur ..	Do.	..	..	Ditto	
23	Angu ..	Do.	..	..	Ditto	
24	Sikulapalli ..	Do.	..	..	Ditto	
25	Saradhapur ..	Do.	..	..	Ditto	
26	Sapuapalli ..	Do.	..	..	Ditto	
27	Kusapalli ..	Do.	..	..	Ditto	
28	Sindurapur ..	Do.	..	..	Ditto	
29	Bhikaripalli ..	Do.	..	..	Ditto	
30	Sriramapur ..	Do.	..	..	Ditto	

Serial No.	Name of village	Inam or ryoti		Name of ex-Estate in respect of ryoti village	Name of taluk	Reasons for pendency
		Inam	Ryoti			
1	2	3	4	5	6	7
31	Ratnapur ..	Inam	..	..	Berhampur taluk	Same remarks as on pre-page.
32	Kumarapur ..	Do.	..	..	Ditto	
33	Satakutuni ..	Do.	..	..	Ditto	
34	Mandiapalli ..	Do.	..	..	Ditto	
35	Brundabanapalli ..	Do.	..	..	Ditto	
36	Khairapanka ..	Do.	..	..	Ditto	
37	Saradhapur ..	Do.	..	..	Ditto	
38	Lalakamagam ..	Do.	..	..	Ditto	
39	Deulamandali ..	Do.	..	..	Ditto	
40	Jodupur ..	Do.	..	..	Ditto	
41	Kesapur ..	Do.	..	..	Ditto	
42	Tinigharia ..	Do.	..	..	Ditto	
43	Radhakantapur ..	Do.	..	..	Ditto	
44	Haradakhandi ..	Do.	..	..	Ditto	
45	Jagiapalli ..	Do.	..	..	Ditto	
46	Matiajhala ..	Do.	..	..	Aska taluk	
47	Chakrapur ..	Do.	..	..	Ditto	
48	Bhuduki ..	Do.	..	..	Ditto	
49	Haripur Paitari ..	Do.	..	..	Ditto	
50	Bajrakote ..	Do.	..	..	Ditto	
51	Bhitardadanga ..	Do.	..	..	Ditto	
52	Sanasadara ..	Do.	..	..	Ditto	
53	Bada Sadara ..	Do.	..	..	Ditto	
54	Ramachandrapur ..	Do.	..	..	Ditto	
55	Bidua ..	Do.	..	..	Parlakimedi taluk	
56	Talasingi ..	Do.	..	..	Ditto	
57	Hunali Jaganathapur ..	Do.	..	..	Ditto	
58	Chitrakara Laxmipur ..	Do.	..	..	Ditto	
59	Sadabarti Laxmipur ..	Do.	..	..	Ditto	
60	Parasamba ..	Do.	..	x..	Ditto	

Serial No.	Name of village	Inam or ryoti		Name of ex-Estate in respect of ryoti village	Name of taluk	Reasons for pendency
		Inam	Ryoti			
1	2	3	4	5	6	7
61	Khajapalli	Inam	..	..	Chatrapur taluk..	The writs and suits filed by the Inamdars in respect of these villages have been allowed by the High Court and Civil Court. They were pending for rent settlement operation. The question of taking up survey and rent settlement operations <i>ab initio</i> in these villages after re-vesting them in State Government in accordance with latest amendment of definition of "Estate" in the Orissa Estates Abolition Act is now under consideration of the Board of Revenue.
62	Jaganathapur	Do.	..	..	Ditto	
63	Burtuli	Do.	..	..	Ditto	
64	Balata	Do.	..	..	Ditto	
65	Khosalapalli	Do.	..	..	Ditto	
66	Ranajhalli	Do.	..	..	Ditto	
67	Sriramchandrapur	Do.	..	..	Ditto	
68	Rajabalapalli	Do.	..	..	Ditto	
69	Hundata	Do.	..	..	Ditto	
70	Jaganathapur	Do.	..	..	Ditto	
71	Kaithapalli	Do.	..	..	Berhampur taluk	
72	Dhanyarasi Sasan	Do.	..	..	Ditto	
73	Lakanathapursasan	Do.	..	..	Ditto	
74	Sunakbala	Do.	..	..	Ditto	
75	Dabhara Purushotampur	Do.	..	..	Ditto	
76	Lanjia	Do.	..	..	Ditto	
77	Manahara	Do.	..	..	Ditto	
78	Rajamanipur	Do.	..	..	Ditto	
79	Tentulia Kulamanipur	Do.	..	..	Ditto	
80	Sundarabalah Jagadevapur.	Do.	..	..	Ditto	
81	Ramachandrapur	Do.	..	..	Ditto	
82	Dayanidhipur	Do.	..	..	Aska taluk	
83	Gopalakrishnapur alias Kamasasan.	Do.	..	..	Ditto	
84	Radhadeipur	Do.	..	..	Ditto	
85	Purusotamapur	Do.	..	..	Ditto	
86	Sebatideipur	Do.	..	..	Kodala taluk	
87	Chachina Jaganathapur	Do.	..	..	Ditto	
88	Chadhia pad a Krishnadasapur	Do.	..	..	Ditto	
89	Digapada Jaganathapur	Do.	..	..	Ditto	
90	Babarapur	Do.	..	..	Ditto	
91	Birakrishnasaranapur	Do.	..	..	Ditto	
92	Jemadeipur	Do.	..	..	Ditto	
93	Syamasundarpur	Do.	..	..	Ditto	
94	Singipur	Do.	..	..	Parlakimedi taluk	
95	Garabandha	Do.	..	..	Ditto	
96	Katalakabita	Do.	..	..	Ditto	
97	Jilidipadu	Do.	..	..	Ditto	
98	Gokula	Do.	..	..	Ditto	
99	Champasinguda	Do.	..	..	Ditto	

Serial No.	Name of village	Inam or ryoti		Name of ex-Estate in respect of ryoti village	Name of taluk	Reasons* for pendency
		Inam	Ryoti			
1	2	3	4	5	6	7
100	Pedakhinga	Inam	..	..	Paralakimedi Taluk	These villages are still locked up in Civil Suit.
101	Jami	Do.	..	..	Ditto	
102	Jajapur	Do.	..	..	Ditto	
103	Chandanakhala	Do.	..	..	Ditto	
104	Anukanda	Do.	..	..	Ditto	
105	Sobara	Do.	..	..	Ditto	
106	Jagipadu	Do.	..	..	Ditto	
107	Jiba	Do.	..	..	Ditto	
108	Adasingi	Do.	..	..	Ditto	
109	Padmapur	Do.	..	..	Ditto	
110	Rangalabudi	Do.	..	..	Ditto	
111	Janigam	Do.	..	..	Ditto	
112	Arimba	Do.	..	..	Ditto	
113	Kurlunda	Do.	..	..	Ditto	
114	Lagu	Do.	..	..	Ditto	
115	Raimba	Do.	..	..	Ditto	
116	Tarala	Do.	..	..	Ditto	
117	Pangudi	Do.	..	..	Ditto	
118	Tasangi	Do.	..	..	Ditto	
119	Partada	Do.	..	..	Ditto	
120	Mahanapalli	Do.	..	..	Chatrapur taluk	Final publication and rent settlement could not be taken up in these villages as they are still covered by appeals in Supreme Court.
121	Kaithada	Do.	..	..	Berhampur taluk	
122	Badamohuri	Do.	..	..	Kodala taluk	
123	Kaniapalli	Do.	..	..	Ditto	
124	Gandadhara	Do.	..	..	Ghumsur taluk	Final publication and rent settlement operation could not be taken up in these villages as no information is available regarding filing of appeals in the Supreme Court after dismissal of writs in High Court.
125	Danei Berhampur	Do.	..	..	Chatrapur taluk	
126	Dambagudiali	Do.	..	..	Kodala taluk	
127	Luduluda	Do.	..	..	Berhampur taluk	

Serial No.	Name of village	Inam or ryoti		Name of ex-Estate in respect of ryoti village	Name of taluk	Reasons for pendency
		Inam	Ryoti			
1	2	3	4	5	6	7
128	Santabandha	..	Ryoti	Ex-Khallikote Estate.	Kodala taluk	Combined operations under section 36 of the Orissa Survey and Settlement Act will be taken up in these villages.
129	Khasua	..	Do.		Ditto	
130	Jhadabandha	..	Do.	Ex-Athagada Estate.	Ditto	
131	Santrapur	Inam	..	..	Ditto	
132	Patigobindapur	Do.	..	..	Berhampur taluk	The petition filed by the Rajah Bahadur of Khallikote, Athagada and Biridi Estates relating to these villages are still pending in Board's office. After its disposal further operation will be taken up.
133	Katinada	Do.	..	..	Aska taluk	
134	Raisingipur	Do.	..	..	Ditto	
135	Rambha Bit II	..	Ryoti	Ex-Biridi Estate.	Chatrapur taluk..	
136	Cheliakuda	..	Do.	Ex-Khallikote Estate.	Kodala taluk ..	
137	Barakuda	..	Do.		Ditto	
138	Kankarakuda	..	Do.		Ditto	
139	Bairibada	Inam	..	..	Berhampur taluk	Pending for correction of records after receipt of Board's orders.
140	Khairapadar	Do.	..	..	Aska taluk ..	
141	Badyanathapur Kamapalli. alias	Do.	..	..	Berhampur taluk	The resurvey of the village will be taken up after disposal of appeal pending in High Court.
142	Municipentha	Do.	..	..	Chatrapur taluk..	Rent settlement operation will be taken up under section 18 of the Orissa Survey and Settlement Act along with ryotwari villages.
143	Duburakudi	Do.	..	..	Ditto	
144	Bada Agula	..	Ryoti	Ex-Athagada Estate.	Kodala taluk ..	The original record-of-rights were lost in Ganjam Collectorate. Government have ordered to give effect to the settled rent by publishing a jamabandi on the basis of Settlement records and for giving extracts thereof to concerned ryots.
145	Sanabaragam	..	Do.		Ditto	
146	Ambajhara Nuapalli	..	Do.	Ex-Khallikote Estate	Ditto	

APPENDIX II

(See Paragraph 24)

Details of records received for minor settlement villages and those prepared during the major settlement operation for these villages as well as for the originally surveyed villages.

(A) Records of Minor Settlement Operation.

Three types of records of the minor settlement operation were available for reference in the major settlement operation.

(1) The records of villages of which only survey had been finished. They are the following :—

- (i) Survey Land Register
- (ii) Map
- (iii) G. Book
- (iv) Partial sketch
- (v) Field measurement book

(2) Records of villages which had been finally published in the major settlement operation. They are the following :—

- (i) Preliminary Individual Register
- (ii) Abstract of Preliminary Individual Register
- (iii) Preliminary Record-of-Rights Register
- (iv) Pagewari Abstract of Preliminary Record-of-Rights
- (v) Change Register
- (vi) Field Inspection Note Book
- (vii) Nominal list showing plot numbers, name of the ryot, classification of the land
- (viii) Taram File
- (ix) Objection petitions under section 166(1) with register
- (x) Notices under section 166(1) of the Madras Estates Land Act
- (xi) Distribution list under section 166(1) (Schedule of Patta distribution)
- (xii) Map
- (xiii) Field Measurement Notebook
- (xiv) Sketches relating to objection petitions under section 166(1)
- (xv) Original sketches
- (xvi) Sale Register
- (xvii) Area Index
- (xviii) Final Record-of-Rights Register
- (xix) Miscellaneous File

(3) The records of villages in which rent settlement had been finished and which were republished under section 170(3) of the Madras Estates Land Act. They are the following :—

- (i) Preliminary Individual Register
- (ii) Preliminary Record-of-Rights
- (iii) Preliminary Record-of-Rights Abstract
- (iv) Change Register
- (v) Field Inspection Notebook
- (vi) Draft Rent Roll Copy
- (vii) Draft Rent Roll Copy
- (viii) Draft Rent Roll Abstract
- (ix) Nominal List
- (x) Sortwar khatamoni showing plots, area and rent
- (xi) Taram File
- (xii) Objection petition under section 166(1) of the Madras Estates Land Act with register
- (xiii) Objection petition under section 179(1) of the Madras Estates Land Act with register

- (xiv) Revised Record-of-Rights Abstract
- (xv) Patta distribution list after 166(1) and 169(1)
- (xvi) Notice
- (xvii) Maps
- (xviii) G. Books
- (xix) Partial Sketch and Field Measurement Book
- (xx) Final Record-of-Rights
- (xxi) Annexure I showing patta number, classification of the lands in the patta, II showing notes of Descriptive Memoir area under different status, method of survey and demarcation, population, different groups of rent paying holdings, stock list, irrigation khatian enclosed with the final record-of-rights.

(B) Records of Major Settlement Operation

1. The following types of records and papers were prepared for the villages coming under item A (1) :—

- (i) Working Khatian
- (ii) Working Irrigation Khatian
- (iii) Munsarim Nathi
- (iv) Working Plot Index
- (v) Objection petition Nathi under section 166(1) of the Madras Estates Land Act
- (vi) Inam Register
- (vii) Teriz
- (viii) Final Record-of-Rights with khewat
- (ix) Final Plot Index
- (x) Final Irrigation Khatian
- (xi) Descriptive Memoir
- (xii) Rent Roll
- (xiii) Classification Register
- (xiv) Objection petition Nathi under section 169(1) of the Madras Estates Land Act
- (xv) Rent Proceeding Nathi

2. The following types of records and papers were prepared for the villages coming under item A(2) above (Rent Settlement of these villages were taken up in the Major Settlement and completed) :—

- (i) Munsarim Nathi consisting of change register, etc.
- (ii) Rent Proceeding Nathi including holding wise classification statement, preliminary rent settlement proceedings, confirmation proposal and orders, etc.
- (iii) Rent Roll
- (iv) Objection cases under section 169(1) of the Madras Estates Land Act
- (v) Corrections and addenda to individual registers or in prepared copies where originals were brittle
- (vi) Annexure III attached to the final record-of-rights showing the holding number, name of the ryot, rent, cesses and total.

3. The following types of records and papers were prepared in respect of villages coming under A(3) :—

- (i) Munsarim Nathi consisting of change registers, etc.
- (ii) Rent proceeding Nathi excluding holdingwise classification statement but including preliminary rent settlement proceeding, confirmation proposal and orders, etc.
- (iii) Rent Roll
- (iv) Objection cases under section 169(1) of the Madras Estates Land Act
- (v) Corrections and addenda to Original Individual Registers or in prepared copies where originals were brittle.
- (vi) Annexure III attached to the Final Record-of-Rights showing the holding number, name of the ryot, rent, cesses and total.

4. In respect of villages which were taken up for original survey in the major settlement operation the following records and papers were prepared :—

- (i) Map
- (ii) Survey Khaka
- (iii) Stone Khaka

- (iv) Stone Register
- (v) Draft Khatian and Khewat
- (vi) Draft record of irrigation rights
- (vii) Taram Register
- (viii) Working Plot Index
- (ix) Inam Register (for pre-settlement minor Inams)
- (x) Descriptive Memoir
- (xi) Munsarim Nathi including draft teriz, dispute list, change registers, etc.
- (xii) Objection cases under section 166(1) of the Madras Estates Land Act
- (xiii) Final Teriz
- (xiv) Final Record-of-rights with specimen signature
- (xv) Final Khewat
- (xvi) Final Plot Index
- (xvii) Final Record of Irrigation Rights
- (xviii) Rent Proceeding Nathi consisting of holdingwise classification statement, preliminary rent settlement proceeding, confirmation proposal with orders, etc.
- (xix) Rent Roll
- (xx) Objection cases under section 169(1) of the Madras Estates Land Act
- (xxi) Supplemental maps

APPENDIX III

(See Paragraph 31)

M. L. A. Revision Case No. 23 of 1944

REVENUE COMMISSIONER'S COURT, ORISSA

*Dated Cuttack, the 1st April 1948*PRESENT—RAI BAHADUR SAMUEL DAS, M. A., C. I. E.
Revenue Commissioner, Orissa

Appeal from the order of the Settlement Officer, Ganjam, dated _____ in the matter of the revision
of record-of-rights in respect of Survey Nos. 231 to 234, etc., in mouza Radhamohanpur in Chikiti Estate,
Ganjam district.

Ramesh Chandra Samanto

.. Petitioner

Versus

Zamindar of Chikiti

.. Opposite Party

For the Petitioner

.. Shri P. V. Balakrishna Rao, Advocate

For Opposite Party

.. Seal

DECISION

This is a petition of revision under section 172(2) of the Madras Estates Land Act arising out of the order of the Collector (Assistant Settlement Officer), dated the 20th November 1941, whereby the petitioner's request for being recorded as land-holder for an area of 169.44 acres out of the total area of 174.97 acres of the village was refused. The village Radhamohanpur was granted by a registered deed, dated the 12th July 1921 by the then Zamindar to one Shri B. Virasalingam on "Saswata Gutta" for a rent of Rs. 250 a year. Subsequently an area of 5.53 acres belonging to the Deity Shri Sapaneswar Mahadev was excluded from the grant and the rent payable was reduced to Rs. 242. Shri Ramesh Samanta, the petitioner, purchased the interest owned by the late B. Virasalingam by a registered deed, dated the 17th August 1932. The grant obviously constitutes a permanent lease which gave right to the petitioner to reclaim and enjoy the vacant lands. The prayer of the petitioner is mainly as follows:—

(1) To record the petitioner for occupancy right in respect of 44.56 acres covered by Nos. 1 to 8 and 10 to 11 held by opposity parties Nos. 2 to 7. This, however, cannot be conceded to the detriment of the rights of persons who had already acquired occupancy rights and it appears that the ryots who now stand recorded in the finally published record were entered either themselves or their predecessors in the Survey Land Register prepared in 1917. There is no positive evidence that they had surrendered their rights or vacated the lands in favour of the petitioner.

(2) The second prayer of the petitioner is to record the petitioner for 14.28 acres entered as "poramboke" in this village. Under section 20 of the Madras Estates Land Act the Collector has to decide whether a land is or is not for the communal purpose. "Poramboke" as obtains in South Orissa is too wide a term. The Revenue Commissioner is not inclined at this stage to enter into a determination of the issue whether 14.28 acres are communal or not. In this respect the record-of-rights will stand as it is.

(3) The next prayer of the petitioner is that he should be recorded as land-holder in respect of village Radhamohanpur with the exception of 5.53 acres of land belonging to the Deity Shri Sapaneswar Mahadev. Since the question of poramboke lands has been kept open, the Revenue Commissioner considers that this area should also be excluded from the present consideration. The petitioner is under the terms of his grant entitled to be considered as an intermediate land-holder. As has been stated, his title is that of a permanent lessee. He owns occupancy rights in respect of the land brought under cultivation by him, that is, in respect of khata No. 9 covering an area of 109.51 acres. Further he is entitled to the produce rent recorded as payable by the occupancy ryots of khatian Nos. 1 to 8 and 10 to 11. One of the terms of the grant was that the petitioner should pay a fixed rent of Rs. 242 annually to the Zamindar. The petitioner is accordingly allowed in these terms.

In the result it is ordered that an entry should be made in the remarks column of khewat No. 1 of village Radhamohanpur that "Ramesh Samanta owns an intermediate land-holder's interest as a permanent lessee in respect of khatian Nos. 1 to 11 subject to payment of annual rent of Rs. 242 to the Zamindar". A cross reference to this entry should also be noted in the remarks column against the khatians Nos. 1 to 11 of the ryots.

Sd.

REVENUE COMMISSIONER
OrissaCUTTACK
The 1st April 1948

Sd.

REVENUE COMMISSIONER
ORISSA

Certified that this order has been dictated and corrected by me.

TRUE COPY

APPENDIX IV

(See Paragraph 34)

Copy of the Proceedings of the Revenue Commissioner, Orissa, No. 536—L. R. S.—XVIII-139/44, dated Cuttack, the 12th August 1944

SUBJECT—Estates Land Act—Ganjam District Athagada Estate Major Settlement Operations—Recoding of Poramboke—revision of entries in the final record-of-rights—Petition of review under order No. 47-R1., of the Civil Procedure Code against Revenue Commissioner's proceedings No. 772-L. R. S., dated the 29th November 1943.

READ—1. Petition of review, dated the 22nd April 1944 of the Collector, Ganjam, on behalf of the Province of Orissa.

2. Counter-petition, dated the 7th June 1944 of the Raja Bahadur, Khallikote, Athagada and Biridi Estates.

3. Revenue Commissioner's Proceedings No. 772-L. R. S., dated the 29th November 1943.

(1) *For Petitioner* .. Shri A. Tumbanatham Pantulu, Government Pleader, Aska.

(2) *For Respondent* .. Shri Balakrishna Rath Mahasaya, B.A., B.L., Advodate.

DECISION

These proceedings arise from the order passed by Mr. Marwood in his decision, dated the 29th November 1943 in E. L. A. R. P. No. 36 of 1943 under the Madras Estates Land Act. That decision was concerned with the form of the entries to be made in the record-of-rights of 1938-39 about the "Poramboke" lands of the Athagada Estates, Ganjam district. Mr. Marwood's previous decision of the 9th November 1943, dealing within a similar subject in the Dharakote Estate, Ganjam district, explains why these proceedings to revise the record-of-rights prepared in the settlement of 1938-42 are now necessary. The record-of-rights was published in final form between December 1941 and May 1942.

2. In the Survey and Settlement operations of 1938-42 the Settlement Officer had entered the poramboke of the Athagada, Dharakote and other estates in the land-holder's khewat along with the following note:—

"The reversionary rights in the land-holder's khatian have not been determined for the purpose of section 20-A (1) of the Madras Estates Land Act and the fact of their entry under the land-holder's khewat in no way prejudices the interest of Government in these lands." The procedure adopted by the Settlement Officer in these particular estates was considered to be unsuitable and the Revenue Commissioner initiated proceedings to revise the record-of-rights about poramboke in these estates for the purpose of securing uniformity in the record. Mr. Marwood in his order of the 9th November 1943 observes:

"The intention is that poramboke lands in the portions of Madras now falling within the Orissa Province should be entered in the record-of-rights in the way hitherto followed by the Madras Settlement Department that is poramboke lands are numbered and listed and their total area is shown in the descriptive memoir which forms an Annexure II to the village record. The poramboke lands are not assigned to any khewat, and the record is silent as regards reversionary rights in such lands. The intention is that reversionary rights should be decided, when occasion arises, by the Collector under sections 20 and 20-A of the Act."

The case put forward in the Dharakota Proceedings on behalf of the Province of Orissa by the Collector of Ganjam was that the poramboke lands should be recorded without comment or decision on the topic of reversionary rights. It was pointed out that this was the procedure followed by the settlement authorities in some of the other estates of the Ganjam district (Surangi, Chikiti, Sanakhemidi, Bodogada, etc.) and that this was in effect the procedure followed by the Madras authorities when the district was part of the Madras Presidency. In no record-of-rights prepared under the authority of the Madras Government for other estates in this district were the poramboke entered in the land-holder's khewat in the manner followed by the Settlement Officer in 1938-39, nor was any entry made to show that poramboke were the land-holder's property.

Mr. Marwood held in his decision of the 9th November 1943, dealing with the Dharakota Estate that the Settlement Officer is concerned with recording the facts as he finds them and that he is not required by law to record rights lawfully incident to poramboke lands, as these poramboke lands do not come within the definition of a holding. Furthermore he held that the Settlement Officer was not required to determine the reversionary rights in poramboke lands, as the Madras Act in sections 20 and 20-A provides a specific procedure for determining those rights in the Court of the Collector.

Here I note that the Collector may decide the question of reversionary rights only under section 20-A of the Act after declaring that the land is no longer required for its original communal purpose. Under section 20, the Collector may decide whether any particular piece of land is or is not a poramboke.

Accordingly, the decision in the Dharakota case was that all poramboke lands should be excluded from the khewats of the landlord, that the note of the Settlement Officer should be deleted, and that the record of poramboke lands, prepared in a separate list or khatian by the Settlement Officer, should not bear any description other than that of "Poramboke khatian".

This decision made no difference in the legal status of any of the poramboke. It was in accordance with the procedure followed by the Madras Government. There are obvious reasons for recording in a separate list the lands which are found by the Settlement authorities to have been set apart for the common use of the villagers. It would be confusing to mix these lands with lands which are the exclusive property of a land-holder. In the records-of-rights prepared when Ganjam was a part of the Madras Presidency there is no separate khewat for

the land-holder's private lands. This khewat was first prepared in 1938, on the lines adopted in districts of Northern Orissa, after Ganjam had become a part of the new Province of Orissa. The Settlement Officer first decided on grounds of convenience to include poramboke lands, or common lands in the land-holder's khewat along with the note protecting Government's interest in these lands. Mr. Marwood's decision in the Dharakota case was intended to rectify this procedure and to secure the entry of all poramboke plots in a special list reserved for them alone.

3. In his order, dated the 29th November 1943, dealing with the villages of the Athagada Estate, Mr. Marwood considered now for his decision in the Dharakota case should apply to the Athagada villages. On behalf of the proprietor of the Athagada estate it was argued that the settlement authorities had included under the heading "Poramboke" lands other than lands which could be legitimately described as lands held for the common use of the villagers. It was admitted that threshing floors, cattle stands, village sites, grazing grounds, etc., were entitled to be described as lands held for the common use of the villagers. But it was urged that this claim could not fairly made for porambokes such as hills, forests and waste lands. To record these lands in the poramboke khatian would throw "a cloud on the title of the proprietor". The proprietor of the estate urged that hills, forests and waste lands had not been declared in any proceedings to be lands set apart for the common use of the villagers. Consequently the settlement authorities had no right to classify these as poramboke. It was urged that these lands should be recorded as the land-holder's property in his anabadi khatian. At the request of the Revenue Court the Athagada Proprietor has filed as statement of the poramboke plots in each village classifying as "Communal" and "non-communal". The statements purports to show "lands wrongly classified under porambokes by the Settlement Officer as published in the final Record-of-rights of Athagada Estate.

4. Mr. Marwood expressed the opinion that the tenant's right of user in hillocks, waste lands and forests would not be prejudiced even if these lands were entered in the land-holder's khatian. He pointed out that there is provision in the existing record-of-rights in paragraph 12 of the village memoir for recording whether the ryots have any rights over village forests and he indicated that the lands, although shown in the land-holder's anabadi khatian, would be held subject to the rights of the user (if any). I should note here that the village memoir is not part of the record-of-rights.

The question whether waste lands, hills or jungles are or are not porambokes is a question of fact which cannot be answered by raising a presumption of a general nature. It does not necessarily follow that, because a poramboke is found to be a hill or a jungle and not a threshing floor or a village site, a presumption arises that it is not a poramboke or has not been set apart for the common use of the villagers. Further there is a presumption that lands recorded as poramboke must remain porambokes or lands set apart for the common use of the villagers until the contrary is proved or until the Collector declare under section 20-A of the Act that the lands are no longer required for the common use of the villagers. It would not be in order to throw upon the villagers the onus of proving that lands required as porambokes are porambokes. The onus would lie on the persons who wish to prove that they were not porambokes.

5. The decision in the Athagada estate was that the entries in the record-of-rights should be revised in accordance with the principles adopted in the Dharakota estate, but, "Subject to the re-classification of communal and non-communal lands. Communal lands will continue to be shown under the head 'poramboke' and will be excluded from the land-holder's khatian. Non-communal lands will be removed from the category of poramboke and will be transferred to the land-holder's anabadi khatian. There will be corresponding changes in the areas noted in the khewat, and the explanatory note of the Assistant Settlement Officer (which is now meaningless) will be deleted. In the statement attached particulars are given village by village and the total area treated as communal poramboke and the total area removed to land-holder's anabadi khatian. Full details are to be found in the lists supplied by the Athagada estate attached to the record." It will be observed that this order was passed and the landlord's list of non-communal porambokes was accepted as final without any reference to or local examination by the Collector.

6. On the 26th April 1944, five months after Mr. Marwood's decision in the Athagada case, the Province of Orissa represented by the Collector of Ganjam filed a petition in this court asking the Revenue Commissioner to review his order of the 29th November 1943. The petitioner claimed that the Revenue Commissioner's order directing the reclassification of porambokes into communal and non-communal and the inclusion of the latter in the land-holder's khatian was against the procedure usually adopted in survey and settlement operations and was bad in law; that the order contravened the express provisions of law laid down in sections 20 and 20-A of the Madras Estates Land Act under which the District Collector alone is entitled to determine the reversionary rights of the parties and that only when occasion arises; that the Revenue Commissioner in directing the reclassification of poramboke into communal and non-communal and the inclusion of the latter in the land-holder's khatian acted beyond his jurisdiction. The petitioner claimed that there was an error apparent in the fact of the record which enabled the court to review its own proceedings. The petitioner points out that the proprietor of the estate had not objected to the registration of poramboke at the time of the record-of-rights proceedings and that it was not open to him at this stage to claim a reclassification. It was urged that if a reclassification is to be made each case would have to be carefully examined and the Collector would have to be given an opportunity to check the accuracy of the proprietor's claims. Finally the petitioner prayed that the order of the 29th November 1943 in so far as it relates to the reclassification of the poramboke into communal and non-communal lands and the inclusion of the latter in the land-holder's khatian should be deleted so that the order in these proceedings concerning the Athagada Estate might be brought into line with the orders delivered by the Revenue Commissioner in the proceedings relating to the Dharakota Estate.

7. Although the petition is out of time the Revenue Commissioner considered that it should be admitted, as it raised a question of public interest affecting the procedure of settlement.

8. A counter-petition has been filed on behalf of the respondent, the proprietor of the Athagada Estate in which he urges that there is no error apparent in the fact of the record and that the order of the Revenue Commissioner of the 29th November 1943 is correct. The proprietor urges that the petition for review should be dismissed but adds that if the Revenue Commissioner is prepared to rehear the case he should consider a

number of new matters. The proprietor is of the opinion that the Revenue Commissioner in his order of the 29th November 1943 erred in classifying private properties of the estate like rivers, nalla, tank, village sites, etc., as communal poramboke and further in transferring them to a special poramboke khatian. The Revenue Commissioner is also said to have erred "in interfering with the entries wherein the entries are that the aforesaid properties are private properties of the estate." The respondent prayed that "so far as the entries relating to the so called communal poramboke be left as they were in the Survey Land Register and leave it to any future proceedings under section 20 and the following sections". Actually the record prepared by the Settlement Officer does not specify that the poramboke are the private property of the land-holder. The lands are classified as poramboke but have been entered in the land-holders' khewat with a note that the reversionary rights in these lands have not been decided under section 20-A of the Madras Estates Land Act, and that the fact of their entry in the landlord's khewat in no way prejudices the interest of Government in these lands. The question is whether lands found to be poramboke should be entered in the land-holder's khewat or in a separate khewat and nothing more.

9. I have heard the parties at great length and the learned advocate for the estate has taken me step by step through the history of land tenure in the district of Ganjam since the establishment of British authority.

10. It is pointed out that the Madras Estates Land Act which is applicable to the Ganjam district does not contain a definition of "Poramboke" although executive instructions issued by the Madras Board from time to time make it clear that this term covers such lands as rivers, tanks, tank beds, channels, banks, ponds, ditches, topes, railroads, burning and burial grounds, cattle sheds, cattle stands, grazing grounds, village site, forests, pagoda, threshing floor, salt pans, public buildings, cart tracts and any other lands which are set apart for the use of the estate or the village people. Chapter VI of the Madras Survey Manual gives a list of the kinds of land which may fall in this category.

11. The relevant sections of the Madras Estates Land Act are section 3 (16) (a) (b) and (c) read with sections 20, 20-A and 20-B. The existing sections 20, 20-A and 20-B were inserted in the Act by the amendment of 1934. Section 20 gives the Collector on the application of the land-holder or any other person interested authority to decide any question as to whether any land is or is not of the description mentioned in sub-clause (a), (b) or (c) of clause (16) of section 3 or as to the customary rights in the user of any land which is of any such description as existing at the commencement of this Act. Any person aggrieved by such decision of the Collector may within a period of one year from the date thereof institute a suit in the Civil Court to establish the right claimed by him in respect of such land.

Clause (16) of section 3 says that ryoti land means cultivable land in an estate other than private land but does not include—

- (a) beds and bunds of tanks and of supply, drainage, surplus or irrigation channels ;
- (b) threshing floors, cattle-stands, village sites and other lands situated in any estate which are set apart for the common use of the villagers ;
- (c) lands granted on service tenure either free of rent or on favourable rates of rent etc.

Section 20-A of the Act empowers the Collector on the application of the land-holder, a ryot or any other person interested to declare that any land or any portion of any land which is set apart for any of the purposes referred to in sub-clauses (a) and (b) of clause (16) of section 3 is no longer required for its original purpose; and by order in writing direct that any such land or portion thereof in respect of which such declaration is made be used for any other specified communal purpose ; or if such land or portion is not required for any communal purpose, that it be converted into Government ryotwari land and land-holder's ryoti land according as the reversionary rights in such land vest under the terms, express or implied, of the sanad, title-deed or other grant, in the Government or in the land-holder. Before making such declaration and order, the Collector must have due regard to any other customary rights of the land-holder or the ryots in the user of such land or portion and shall satisfy himself that the exercise of such rights would otherwise be provided for adequately, if the declaration and order are put into effect.

Under the original section 20 of the Act these lands were not to be assigned or used for any other purpose without the written order of the Collector.

12. The question raised by the proprietor of the Athagada Estate is the question which the Collector would have to decide under section 20 of the Act. The land-holder could have raised this question at the time of the draft publication of the list of poramboke plots published by the Settlement Officer in 1940. The Settlement Officer and Assistant Settlement Officers were vested with powers under section 20 of the Act, but no applications were filed under that section. The proprietor of the estate did not raise the question at that time and the Settlement Officer prepared a list of poramboke plots in accordance with the facts of the situation as he found then. The proprietor now asks for relief on the ground that the Settlement Officer made mistakes in preparing this list and on the ground that he applied the term "Poramboke" inaccurately to large areas of waste land and jungles. It is evident from the list submitted by the proprietor that his claims are of sweeping and fundamental character and he has made it clear that if given the opportunity he would like to put forward even more sweeping claims.

There is force in the contention of the Province of Orissa that it is irregular to challenge the accuracy of the Settlement Officer's list of poramboke in these proceedings and in the Court when no attempt was made to challenge it before the Settlement Officer. Quite apart from this consideration it would be a wrong for this court to enter into such questions of title and reversionary rights when the Act in section 20 and section 20-A make a specific provision for their settlement.

13. These revisional proceedings were initiated not for the purpose of deciding whether particular lands have or have not been set apart for the common use of the villagers. They were not even initiated to decide whether the settlement authorities had applied the term "Poramboke" inaccurately to particular lands. They are initiated purely for the formal purpose of determining where certain lands which had been found by the settlement authorities to have been set apart should be described and recorded in the record-of-rights. The land-holder now wishes to go into the bigger question of whether the term "Poramboke" has been correctly

applied by the Settlement authorities. It was the business of the settlement authorities not to go into questions of title or reversionary rights, but to record the facts as they found them. If the settlement authorities made a mistake of fact in describing certain lands as porambokes or lands set apart from communal purposes objections could have been filed to the Settlement Officer or to the Collector after the date of the draft publication and before the date of publication which took place between December 1941 and May 1942. After the date of final publication petitions for revision could have been entertained by the Revenue Commissioner within a period of two years from the date of final publication. The land-holder took no steps to challenge the classification made by the settlement authorities at the time when that classification was made. That classification cannot be set aside on the unilateral statement of the proprietor in this court; but these proceedings are concerned not with accuracy of that classification but with the form which should be given to them in the record-of-rights and there was no intention when the proceedings were opened to examine the validity of each entry which had been made in the list of porambokes prepared by the Settlement Officer.

14. Section 164 read with section 165 of the Act authorises the Settlement Officer to record special rights which by law or by custom the ryots may have in the waste lands of the estate. It must be assumed that the poramboke khatian prepared by the authorities was prepared after the Settlement Officer had examined which were the waste lands over which the land-holder exercised rights of property and which were the porambokes in which the villager exercised a right of user. In this examination of waste lands and porambokes the Settlement Officer presumably paid attention to the records of the original survey of this particular estate made under the M. S. & B. Act which was completed in the year 1915. Appendix II of the Madras Survey and Boundaries Manual shows that the original survey was completed in Khallikote and Athagada in 1915, in Biridi in 1914, in Dharakote 1916 and in Chikiti in 1918. It may be that most of the survey plots shown as porambokes in the settlement operations of 1938—42 were described as porambokes in the survey land register prepared for the Athagada Estate in 1915. It is possible that the settlement authorities in 1938—42 found that since 1915 other lands had come into the category of porambokes. Obviously this court cannot give an *ex parte* decision to the effect that the lands which were found by the settlement authorities in 1938—42 to be porambokes do not fall within that description. The Madras Act clearly lays down that if any lands are to lose their character of porambokes and are not to be treated as lands set apart for the common use of the villagers this decision must be made by the Collector after proper enquiry. The question to be decided by this court is a simple one. In what part of the record-of-rights is this list of poramboke holdings to be entered? Is it to be entered in the land-holder's khewat or in a separate khewat? The court must confine itself to this question.

15. It seems to me that the suggestion made by the Proprietor of the Athagada Estate at the first hearing of this case in November 1943 that certain lands should be withdrawn from the list of porambokes and recorded as the private property of the landlord in the land-holder's khewat, was made to prejudice the issues that would have to be considered by the Collector in a proceeding under section 20 or section 20-A of the Act. The proprietor has submitted a long list of areas of land in this estate which, he claimed, had not been set apart in any proceedings for the common use of the villagers and were not communal porambokes. The order of the 29th November 1943 accepted this statement of non-communal porambokes without coming to a finding on the accuracy or inaccuracy of the Settlement Officers classification. It is clear that the Madras Act does not contemplate the diversion of lands, which have been found to be and have been classified as porambokes to any other purpose without the most careful enquiry. It has not been established that the classification is inaccurate and these proceedings were not initiated for the purpose of scrutinising the classification. It is not the business of this court to make the enquiry under section 20 or section 20-A of the Act or to pass orders for the withdrawal of lands from the poramboke category. Accordingly, I must accept the contention of the Province of Orissa. In these proceedings this court has no jurisdiction to decide which of the porambokes have never had, or have lost their character of porambokes. In other words, this court in these proceedings has no jurisdiction to decide the issue raised by the proprietor of the estate, which is that the villagers have no right or have lost the right of common user in large areas of land which have been found by the Settlement authorities to be lands set apart for the common use of the villagers. It is possible, the proprietor of the estate does not use this argument, that some of these lands may have lost their communal character, but this matter cannot be decided in a summary procedure which relies exclusively on the claim and lists of the landlord. Neither the Settlement Officer nor the Collector of Ganjam has had an opportunity to examine the classification proposed by the landlord.

16. The specific contention of the landlord is that the lands which he mentions have not been set apart for the common use of the villagers. He does not say whether the villagers have actually used these lands for a common purpose. Although this question does not arise in these proceedings, it is relevant to mention the views of the court in the case of *Ramamma vrs. Secretary of State* (1936) Madras 299:—

"The words 'set apart' indicate some reservation or earmarking of land either by Government or by the proprietor or by the village community. But it is quite unnecessary and in the majority of cases impossible for a party to adduce positive proof of the precise circumstances in which communal land was originally set apart for communal purposes. It is sufficient to show that there has been some setting apart and that the land is so used. There is no reason why a communal use should be any the less a communal use because it is a natural use. As to the setting apart, the mere fact that land which is in actual use for common purposes has been earmarked by classification in the registers of the estate as communal poramboke is a sufficient indication of the reservation or setting apart such as is contemplated in section 20. It is not the intention of section 20 to restrict the reservation only to land which has been artificially made fit for communal purposes."

17. The result is that the order passed by this court on the 29th November 1943 is modified. All lands recorded by the settlement authority as porambokes shall be shown in the separate poramboke khatian without any note or comment and the explanatory note entered by the Assistant Settlement Officer in the poramboke khatian on the date of final publication shall be deleted. All lands found by the Settlement authorities to be porambokes shall be excluded from the land-holder's khewat and it must be made clear in the village khewat that the poramboke are not the *anabadi* of the land-holder and have not been included in any of the khewats, either those of the landlord or those of the State.

R. A. E. WILLIAMS
Revenue Commissioner]

Statement showing the private, parityakta-o-bedakhali ryoti and ryoti lands relating

Sl. No.	Name of the estate or taluk	Total number of villages in the estate	Private lands	Parityakta-o-beda-khali ryoti lands	Total area of ryoti lands Settlement operation	
					Produce rented	Cash rented
1	2	3	4	5	6	7
			Ac. C.	Ac. C.	Ac. C.	Ac. C.
1	Khallikote ..	304	166-29	2,040-42	19,295-88	38,041-61
2	Athagada ..	220	80-72	1,117-58	20,963-77	50,502-23
3	Biridi ..	71	..	1,019-31	1-54	13,440-23
4	Paluru ..	20	137-25	222-23	1,907-05	1,689-95
5	Badakimedi ..	178	846-62	827-67	33,048-14	4,500-09
6	Humma ..	6	..	8-77	1,076-91	1,273-94
7	Chikiti ..	124	32-07	154-44	20,621-80	3,827-28
8	Sanakhimedi ..	130	270-72	273-56	23,097-91	1,785-87
9	Dharakote ..	165	1,003-21	1,094-27	14,273-05	10,699-06
10	Badagoda ..	127	564-65	482-94	14,019-60	2,571-63
11	Surangi ..	117	59-50	404-48	11,814-19	503-47
12	Askamalukdari ..	28	64-59	40-10	632-46	5,728-81
13	Jarada ..	52	33-83	62-50	2,301-78	3,006-56
14	Sheragada ..	29	601-06	57-51	4,736-97	2,319-85
	Total ..	1,571	3,860-51	7,805-78	167,791-05	139,890-58

Inam

1	Kodala ..	109	9,721-13	755-31	7,607-32	2,726-67
2	Aska ..	144	12,314-07	80-30	4,929-28	517-81
3	Ghumsur ..	50	4,768-97	430-39	3,002-02	1,175-35
4	Parlakhimedi ..	60	2,816-00	184-94	3,750-43	1,371-84
5	Chatrapur ..	57	5,874-25	726-95	6,049-87	2,751-90
6	Berhampur ..	118	9,829-71	270-88	7,796-02	593-00
	Total ..	538	45,324-13	2,448-77	33,134-94	9,136-57

Abstract of Ryoti and Inam

1	Fourteen Estates ..	1,571	3,860-51	7,805-78	1,67,791-05	1,39,890-58
2	Six Taluks ..	538	45,324-13	2,448-77	33,134-94	9,136-57
	Grand Total ..	* 2,109	49,184-64	10,254-55	2,00,925-99	1,49,027-15

*Figures relating to 6 villages (Khallikote 5 and Athagarh 1) have 3 villages and the same in the remaining 3 villages was

DIX V

graph 35)

to ex-Estate and inam villages of different taluks.

in the State at the time of			Total area of ryoti area after settlement operation			Total area of poramboke lands	Remarks
Liable to assessment	Niskar	Total	Cash rented	Niskar	Total		
8	9	10	11	12	13	14	15
Ac. C.	Ac. C.	Ac. C.	Ac. C.	Ac. C.	Ac. C.	Ac. C.	
9,385.64	2.63	66,725.76	66,723.13	2.63	66,725.76	14,966.50	
6,861.71	50.92	78,378.63	78,327.71	50.92	78,378.63	21,655.32	
1,252.14	16.64	14,710.55	14,693.91	16.64	14,710.55	2,545.87	
1,251.71	6.13	4,854.84	4,848.71	6.13	4,854.84	609.20	
797.40	7.46	38,353.09	38,345.63	7.46	38,353.09	11,245.71	
14.86	1.03	2,366.74	2,365.71	1.03	2,366.74	923.44	
1,209.35	1.32	25,659.75	25,658.43	1.32	25,659.75	6,164.57	
1,963.23	30.28	26,877.29	26,847.01	30.28	26,877.29	5,841.49	
2,307.49	57.96	27,337.56	27,279.60	57.96	27,337.56	12,107.94	
3,519.94	18.92	20,130.09	20,111.17	18.92	20,130.09	3,358.66	
183.83	0.78	12,502.27	12,501.49	0.78	12,502.27	2,310.51	
566.28	15.25	6,942.80	6,927.55	15.25	6,942.80	1,486.82	
150.35	..	5,458.69	5,458.69	..	5,458.69	1,635.66	
156.25	15.45	7,228.52	7,213.07	15.45	7,228.52	1,603.52	
29,620.18	224.77	337,526.58	337,301.81	224.77	337,526.58	86,455.21	

villages

976.56	38.93	11,349.48	11,310.55	38.93	11,349.48	2,924.88	
2,417.98	229.82	8,094.89	7,865.07	229.82	8,094.89	3,537.37	
105.61	18.21	4,301.19	4,282.98	18.21	4,301.19	1,246.81	
1,594.03	30.96	6,747.26	6,716.30	30.96	6,747.26	1,267.60	
1,784.70	25.64	10,612.11	10,586.47	25.64	10,612.11	2,814.41	
519.23	105.40	9,013.65	8,908.25	105.40	9,013.65	2,663.49	
7,398.11	448.96	50,118.58	49,669.62	448.96	50,118.58	14,454.56	

villages

29,620.18	224.77	3,37,526.58	3,37,301.81	224.77	3,37,526.58	86,455.21	
7,398.11	448.96	50,118.58	49,669.62	448.96	50,118.58	14,454.56	
37,018.29	673.73	3,87,645.16	3,86,971.43	673.73	3,87,645.16	1,00,909.77	

not been included in the statement as operation did not commence in suspended from attestation stage due to litigation.

APPENDIX VI

(See Paragraph 70)

Comparative incidence of rent

Sl. No.	Name of the Estate	Name of the adjoining ryotwari taluk	Rent incidence of the neighbouring taluk			Rent incidence of the neighbouring taluk enhanced by 25 per cent			Rent incidence of Estate			Maximum	Rate of the adjoining taluk		Maximum rate of adjoining taluk enhanced by 25 per cent		
			Wet	Rainfed	Dry	Wet	Rainfed	Dry	Wet	Rainfed	Dry		Wet	Rainfed	Dry	Wet	Rainfed
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
1	B a d a-khemidi.	Berhampur Taluk.	Rs. As. Ps. 3 11 7	Rs. As. Ps. 1 10 1	Rs. As. Ps. 1 4 11	Rs. As. Ps. 4 10 6	Rs. As. Ps. 2 0 7	Rs. As. Ps. 1 10 2	Rs. As. Ps. 4 13 0	Rs. As. Ps. 2 6 9	Rs. As. Ps. 1 3 10	Rs. As. Ps. 6 8 0	Rs. As. Ps. 3 4 0	Rs. As. Ps. 3 0 0	Rs. As. Ps. 8 2 0	Rs. As. Ps. 4 1 0	Rs. As. Ps. 3 12 0
2	Seragada	Aska ..	4 2 11	1 9 0	1 2 5	5 3 8	1 15 3	1 7 0	5 3 7	1 15 4	1 7 6	6 8 0	2 14 0	2 13 0	8 2 0	3 9 6	3 8 3
3	Dharakote	Aska ..	4 2 11	1 9 0	1 2 5	5 3 8	1 15 3	1 7 0	5 3 11	1 15 8	1 0 7	6 8 0	2 14 0	2 13 0	8 2 0	3 9 6	3 8 3
4	Chikiti ..	Berhampur	3 11 7	1 10 1	1 4 11	4 10 6	2 0 7	1 10 2	4 10 5	2 1 2	1 8 5	6 8 0	3 4 0	3 0 0	8 2 0	4 1 0	3 12 0
5	Jarda ..	Berhampur	3 11 7	1 10 1	1 4 11	4 10 6	2 0 7	1 10 2	5 9 10	2 8 2	1 6 9	6 8 0	3 4 0	3 0 0	8 2 0	4 1 0	3 12 0
6	Humma	Chatrapur	3 11 7	1 10 1	1 4 11	4 10 6	2 0 7	1 10 2	3 14 3	1 13 5	1 2 6	6 8 0	3 4 0	3 0 0	8 2 0	4 1 0	3 12 0
7	Aska Malukdari	Aska ..	4 2 11	1 9 0	1 2 5	5 3 8	1 15 3	1 7 0	6 11 2	2 10 0	2 3 10	6 8 0	2 14 0	2 13 0	8 2 0	3 9 6	3 8 3
8	Surangi ..	Berhampur	3 11 7	1 10 1	1 4 11	4 10 6	2 0 7	1 10 2	4 11 1	2 2 2	1 9 6	6 8 0	3 4 0	3 0 0	8 2 0	4 1 0	3 12 0
9	S a n a-khemidi.	Aska ..	4 2 11	1 9 0	1 2 5	5 3 8	1 15 3	1 7 0	5 3 2	2 0 3	1 5 8	6 8 0	2 14 0	2 13 0	8 2 0	3 9 6	3 8 3
10	Biridi ..	Chatrapur	3 11 7	1 10 1	1 4 11	4 10 6	2 0 7	1 10 2	4 9 9	2 2 3	1 8 2	6 8 0	3 4 0	3 0 0	8 2 0	4 1 0	3 12 0
11	Athagada	Aska ..	4 2 11	1 9 0	1 2 5	5 3 8	1 15 3	1 7 0	5 3 11	2 3 0	1 2 6	6 8 0	2 14 0	2 13 0	8 2 0	3 9 6	3 8 3
12	Khallikote	Chatrapur	3 11 7	1 10 1	1 4 11	4 10 6	2 0 7	1 10 2	5 0 4	2 10 7	0 15 1	6 8 0	3 4 0	3 0 0	8 2 0	4 1 0	3 12 0
13	Badagado	Surada ..	4 2 11	1 9 0	1 2 5	5 3 8	1 15 3	1 7 0	4 15 9	2 1 0	1 8 1	6 8 0	2 14 0	2 13 0	8 2 0	3 9 6	3 8 3
14	Paluru ..	Chatrapur	3 11 7	1 10 1	1 4 11	4 10 6	2 0 7	1 10 2	4 6 9	2 2 3	1 1 7	6 8 0	3 4 0	3 0 0	8 2 0	4 1 0	3 12 0

APPENDIX VII

(See paragraph 101)

List of officers who worked in the major settlement operation

Serial No.	Name of officer	Post held	Date of posting	Date of relief
1	2	3	4	5
1	Shri Satish Chandra Banerji ..	Settlement Officer ..	1-12-1938 9-7-1940 25-3-1942 27-7-1947	11-10-1939 30-9-1940 16-6-1942 7-5-1948
2	F. E. A. Taylor ..	Settlement Officer .. 8-5-1948 to 11-5-1948. No officer as Settlement Officer.	12-10-1939 21-1-1941	8-7-1940 24-3-1942
3	Shri Lokanath Patnaik ..	Settlement Officer ..	12-5-1948 14-6-1953 F. N.	1-12-1951 F. N. 30-9-1953
4	Shri Himansu Kumar Ghosh ..	Ditto	1-12-1951 F. N. 28-2-1954	27-5-1953 11-5-1954
5	Md. Mujibar Rahman ..	Settlement Officer-in-charge ..	1-10-1953 28-5-1953	19-10-1953 14-6-1953 F. N.
6	Shri Dibyasinha Patnaik ..	Settlement Officer .. 12-5-1954 to 22-6-1954. No officer as Settlement Officer.	20-10-1953	27-2-1954
7	Shri Bimal Kishore Mishra ..	Settlement Officer ..	23-6-1954	15-4-1956
8	Shri Shyamsundar Patro ..	Ditto	16-4-1956	15-10-1957
9	Shri Banchanidhi Das ..	Ditto	16-10-1957	6-3-1958
10	Shri Rabindranath Das ..	Ditto	7-3-1958	17-5-1960
11	Shri Kalikinkar Samal ..	Ditto	18-5-1960	30-7-1960
12	Shri Nrusinha Charan Behuria ..	Ditto	1-8-1960	till to date

CHARGE OFFICER

1	Shri Satish Chandra Banerji ..	Charge Officer ..	1-10-1940	20-1-1941
2	Shri Md. Mujibar Rahman ..	Ditto	28-11-1948	28-2-1958
3	Shri Jagadish Chandra Ratha ..	Ditto	14-4-1958	31-3-1959
4	Shri Bankim Chandra Mahanty ..	Ditto	5-5-1959	23-12-1960

ASSISTANT SETTLEMENT OFFICERS

1	Shri Abanindranath Mahapatra ..	Sub-Deputy Collector and Assistant Settlement Officer.	1-12-1947	12-6-1948
2	Shri Anantakumar Bose ..	Outsider ..	30-12-1952	7-5-1953
3	Shri Ananta Prasad Panda ..	Sub-Deputy Collector and Assistant Settlement Officer.	Not available	
4	Shri Apurba Kumar Ghosal ..	Ditto	10-1-1948	11-3-1954
5	Shri Baikunta Nayak ..	Outsider ..	11-12-1952	13-3-1954

Serial No.	Name of officer	Post held	Date of posting	Date of relief
1	2	3	4	5
6	Shri Bankim Chandra Mahanty ..	Sub-Deputy Collector and Assistant Settlement Officer.	15-1-1948	16-4-1954
7	Shri Balabhadra Das ..	Ditto ..	28-2-1958	2-5-1960 A. N.
8	Shri Balakrushna Sahu ..	Outsider ..	6-6-1957 F. N.	28-2-1960 F. N.
9	Shri Banchanidhi Das ..	Sub-Duputy Collector and Assistant Settlement Officer.	25-1-1941	31-5-1942
10	Shri Bholanath Satapathy ..	Outsider ..	18-6-1957 F. N.	25-10-1961
11	Shri Brajabihari Parida ..	Duputy Collector and Assistant Settlement Officer.	8-5-1950 13-10-1951	14-7-1951 19-3-1954
12	Shri Dayanidhi Patnaik ..	Outsider ..	27-12-1952	4-5-1953
13	Shri Debananda Nayak ..	Deputy Collector and Assistant Settlement Officer.	9-5-1950	25-7-1950
14	Shri Debi Prasad Das ..	Sub-Deputy Collector and Assistant Settlement Officer.	19-9-1947	24-12-1947
15	Shri Dibyasinha Patnaik ..	Deputy Collector and Assistant Settlement Officer.	2-1-1941	N. A.
16	Shri D. Satyanarayan Patnaik ..	Sub-Deputy Collector and Assistant Settlement Officer.	18-8-1947	2-11-1950
17	Shri Durga Charan Patnaik ..	Ditto ..	22-10-1939	6-6-1941
18	Shri Duryodhana Mahanty ..	Ditto ..	N. A.	..
19	Shri Fakir Charan Mahanty ..	Outsider ..	29-9-1947	19-12-1948 A. N.
20	Shri Govinda Misra ..	Outsider and Sub-Duputy Collector.	22-12-1947	21-6-1951
21	Shri Govind Ram Bhanja ..	Sub-Duputy Collector and Assistant Settlement Officer.	4-3-1955	4-5-1955 F. N.
22	Shri G. Padmanav Swami ..	Ditto ..	2-9-1947	2-8-1948
23	Shri G. Srinivasa Rao ..	Ditto ..	13-5-1948	4-8-1950 A. N.
24	Shri Jaganath Panda ..	Deputy Collector and Assistant Settlement Officer.	9-5-1950 16-10-1951	10-7-1951 22-3-1954
25	Shri Jayakrushna Mangaraj ..	Outsider ..	10-11-1956 A. N.	17-2-1959 A. N.
26	Shri Kanhu Charan Misra ..	Sub-Deputy Collector and Assistant Settlement Officer.	3-12-1947	25-6-1951
27	Shri Kasinath Sahu ..	Ditto ..	9-5-1950 22-10-1951	10-7-1951 22-3-1954
28	Shri Kasi Viswanath Sahu ..	Ditto ..	30-6-1947 19-10-1948	5-12-1947 1-6-1949
29	Shri Khageswara Gartia ..	Outsider ..	5-6-1940	N. A.
30	Shri Kishore Charan Das ..	Deputy Collector and Assistant Settlement Officer.	12-4-1948	10-3-1950 A. N.
31	Shri Krushna Chandra Satapathy ..	Sub-Deputy Collector and Assistant Settlement Officer.	5-9-1947	22-12-1947
32	Shri Krushna Mohan Das ..	Ditto ..	9-5-1950 21-10-1951	18-7-1951 1-4-1954

N. A.—Not available

Serial No.	Name of officer	Post held	Date of posting	Date of relief
1	2	3	4	5
33	Shri Kshetramohan Das ..	Outsider ..	19-4-1948	30-11-1951
34	Shri K. V. Krishna Rao ..	Sub-Deputy Collector and Assistant Settlement Officer.	6-8-1948	11-8-1948
35	Shri Lakshmi Kanta Gantayat ..	Deputy Collector and Assistant Settlement Officer.	9-5-1950	24-7-1950
36	Shri Maulavi Sheik Mansur ..	Ditto ..	9-7-1940	4-1-1941
37	Shri Md. Mujibar Rahman ..	Sub-Deputy Collector and Assistant Settlement Officer.	2-1-1940	31-5-1942
38	Shri Md. Nuzumul Hudda ..	Outsider ..	7-1-1949 7-9-1956	21-4-1954 28-2-1958 A. N.
39	Shri M. Gurunath Rao ..	Do. ..	26-1-1948 F. N.	2-1-1961
40	Shri Nrusinha Charan Behuria ..	Deputy Collector and Assistant Settlement Officer.	12-4-1948	2-4-1949 A. N.
41	Shri Nrusinha Nanda Panda ..	Sub-Deputy Collector and Assistant Settlement Officer.	7-4-1939	10-10-1939
42	Shri Padma Charan Mahapatra ..	Ditto ..	24-12-1947	7-8-1953
43	Shri P. Chandrasekhar Rao ..	Ditto ..	9-5-1950	16-11-1950
44	Shri P. Krishnamurty Patnaik ..	Outsider ..	5-10-1952	7-5-1953
45	Shri Prakash Narayan Gurtoo ..	Sub-Deputy Collector and Assistant Settlement Officer.	10-2-1949	13-3-1950 A. N.
46	Shri P. Ramakrishna Rao ..	Assistant Settlement Officer ..	16-8-1956	6-9-1956
47	Shri Pramodaranjan Chandra ..	Sub-Deputy Collector and Assistant Settlement Officer.	N. A.	31-5-1942
48	Shri Rabindrakumar Deo ..	Deputy Collector and Assistant Settlement Officer.	14-4-1948	24-6-1950 A. N.
49	Shri Radhanath Nayak ..	Outsider ..	24-9-1952	7-5-1953
50	Shri Ramachandra Das ..	Sub-Deputy Collector and Assistant Settlement Officer.	10-6-1960	1-11-1961
51	Shri R. Lakshmana Rao ..	Outsider and Sub-Deputy Collector.	17-12-1947	18-11-1949
52	Shri Ratnakar Rao ..	Sub-Deputy Collector and Assistant Settlement Officer.	3-4-1939	23-12-1939
53	Shri Sarat Chandra Samantroy ..	Outsider ..	14-9-1955	2-11-1960
54	Shri Sashibhusan Ratha ..	Sub-Deputy Collector and Assistant Settlement Officer.	11-3-1950	4-7-1952
55	Shri Shyamasundar Patra ..	Ditto ..	18-1-1941	31-5-1942
56	Shri Sricharan Das ..	Ditto ..	11-11-1940	N. A.
57	Shri Sudarsan Parida ..	Outsider ..	13-12-1952	4-4-1953
58	Shri Sudarsan Patra ..	Outsider and Sub-Deputy Collector.	17-12-1947	11-11-1950 A. N.
59	Shri Sudhansu Mohan Patnaik ..	Deputy Collector and Assistant Settlement Officer.	12-4-1948	31-7-1950 A. N.
60	Shri Surendranarayan Sarangi ..	Sub-Deputy Collector and Assistant Settlement Officer.	12-11-1940	31-5-1942
16	Shri Surendranath Khuntia ..	Deputy Collector and Assistant Settlement Officer.	9-5-1950 10-10-1951	10-7-1951 10-11-1953

N. A.—Not available

APPENDIX VIII

(See paragraph 26)

Glossary of Words and Abbreviations used in the Settlement Records

Abadi	..	Cultivated land
Anabadi	..	Uncultivated land
Ada	..	A local volume measure equivalent to 52 tolas
Ba	..	Abbreviation for Basasthan or residence
Ba : su : da	..	Bandhak Sutra Dakhal, i.e., possession by mortgage
Badali : su : da	..	Badali Sutra Dakhal, i.e., possession by exchange
Banam	..	In the name of
Basti or Gramakantha	..	Village site
Bejethali	..	The seat of an Idol
Be or Bij	..	Abbreviation for Bijethali
Be : Kha : su : da	..	Abbreviation for Beain Kharid Sutra Dakhal, i.e., possession by illegal purchase.
Bila	..	Irrigated lands
Barsadhar	..	Rainfed lands
Bharanam	..	A local square and volume measure 1/5th of an acre in square measure and 208 standard seers (80 tolas) when used as volume measure.
Bises Anusanga	..	Special incidents of a tenancy
Da	..	Abbreviation for Dakhal or possession
Da : su : da	..	Abbreviation for Dana Sutra Dakhal, i.e., possession by gift
Dofasali	..	Double cropped
Gauni	..	Grain measure generally 208 tolas
Gutta	..	Lease
Hal	..	Present
Heta land	..	Land-holder's private lands
Ijmal	..	Joint
Inam	..	Favourable grants (see paras. 28 of Chapter IV and 99 of Chapter X)
Ja	..	Abbreviation for 'Jati' or 'Caste'
Jabar Dakhal	..	Forcible possession
Ja : da	..	Abbreviation for Jabar Dakhal
Jama	..	Rent
Ja : sa	..	Abbreviation for Jarsaman or consideration money
Jamadharya Jogya	..	Liable to assessment
Jatayatar Satwa	..	Right of way
Jer	..	Continued
Jodi	..	Quit rent payable in respect of pre-settlement inam to Government
Kattubadi	..	Quit rent payable to the Estates
Kha	..	Abbreviation for khatian

Kha : na	..	Abbreviation for Khatian number
Kha : su : da	..	Abbreviation for Kharid Sutra Dakhal or possession by purchase
Khanapuri	..	Preliminary record writing
Khatian	..	Record-of-rights in respect of holdings
Khe	..	Abbreviation for Khewat
Khewat	..	Record-of-rights of Land-holder
Khe : na	..	Abbreviation for Khewat number
Kisam	..	Description of land
Ku	..	Continued
Ma	..	Abbreviation for Marfat
Ma : ga	..	Abbreviation for Minor guardian
Mae Jama	..	Including the rent of another holding
Mae cess	..	Including cess
Marfat	..	Under the management of
Mahara	..	Drain, water channel
Mau	..	Abbreviation for Maukhika
Maukhika	..	Verbal
Mu	..	Abbreviation for Mutabik
Mutabik	..	According to
Nauti	..	A local grain measure generally equivalent to 832 tolas
Nayan Jori	..	Road side land
Nijgam	..	The village to which the record relates
Nutan Patita	..	New fallow
Nu : pa	..	Abbreviation for Nutan Patita
Oger	..	And others
Pakshe	..	On behalf of
Patita	..	Fallow
Pattadar	..	Lessee of resumed pre-settlement inams
Pi	..	Abbreviation for Pita, father
Parityakta-o-bedakhali ryoti	..	Abandoned and unoccupied ryoti land
Pla : na	..	Abbreviation for Plot Number
Poramboke lands	..	Communal lands as defined in section 3(16) (a) and (b) of the Madras Estates Land Act.
Private land	..	Lands as defined in section 3 (10) of the Madras Estates Land Act
Puratan Patita	..	Old fallow
Rakaba	..	Area
Re	..	Abbreviation for registered

Re : da	..	Abbreviation for Registered Dalil or Deed
Ryot	..	Tenant as defined in section 3(15) of the Madras Estates Land Act
Ryoti land	..	Land as defined in Section 3(16) of the Madras Estates Land Act
Sa : da	..	Abbreviation for Sadha Dalil or unregistered deed
Samil Jama	..	A holding of which the rent is included in another holding
Samilat	..	Lands held commonly under more than one land-holder
Se	..	Abbreviation for Sebait
Sebait	..	Person who performs the service of an Idol
Šwa	..	Abbreviation for Swami
Ta	..	Abbreviation for Taraf, on behalf of
Tasdik	..	Attestation
Tarmim	}	.. Correction of records in accordance with orders of competent authority
Tamil		
Terij	..	Abstract of Khatian
Zi	..	Abbreviation for zilla, District

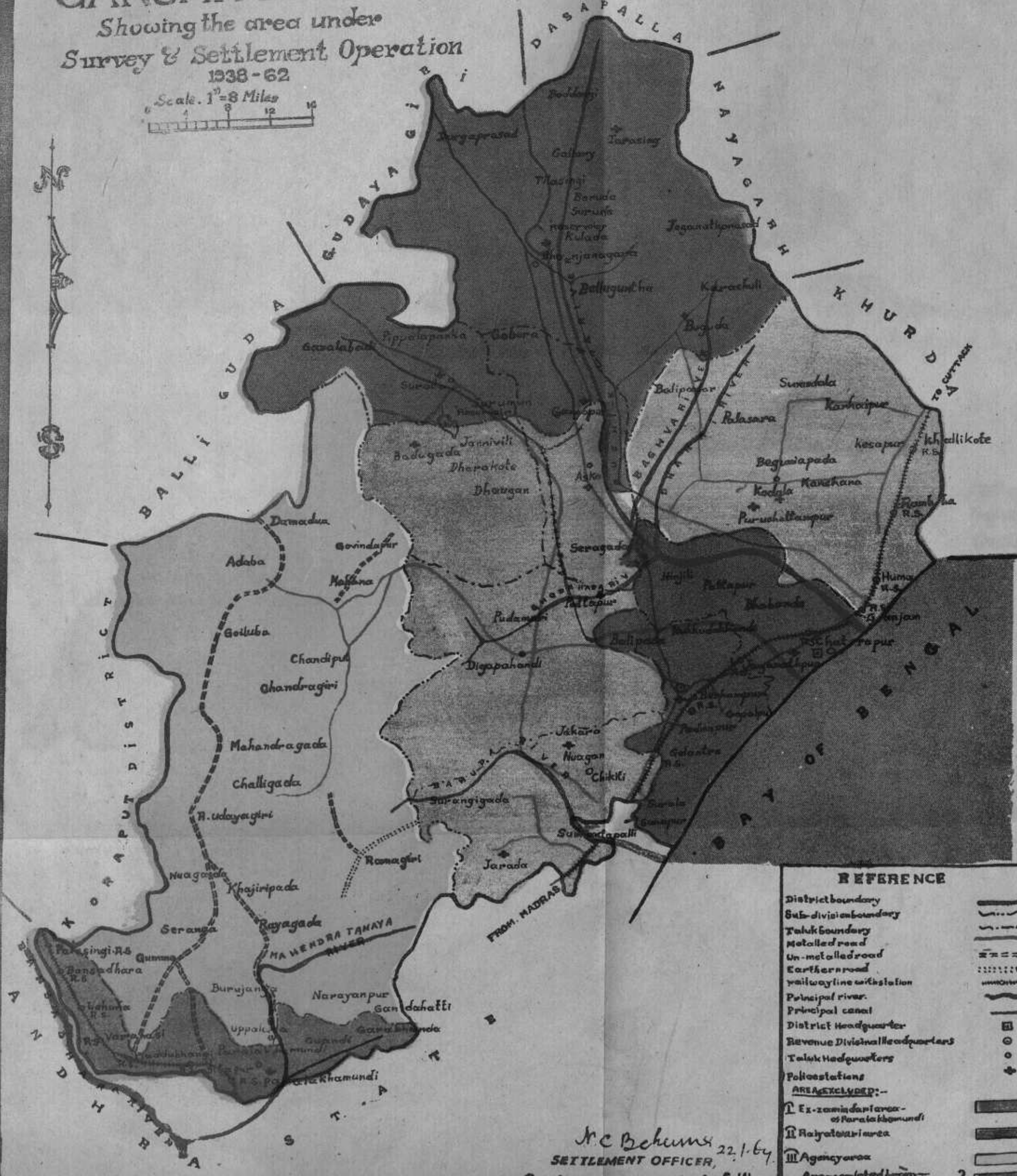
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MAP OF GANJAM DISTRICT

Showing the area under
Survey & Settlement Operation
1938-62

Scale. 1" = 8 Miles



REFERENCE

- District boundary
- Sub-division boundary
- Taluk boundary
- Metalled road
- Un-metalled road
- Earthen road
- railway line with station
- Principal river
- Principal canal
- District Headquarters
- Revenue Division Headquarters
- Taluk Headquarters
- Police stations
- AREAS EXCLUDED:-
- Ex-zamindari areas or Para taluk lands
- Rajwade area
- Agency areas
- Area omitted from survey and settlement under
- Major settlement

M. C. Behrens 22.1.64
SETTLEMENT OFFICER,
Ganjam & Koraput Major Settlements

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