

from each other. There were very few roads within the district, and the so-called roads were little better than primitive footpaths. The Jagannath road and the road to the Madras Presidency were the principal trade routes and pilgrim routes. Under these conditions trade was naturally confined within the narrow limits imposed by the small carrying capacity of the country carts and pack-bullocks.

The famine of 1866 and the inquiries that followed taught the authorities the imperative necessity of bringing the trade of the country in close touch with other parts. The vigorous measures that have since been adopted in opening up roads and canals have been fruitful of the greatest benefit to the country. The opening up of the ports at Chandabali, False Point, and Balasore, and the improved facilities of canal communication with the first two ports, have created a market for produce, and have brought into existence foreign trade, with its agencies and sub-agencies, in the mufassal, through the influence of which the prices in the remote mufassal now rise and fall in close sympathy with the foreign market.

In illustration of the above remarks, the following abstract of average prices of common rice in decennial periods may be interesting :—

Period	Average price
1837—1846	... Srs. 43.20 and 48.14 seers, excluding 1837 and 1840, abnormal years.
1847—1856	.. 57.94
1857—1866	.. 28.58
1867—1876	.. 26.87
1877—1886	.. 21.26
1887—1896	.. 18.28

It is a common saying among the cultivators that the high prices that commenced during the famine have never left the land. But the statistics given in paragraph 164 of the report show that the 9 seers of 1866 were followed by 16 seers in 1867 and by 31 seers in the following year. The decennial period of 1867 to 1876 was also a period of great activity in the improvement of roads and water courses and of gradual development of foreign trade. The steady rise of prices set in after this transition period. The new railway has just taken the field as a great rival of the steamship companies, which have been the carriers of the produce.

It is too early to say how prices will be affected under the altered conditions. But it must be admitted that by creating a market for his produce, the steamships have rendered a splendid service to the cultivator in the past.

8. *Population—its growth*—The statistics show a steady growth of the population of the Province. Statistics are available from 1842, and although the statistics of the earlier period cannot claim very great accuracy, there cannot be much doubt about their approximate correctness for the purpose of giving a general idea in regard to this question. Taking, therefore, the statistics of the different periods, I find—

Year	Population
1843	.. Two and a half millions
1865	.. Three millions
1867	.. Two and a half millions (estimate)
1872	.. Three millions
1881	.. Three millions and six hundred thousands
1891	.. Three millions and eight hundred thousands
Present day	.. Four millions and two hundred thousands (estimate).

(Vide paragraph 198 of the Report)

The temporary check received at the famine of 1866 has disappeared, and, with the improvement of sanitation and under the influence of natural causes, the estimated population of the present day shows an increase of about 68 per cent. Over the figures of 1843 following the last settlement.

After making due allowance for extension of cultivation and other improved conditions of existence, these statistics force on our attention the fact that the amount of land and agricultural produce available for the support of each individual has been reduced in the ratio of 100 to 79. The significance of these figures cannot be overlooked, when it is borne in mind that the bulk of the people depend, directly or indirectly, upon agriculture for their daily bread, that arts and industries, except in the most primitive forms, are unknown in the Province, and that only a very small margin remains for future extension of cultivation.

I think that the Settlement Officer very rightly remarks that we have approached the stage at which "either the increase of population must be checked or the pressure relieved by emigration or the standard of comfort reduced to a dangerously low level".

Check over the increase of population is impracticable. With an essentially conservative and home-loving people like the Uriyas, the question of emigration lies beyond the scope of practical politics. The growth of population will therefore encroach upon the people's standard of comfort and will impel the people to devise their own remedy. The problem presents itself in a greater or less degree in all countries, and the difficulties are by no means peculiar to this Province.

9. *Prospects of further extension of cultivation*—The preceding remarks bring me to consider what margin of waste is still available to the people for cultivation. The milan-khasra statistics given in Appendix E of the report give the necessary information on this point.

It appears that in the Division 348 thousand acres of culturable waste exist in the temporarily-settled area surveyed in this settlement including the revenue-free holdings. This area includes 67 thousand acres old fallow, 132 thousand new fallow and 144 thousand culturable jungle.

Large as it looks on paper, the area of culturable waste sinks into insignificance when placed at the side of the 2,498,000 acres that are already cultivated. It forms only 9 per cent. of the total area. This represents the extent in regard to which we can make a safe forecast of further extension of cultivation. The above figures include Khurda subdivision. Omitting this the culturable area would be about 6 per cent., as shown in paragraph 506 of the Report.

It is only fair to add that in the above appendix in column 27 an area of 612,550 acres has been shown as unculturable waste. It is a matter of opinion what waste is culturable and what is not. It is quite possible that in classifying areas under these two heads the survey amins made some mistakes. Such mistakes are found in the last settlement papers, and in some estates cultivation appears to have extended beyond the margin of culturable area (*lac paria*) left at the old survey papers. It is to be hoped that a substantial portion of this unculturable waste will be available for cultivation in the future. It should be remembered that about 112 thousand acres of this area have been reserved for grazing purposes and cremation grounds (Appendix L of Report) over which cultivation cannot extend. A large part of the unculturable waste includes hillocks, sand, etc., which will probably never come under cultivation. Deducting these it is not likely that a large balance will be left for the peasantry to make experiments for cultivation.

A remarkable point that appears on detail examination of the statistics is that the culturable waste lies very unequally distributed in the different thanas. For instance, in thanas Tirtol, Salepur, Kendrapara, and Patamundai, the culturable area is insignificant in comparison with their total area. This becomes more prominent when village statistics are considered. In some villages it will be found that there is no culturable waste at all. In these places the people will feel soonest the necessity of emigration when the field produce is found insufficient for the increased demands of an overgrown family. These results are in fact, already in operation and account for the number of able-bodied daylabourers in certain villages. These people very wisely go out to seek service in Calcutta and other places. Those who are home-loving seek employment in neighbouring villages. In Balasore there is an annual exodus of gangs of field labourers who go out for the harvest to Contai Subdivision as well as to the Sundarbans. They return with handsome earnings after three or four months work.

10. *Material condition of the raiyats* :—The remarks made in the preceding paragraphs have anticipated much that might be said on the material condition of the peasantry.

The people are very simple in their habits, their wants are few, and they are content if these are satisfied in a moderate degree. Habitually law-abiding, they do not commit serious crimes by instinct, and even in times of distress serious offences against property are fewer than in many other places.

The Settlement Officer reports that it is the general opinion of the best informed officers of his department that about 80 per cent. of the rural population are more or less permanently indebted to the mahajan, proprietary tenure-holder or zamindar. Statistics on the point are not available, but one is inclined to pause when he reads this statement in the light of the registration statistics and statistics of money suits before the Civil Courts. I should expect that extensive monetary transactions of this nature should lead largely to registration of securities and will put in a considerable amount of work in the Civil Courts. The registration offices in Orissa are neither too many nor overworked in comparison with Bengal. The same remark applies in regard to the Civil Courts as well. Of course here as elsewhere many transactions take place without the execution of formal securities, and many cases do not come before the Courts at all. But debtors as well as their creditors have mostly emerged from the condition of pristine simplicity, and appreciate their mutual strength and weakness if the causes are carried before Law Courts. If the condition of the people were really so bad as reported by the Settlement Officer, I would expect to find it reflected more largely in the returns of the Registration Offices and of the Civil Courts. There can be no doubt about the indebtedness of the raiyat, but probably matters are not so bad as to make 80 per cent. of the raiyats indebted permanently.

No remarks are necessary on the interesting statistics on the general wealth of the country and the details of income and expenditure of the agricultural classes. They bear testimony to the earnestness with which the Settlement Officer and his assistants approached their task, but in the absence of statistics of wages earned (*vide* end of paragraph 185 of Report), as well as of statistics of former balances of wealth in circulation it cannot be said that all the necessary data have been taken into account in forming the estimate. The estimate is a rough one and has a usefulness of its own.

It is gratifying to find the following conclusion of the Settlement Officer on the position of the agricultural population :—

“In spite of their indebtedness and of the liability of the crops to injury by extremes of drought and flood, it is still the case as it was 30 years ago that in times of real scarcity the agricultural classes have more resources than any other” (paragraph 192 of the Report).

11. *Irrigation*—Paragraph 198 of the Report gives statistics of irrigated area for the last 30 years from 1869-70 to 1898-99. As I have elsewhere remarked, there is no canal irrigation in Puri district and only a small area in Balasore enjoys the benefits of canal water from Range III of the High Level Canal.

In Balasore the highest irrigated area was attained in 1879-80, which shows 51,000 acres, but this dropped the next year to 1,800 acres. Omitting this abnormal year, the highest area may be taken at 39,000 acres in Balasore. This together with the irrigated area commanded by the different canals in Cuttack, gives about 2,00,000 of acres as the highest irrigated area for the Province. Set against 2 lakhs of acres cultivated area in the Province, the result is that the benefit of the canal water is enjoyed by about a tenth part of the land.

12. *Its effect on incidence of rent*—Paragraph 111 of the Report examines the available statistics on this point. One remark that I should make at the outset is that, in order to say definitely whether rent rates have been raised by the zamindars in consequence of canal irrigation, comparison should be made with the rent, rates prevailing immediately before the advent of canal water. Comparison of the existing rent rates with the last settlement rates does not supplant the necessity of comparison is made with the rates that existed just before the introduction of water. Between the last settlement and the introduction of irrigation 30 years elapsed in almost all places, and in many places a longer period of time intervened. In the course of this long interval of time various causes must have operated in varying degrees to disturb the rent rates, especially the pahi rent rates which the zamindars could and did enhance. Again, as comparison is made with the average rates, the extension of cultivation might have disturbed the previous average. For all these reasons it seems desirable that comparison should have been made with the incidence prevailing in the different areas before the introduction of the canal water. In the statistics examined in paragraph 111, there is no mention of the incidence just before irrigation was introduced. I think that, in the absence of definite information on this point, no conclusion can be safely drawn in regard to the effect of irrigation on the rent incidence. I understand that Mr. W. C. Macpherson's proposals, based on this principle, were approved by the Board and by Government in 1895, when instructions were drawn up regarding the procedure of the enquiry.

I may further remark that, to find out the effect of irrigation on the incidence of rent the villages that are to be selected as "irrigated" should have a substantial area under irrigation. Supposing that the rates were enhanced by the zamindar on the irrigated land the statistics will not show appreciable increase of the incidence in villages or parganas having only, 10, 15, 20 or even 30 per cent. irrigated area. The preponderance of non-irrigated area in such villages will absorb a considerable part of the increase when the averages are worked out. I understand that Mr. W. C. Macpherson, in his instructions of 1895 laid down that villages having "substantial" areas under irrigation should only be selected. This appears to be necessary. The statistics show that parganas having 4 per cent. area under irrigation have been called "irrigated" and selected for comparison. Applying this test to the group, many of the parganas will have to be eliminated from the list.

To see next whether in the irrigated parganas there has been any uniformly higher increase of incidence. I find, as a matter of fact, that rent rates have risen in both classes, irrigated and non-irrigated parganas, and there does not appear to have been uniformly higher increase in the irrigated than in the non-irrigated parganas. This fact will be further clear if the comparison is extended to other parts of the district, and the statistics be read in the light of comparative statistics of incidence given in Appendix E. A. to E. C. in the Report.

On the whole the statistics are inconclusive. I think this opinion substantially agrees with the general drift of the Settlement Officer's observations in paragraph 117.

13. *Effect of irrigation on collections* :—The Settlement Officer and his assistants are unanimous in holding that protection and irrigation have greatly improved collections. The extent of the improvement requires to be ascertained in the imposition of any cesses or rates is under contemplation. The Settlement Officer, in paragraph 114, gives certain percentages of collections for certain tracts. It does not appear clearly on what facts these high statistics are based, and it is remarkable that some of them compare favourably even with the percentages attained in estates under the Court of Words. I have in paragraph 30 made a few remarks on the collections, and while agreeing that the collections are generally good, I am not sure that the high percentages reported by the Settlement Officer's assistants have been arrived at after a sufficiently comprehensive enquiry : they appear to be based on the statistics of only a few estates in Cuttack. The statistics for Puri require closer scrutiny, and for Balasore this statistics are not forthcoming on this point.

14. *Proposed cess* :—This brings me to the consideration of the Settlement Officer's proposal in paragraph 118 of the Report. He submits proposals for a 5 per cent. rate on all protected estates. He has no objection to cess at 8 annas per acre on all lands protected by embankments. He recommends a rate of 4 annas to the acre on all permanently settled estates protected by embankments. I have considered his remarks both on the subjects of irrigation and embankments. In paragraph 117 (4), he says that 3 annas to the rupee may be assumed to have been added, to the profits in consequence of canal embankments. It does not appear from what statistical data came to this conclusion.

Again in sub-paragraph (6) of paragraph 117 he says that irrigation and protection combined have caused a difference from 5 to 10 per cent., or say 4 annas per acre on zamindar's collection. I do not see in the Report sufficient statistics to bear out this conclusion.

I shall, therefore, only observe that if it be the intention of Government to impose the cess recommended by the Settlement Officer, further inquiry should be made on this point, and I hope that the local officers will be consulted. The zamindars who will have to pay the cess ought to be given a hearing. I reserve my opinion on the question, and have nothing for the present to say in regard to the proposed cess, except that sufficient statistics necessary to form a decisive opinion are not forthcoming in the report under review.

15. *Grazing reserves*—At this settlement it has been thought advisable, with the zamindar's consent, to reserve selected areas for the purpose of grazing pastures for the cattle. Cremation grounds have also been similarly reserved. The plots so reserved have been specified in the Kabuliyats of the zamindar, and the land lords have been given undertakings to reserve them for the purposes for which they are intended.

The grazing reserve area comes to 106,248 acres for the province and 7,469 acres have been reserved in province as cremation ground. Detailed statistics on the subject are given in Appendix L of this report.

16. *Part—III—History and Land Tenures—Chapters IX, X, XI*—Chapter IX consists of matters of antiquity and calls for no remarks. Chapter X deals with the early revenue settlements and matters of history that have been fully dealt with in Mr. Tonybee's history. In chapter XI the Report gives a history of the origin and deals with the incidents of the various kinds of land tenures in the Province. Mr. Toynbee's history contains the early literature on this subject. The reports of Mr. Fiddian and Babus Nandkishore Das and Rang Lal Banarjee gives full particulars for the three districts. No remarks appear to be necessary in this review on the origin and incidents of the tenures but I will only add that the report not only places in possession of the public carefully selected extracts from the opinion of the earlier authorities that were not accessible to the public and were being forgotten by the officers, but it adds to the value of these opinions by examining them in the light of the modern facts. This chapter on the land tenures shows a mastery of the ancient literatures on the subject, and will be very useful to our Revenue and Judicial officials and will, no doubt, be highly appreciated by the Bar.

I will not discuss these historical matters, but simply notice the present position of some of the principal classes having interest on the soil.

17. *Middlemen*—Fortunately for the country, the chain of middlemen between Government and the cultivator is not very long. In most of the estates only the zamindar intervenes between Government and the rayat. In the estates where there are proprietary tenures, such as Makaddams, Sarbarakars, Padhans or Kharidadars, one or other of these tenure-holders, intervene besides the zamindar. But by a wholesome arrangement in existence since the last settlement, the allowance that might have been given to the proprietor alone is only divided between the zamindars and the tenure-holder in certain fixed proportions. The rents of the rayat is fixed by the Settlement authorities, and the interposition of middlemen cannot be made to the rayats' disadvantage. The various grades of sub-infeudation inevitable under the Patni Regulations of Bengal do not exist in Orissa, where even big tenure-holders created by zamindars for reclamation and similar purposes are comparatively few. This favourable state of things is due to the solicitude shown towards the rayats at the last settlement, and the traditions of the country are also in the rayats' favour in this respect.

18. *Zamindars*—Paragraph 269 of the Report classifies the zamindari estates in the temporarily settled area. They are 6,346 in number, including 23 khas mahals: In Cuttack estates with Government revenue from Rs. 11 to Rs. 50 form the majority. In Balasore estates are not so small, and the majority of them pay Government revenue from Rs. 100 to Rs. 1,000. The same remarks applies to Puri. Taking average areas, the average size of the estates is 263 acres in Cuttack, 1,079 acres in Puri, and 678 acres in Balasore.

(i) *Divisions*—During the last 60 years division of proprietary right has gone onto an enormous extent on account of inheritance and sale. In Cuttack the number of recorded proprietors has risen from 5,400 to 31,900 since last settlement, and Balasore the rise is from 1,500 to 7,500. In Puri only 485 estates are now owned by 3,000 persons the number of owners at the last settlement is not ascertainable for this district.

(ii) *Transfers*—The statistics of transfer given in paragraph 272 are very useful. In discussing the statistics, the Settlement Officer remarks that estates and shares of estates to the value of over Rs. 55,000 are annually sold in Cuttack, and to Rs. 1,05,000 sold in Balasore, and to Rs. 7,000 only in Puri.

The high price in Balasore in comparison with Cuttack is rather abnormal. It appears, however from the note (a) in the statistical table of paragraph 272 of the Report that in Cuttack the purchase-money was Rs. 3,28,625 only for two years. This gives an annual average of Rs. 1,64,312, against Rs. 1,05,000 for Balasore, and there is really no abnormal increase in Balasore. The low figures for Puri are due to the small number of temporarily-settled estates in Puri.

Considering next the number of sales, the statistics give no reason to apprehend that sales are abnormally frequent, and it is remarkable that the majority of the purchasers are of the land-holding class.

19. *Working of revenue sale laws*—The statistics of the revenue sales from 1845, given in paragraph 275, furnish the most valuable evidence of the working of the last settlement, and suggest what are the prospects of the new settlement.

In discussing these statistics, I shall first consider the period ending 1865 when the first 30 year's term originally given expired, and then consider the extension of 30 years. Taking, therefore, the period ending 1865, I find that only 34 estates with an aggregate revenue of Rs. 12,000 were sold in Cuttack, 7 estates with a revenue of Rs. 3,000 were sold in Puri, and in Balasore from 1842 to 1868 only 29 estates were sold. In course of the 33 years from 1866 to 1899 there were altogether 251 sales with a revenue of Rs. 30,000, which gives an annual average of about eight sales with a revenue of less than Rs. 1,000.

The statistics of Puri for 1886 to 1895 are quite abnormal. The sale of the Kotdesh estate, which used to pay over Rs. 80,000 as Government revenue, has swelled the statistics. The circumstances that brought this estate to sale were quite exceptional. On the whole, the condition of things in Puri was no worse than in Cuttack.

In Balasore, during 30 years from 1869 to 1899, only 47 estates, with a revenue of Rs. 6,000, were sold. This gives an annual average of one and a half estate sold with Government revenue of Rs. 200.

These statistics are very satisfactory, and they furnish conclusive evidence of the great moderation with which the sale laws have been worked. The statistics for the decennial period of 1866 to 1875 following the great famine show how quickly the country recovered from the effects of the great disaster. It does not appear that sales were abnormally large during the decennial period, and I think that this fact furnishes reason to think that the famine did not permanently cripple the landlords' or the tenants' resources. Of course, during the early years after the famine sales were kept down by the great forbearance of the Revenue authorities, but the recuperative power of the country materially contributed to the solvency of the landlords and of their tenants.

The lessons taught by these statistics in regard to the capacity of the zamindars and the increase allowances given to the zamindars at this settlement furnish reasons to hope that the new settlement will be as successful as its predecessor.

20. *Dispossession of old proprietors*—It is satisfactory to find that since 1830 very few estates in the Division have passed into the hands of aliens, and that several of the alien proprietors have become practically naturalised in Orissa.

It is remarkable that in paragraph 274 of his Report Mr. Maddox is decisively of the opinion that the estates of the big Bangali proprietors are the best managed in the division. He says "It is the fashion to decry the Bengali zamindars ; but however much we may deplore the ruin of old families". (there were really very few old families in Orissa outside the Rajwarah), "it can hardly be said that the country as a whole is a loser". Under the existing condition of the law, it is impossible to insist upon racial distinctions in the transfer of properties. It is a matter of satisfaction that the alien proprietors managed their property with justice and fairness to the raiyats, and it is a matter of regret that several old families of Uriya proprietors have not a creditable record of their dealing with the tenantry.

21. *Value of Estates*—The steady increase prices of the zamindariestates furnishes evidence of the high advantages and of the secure return that this form of investment affords to capitalists. It is also an evidence of the increased property of the Province.

22. *Tenure-holders*—The principal classes of tenure-holders in Orissa are the Makaddams, the Sarbarahkars, the Padhans, the Pursethis, the Kharidadars, and the Shikim zamindars. The history of their origin and the incidents of these tenures have been thoroughly discussed in the Report. I take it to be the most remarkable point about these tenures that none of them have been created by the zamindars with the exception, perhaps, some Sarbarakars and Shikimi zamindars. The other tenures have grown concurrently with the growth of the zamindari interest, and the origin of many is lost in the dim obscurity of the last century. The village headman has been transferred into the Makaddam or padhan ; the purchaser of the waste land has grown into the kharidadar ; the zamindar's subordinate rent-collector has ripened into the sarbarakar, just as his master, having been originally rent-collector of a higher grade, has acquired the substantial interest of a zamindar. These various grades of a tenure-holder appear to have grown in course of the transition of the Uriya village communities into their modern form, and the prominent feature of their distinction from ordinary tenures is that very few of them are created by the zamindars during this century, and most of them have grown concurrently with, and some times in spite of the opposition of the zamindars. The researches of Mr. Stirling and other show that in the Moghul period the idea of centralisation found favour with the ruling race, and the zamindars succeeded in repressing many makaddams. The tables were turned during the Mahrattas rule. This latter favoured the village headmen at the expense of the zamindars. In the early days of the British conquest even handed justice was done to both classes. To save themselves from the zamindars, many Makaddams applied to be admitted into direct engagement with Government, and their prayers were allowed (*vide* paragraph 12 and 40 of Mr. Stirling's Minute), and this accounts for the large number of petty estates in the Province. It is necessary to keep the historical circumstances of the origin of each class of tenure in view, in order to adjust its relation to the zamindars.

Elaborate enquires were made at the last settlement, and the rights of the tenure-holders have been settled once and for all.

The multiplicity of the co-sharers of the tenures noticed in paragraph 295 presents a point of difficulty that adds not only to the zamindars' trouble and expense of collection, but the existence of so many hungry mushroom middlemen almost constitutes a menace to the welfare of their subordinate tenantry.

23. *Facility for collection*—Paragraphs 299 to 305 of the Report deal with the question of giving facility to the zamindar in the collection of rents from the proprietary tenure-holders. In paragraph 305 Mr. Maddox sums up his recommendations. He proposes—

- (1) The extension of sections 12 to 17 and 93 to 100 of the Tenancy Act to Orissa.
- (2) That the Kubuliyats of the Sarbarahkars should be cancelled, and only one or more nominees of the zamindars should be allowed to engage.
- (3) That clause 11 of the tenure-holder's kabuliyat should be vigorously worked, so that habitual defaulters' tenures may be placed under khas management:
- (4) No immediate action is necessary, but Government should call for a detailed enquiry after five years with a view to legislation, if necessary.

In my letter No. 30603, dated the 20th June, 1900, to the Board, I have stated the reasons why the proposal for cancellation of the sarbarakar's kabuliyat does not commend itself to me. His fourth proposal, namely, that further action should be deferred for five years to see the working of the settlement, seems to me the wisest course to pursue. As regards the third proposal, I would prefer to leave it to the Collectors to work clause 11 of the kabuliyat to the best of their discretion and on consideration of the circumstances of each case of default.

But the present question of giving facility to the proprietors of estates having these tenures is a part of the larger question of giving collection facility to all the zamindars of the temporary-settled estates in the Province. I understand that the question was taken up in Sir Charles Elliott's time, and I hope that, when the time comes for reconsidering the subject, the scope of the inquiry will take a comprehensive form. I feel it necessary to make these remarks, because I gather from the statistics given in paragraph 301 of the Report that the difficulties arising from the proprietary tenures are not specially great. In discussing these statistics Mr. Maddox remarks that the percentage of suits to the total number of tenures is only 17, and of these suits many are for a share of the rent

only. Considering these he remarks : "On the other hand, it is by no means certain that such strong measures are necessary." In the absence, therefore, of urgent necessity for vigorous measures, I would repeat what I recommended in my letter to the Board that the fourth recommendation in paragraph 305 of the Report would suffice for the present necessities of the case.

24. *Value of proprietary tenures* :—The statistics given in paragraph 307 are only for a small area, but they show that the market value of these interest is very high. This fact in itself furnishes a satisfactory evidence of the growth of prosperity of the middle-classes in Orissa. These tenures are highly prized by the middle class men in Orissa. The profit may not be large, but the fact of *quasi-zamindarship* (*hakiodar* as they are called in Balasore) gives a position and local prestige that are very highly valued by the men, specially if they happen to be resident in the village consisting of the tenure. The resident of such village do not care for the zamindars, as they have neither to deal with him nor can he sue them. In regard to these villages the zamindars' position is no better than their position in the *patni* villages of Bengal. The tenure-holder is a man of local consequence. The ancient traditions survive and the *makaddam* is still the arbitrator in the local quarrels. His authority is still held in considerable respect by the local tenantry, and these village headmen are capable of being rendered very serviceable to the Administration. Despite the infusion of non-residence purchasers among this class, the resident village headmen are the people whom the police look up to for help in discovering heinous crimes : they are the people to act as interpreters between the rulers and the ruled. The people know that, as residents of the village, these headmen have as much at stake as the other residents, and this fact commands confidence in their words, so that whenever we contemplate the introduction of sanitary innovation, or the imposition of a new tax, or the adoption of any new precautions against an epidemic, or whenever we desire to bring the wishes of the Government home to the people, we can do it most effectually through these headmen. They were the trusted leaders of the people in Mr. Stirling's time, and their position has not materially changed during the last 80 years.

25. *Bazyafti tenures* :—These tenures from the surviving landmarks of the attempts made by the middle classes to create revenue-free grants for themselves in the name of the ruling power. Sections 18 to 29 Regulation XII of 1805 show how these claims have been dealt with. In Orissa frauds on an extensive scale were attempted, as is evidenced by the statistics given in paragraph 316 of the report. The statistics show that at the last settlement the revenue-free claims for over 3 lakhs of acres were disallowed and those lands were resumed. They were, however, very liberally dealt with, as 221,000 acres were assessed at half rates, and the instructions that rates should be light were interpreted by the Deputy Collectors with lavish liberality, and they generally placed the *bazyaftis* in the lowest class of the village soil. These concessions were granted with a view to avoiding the creation of widespread discontent, and concessions that have been at this settlement shown in the assessment of these tenures are in general consonance with the traditions of the last settlement. I will return to this subject in my review of Part V of the Report.

26. *Raiyats* :—The *thanis* and the *pahis* form the principal classes of the raiyats in Orissa. The *thanis* were originally the resident raiyats of the village corresponding to the ancient *Khudkast* raiyats of Bengal and the *pahis* were the non-resident raiyats who were merely tenants-at-will. The *thani* raiyats have been in enjoyment of a hereditary right of occupancy from time immemorial. Writing in 1821, Mr. Stirling remarked : "They do not in general take out *pattas*, nor do they give *kabuliyats* as they hold the lands under their jot or plough hereditarily, and the amount of their proper payments on account of rent depends on a measurement and adjustment of rates made long anterior to the present day by act of the Sovereign." The *thani* raiyat's status is the creature of custom that has been in operation in the Province from time immemorial. According to the ancient custom the *pahi* raiyats were mere tenants-at-will, were also the tenants of the *bazyaftidars* and other tenure-holders. The Report points out the epoch which Act X of 1859 and the Tenancy Act have marked by the creation of occupancy-rights for the *pahi* holdings. But the benevolent intentions of the law and the boon conferred by it were unknown in many parts of the mufassal and the ancient custom that the *pahi* raiyats have no occupancy-rights was in full swing in many parts of the Province ; even at the commencement of the settlement the word *pahia* continued among the raiyats as a term of reproach indicative of absence of rights. In despatch No. 6. dated 21st March, 1882, the Government of India reported to Her Majesty's Secretary of State instances of illegal ejection of the raiyats and proposed remedial measures for Orissa for the protection of the tenantry, (Tenancy Act papers). The present settlement proceedings have brought home to the *pahi* raiyats the real nature of their rights. The educative influence of the settlement camps inclined the *pahi* raiyats to suspect during attestation that they might have rights of some sort. When after attestation they got *parchas* with *dakhalsatyabisista*, *shtitiban* (settled and occupancy) status they formed great expectation, and when, on conclusion of the settlement proceedings, copies of *khatians* (called *pattas* by the raiyats) were distributed alike to the *thani* and *pahi* raiyats, showing their occupancy-rights, then only the great mass of *pahi* raiyats could believe that they had definite rights and were not mere tenants-at-will. Old ideas die hard in this Province, the traditions of the last settlement when *pahi* raiyats were tenants-at-will ruled the masses, and the reforming provisions of the Act X of 1859 or of the Tenancy Act were known only to an insignificant minority. In regard to the masses of the people the *pattas* (i. e., *Khatianslips*) of this settlement have been the most tangible and the most convincing evidence of the occupancy-rights. In many places the masses look upon it as a boon conferred by Government to inaugurate the new settlement, and it is said that the village poets of several places have celebrated the occasion in rustic songs full of gratitude for the favour shown to the masses.

I should therefore say that in making the occupancy right real in the eyes of millions of *pahi* raiyats, the Settlement Department has performed a service that cannot be too highly valued. The

educative influence of the settlement camps has enlightened the raiyats in regard to the incidents of their rights, and has thus performed a service that makes for the well-being of the tenantry.

27. *Under-tenants*—It is satisfactory that the number of under-tenants who are without occupancy-rights is not very large. In the statistics given in paragraph 340 of the report the under-tenants shown in column 2 have generally got occupancy-rights, and the rest of the under-raiyats number about 75,000. They have not got occupancy-rights as a rule. But numbering, as they do, 145,000, the under-raiyats of column 2 cultivate the major part of the area dealt with in the statement, and it is well that they are not tenants-at-will.

28. *Transfer of rayati-holdings*—Paragraph 328 of the Report gives some statistics of transfer of rayati-holdings. It is also significant, as pointed out in the Report, that the number of sales of *pahi* lands in Balasore in 1897-98 was about 3,000 or three times the average of the decennial period. The question is very important. There are reasons for doubting whether the *pahi* Lands are at all transferable. It will be a serious matter if the raiyats take advantage of their occupancy-rights in order to part with their lands and reduce themselves to the question of under-raiyats. I defer my remarks on this subject for the present, as I am calling a special Report from the District officers on this subject, which will form the subject of a separate communication hereafter.

Rent-kists and proportions :—It has been decided that the kist-dates do not call for any alteration, and in his Report to the Board, Mr. Marindin was of the opinion that the present proportions of the revenue need not be altered. Paragraph 344 of the Report does not, therefore, call for any further remarks from me.

30. *Amount of collections* :—In paragraph 346 some statistics of collection by the zamindars have been given. The statistics as they are show very good collections, and in some cases the percentages attained (*e. g.*, 107 per cent., 105 per cent., 98 per cent.) exceed the percentages in some of the best managed khas mahals of Government. It is further to be noticed that the statistics in the tabular statement relate only to 82 estates out of over 4,000 estates in Cuttack, and the revenue of the estates selected being over Rs. 1,000, it may be presumed that the zamindars are persons of influence as is generally the case in big-zamindars and having regard to the marked difference in the local influence of big zamindars as contrasted with petty zamindars, it may well be doubted whether the statistics represent the general condition of affairs in Cuttack district, where petty zamindars predominate (*vide* paragraph 269 of the Report).

In regard to Mr. McPherson's figures for the Puri district, the remarkable feature is that the *bazyafiti* assets (printed in bold figures) show 95 per cent. collection when ordinary assets show 90 per cent. This is not in accordance with the generally prevalent opinion of the officers of the Settlement Department. It is often remarked in the completion reports and elsewhere that the *bazyafitidars* are very bad paymasters, and that the assets from this class are very insecure. Mr. McPherson's figures, at any rate, reflects no discredit upon the *bazyafitidars*.

Paragraphs 213 and 214 of Mr. Kingsford's Report, quoted in paragraph 342 of the Report under review, do not give statistics for his opinion on the percentage of collection at Balasore, but his general percentage (87½ or 14 annas to the rupee) will not perhaps, be dissented from by many people.

The question about the percentage of assets collected by the zamindars is very interesting, and I am glad that there is a consensus of opinion among the Settlement authorities that the collections are ordinarily good. The docile nature of the people, the small number of rent-suits, the working of the revenue sale law and the market value of the zamindari interest in the Province, all furnish cumulative evidence pointing to the fact that the collections are generally good, and zamindaries do yield handsome profits to their owners. Owing to the absence of genuine collection papers for a sufficiently long period, the statistics compiled by the Settlement authorities cannot claim absolute certainty; but then it is to be borne in mind that possible many zamindars kept back their collection papers because they contained inconvenient entries. So, on the whole, there can be no doubt that the collections are generally good in the zamindaris of the temporarily settled area.

31 *Part IV—Settlement procedure*—This part of the Report reviews the various stages through which the work has passed. It is valuable as a record of the work done, and the record of the experience in the various stages of the work will have certainly an immense practical value in future settlements. It is interesting to observe how the various rules were framed to meet practical difficulties, and as the fruit of thoughtful observation of successive Settlement Officers the rules bear testimony to the earnestness and industry which Mr. Maddox and his predecessors had brought to bear upon their work. As these rules have received the approval of the Board and of Government, they call for no further remarks in this review.

32. *Part V—Results of Settlement*—The results have been discussed under three heads, viz., areas, rents and revenue. I have already dealt with the question of extension of cultivation and the prospects of further extension. The remaining remarks on areas are of minor importance and call for no notice.

33. *New rents*—The comparative statistics given in paragraph 512 show at a glance the progress of the Provincial rent roll during the last sixty years, as well as the effects of the enhancement proceedings upon the existing rent roll.

At the close of the last settlement the assets of the temporarily-settled estates stood at 21 lakhs, but they rose to 34 lakhs before the enhancement proceedings began. The enhancements raised them to Rs. 38,68,000, so that this settlement is responsible for an increase of Rs. 4,58,000 over the existing rents. The largest contribution to the increase comes from the *bazyafiti* and the settled and occupancy-holdings which have altogether contributed Rs. 2,70,000. Other privileged tenures, such as the *Kharidas*, the *kamil bazyafitis* and the *thani-pahi* mixed holdings have also yielded a decent increase. The resumed chaukidari jagirs have been valued at Rs. 43,000 and other jagirs resumed at Rs. 16,000. On the whole, it appears that the enhancements are equitably distributed, regard being had to the number and liability to enhancement of each class of tenancy.

34. *Incidence*—Considering next the incidence of the new rent, it is satisfactory to find that the settled incidence of the privileged tenures still remains substantially below the *pahi* incidence, notwithstanding the fact that the former have to bear the largest proportion of the enhancement. These rents were fixed 60 years ago, and in the meantime prices have trebled. Under these circumstances, the enhancements are justified not only by the positive enhancements of the Tenancy Act but on grounds of equity as well. These principles were not rigidly enforced against the *thani* raiyats simply on grounds of equity and the leniency is warranted by the historical fact that these rents had been pitched too high from ancient times, as was admitted by the authorities at the last settlements. Considering the present position and privileges of the *pahi* raiyats under the Tenancy Act, it has been thought inadvisable to increase the *thani* rent much further. The correspondence on this subject with the Government of India has been reprinted in the second volume of the Report, and, on the whole, there are ample reasons for thinking that the leniency shown towards the *thani* raiyats is well deserved.

The enhancement of the *nisfi hazyafiti* incidence from 6 annas to Re. 1 seems at first sight too high; but this view will be modified when it is borne in mind that at the last settlement these holdings were assessed at 12 annas per acre on an average, and concession of half this rate was given as a matter of grace for the last settlement only. Considering this fact and the rise in prices, the new incidence of Re. 1 per acre would not appear too high and these tenants ought to know that, despite the increase, their rates are still less than half the rates of the *pahi* raiyats, who will have to pay at Rs. 2—5 per acre.

The high incidence of the homestead (*chandna*) is accounted for in the Report. The increase amounts to only 1 anna over the existing rate before the rent settlement.

35. *Alteration of rents*—It is satisfactory to observe that for 54 per cent of the holdings the existing rents were retained, for 3 per cent rents were reduced for loss of area, and for 6 per cent the rents were newly assessed. Deducting these it is found that for 13 per cent of the holdings, rents were enhanced for excess area. These mostly belong to the *pahi* occupancy holdings, and some to *thani pahi* mixed, holdings. This percentage is explicable when it is remembered that regular remeasurement of raiyat's holdings by zamindars are rare in the division, especially for several years before the settlement. The excess areas which the raiyats were enjoying by private arrangement with the gomastas have been discovered at the survey and to eliminate cases of nominal excess from enhancement 10 per cent allowance was ordered on account of difference of measurement. It remains to notice that for 24 per cent of the holdings rents have been altered on other grounds. These comprise the cases of the privileged tenants (viz., the *bazyafitidars*) who were paying too low a rent. I have already, stated the reasons for the enhancement of these rents.

These statistics of percentages show the moderation that has characterised the present rent settlement proceedings. They afford proof positive of the fact that 57 per cent of the tenantry will not have to pay a pice as extra rent in consequence of the settlement. The *pahi* incidence has risen by only 2 annas per acre, so that even the 13 per cent, whose rents are enhanced for excess area, will not have to pay much extra rent. Of course the *bazyafitidars* and other privileged tenants who fall under the 24 per cents., altered on other grounds, will feel the pressure of the extra demand, but this was anticipated by them under the terms of their leases; and it is undeniable that even in their case great solicitude has been shown, and the pitch of the enhancements has been kept much lower than the strict terms of their leases would allow.

36. *New Government revenue*.—The principles of the revenue assessment have formed the subject of discussion in the previous correspondence reprinted in the appendices, and orders on the subject have been passed by Government. It remains, therefore, only to consider the financial effects of the increased revenue. The calculations are made on the Settlement Officer's figures, and are subject to slight modifications on account of any variations of the Settlement Officer's proposal made by the confirming authorities.

The last settlement had fixed the Government revenue of the temporarily-settled estates at Rs. 13, 54,400 and this settlement will yield Government revenue of Rs. 20,62,600, so that there will be an increase of Rs. 7,08,200, or 52 per cent. Of this amount Rs. 2,70,100 comes by reduction of the zamindars' income, and the balance is got in the shape of enhancement of the tenants' rents. It is, however, shown in paragraph 557 that the actual loss of the zamindars' income is Rs. 2,80,000.

The general percentage now retained as revenue comes to 54 percent.

In assessing estates to Government revenue, the facts of each estate have been separately considered in the reports, as I have remarked already. Each case has been considered on its merits.

The practical absence (i.e., only 5 estates—paragraph 564—out of over 6,000) of recusant estates shows that the zamindars do not find the new revenue demand risky or insecure.

37. *Kists*—The proposals in paragraph 565 regarding the alterations of the dates and proportions of revenue at the kists do not call for any remarks, as the question of alteration of dates has been settled in the negative by Government orders, and Mr. Marindin has submitted his Report, now pending before the Board, stating that in his opinion, alteration of the proportion is undesirable at present.

38. *Part VI, Chapter XXIII-XXIV*—No remarks appear to be necessary.

39. *Chapter XXV—Expenditure*—The total cost is twenty-one lakhs odd, which will be recouped in three years by the increased revenue demand.

40. *General*—The foregoing remarks bring this review to a close. The task before the Settlement authorities was not a light one. To prepare the record-of-rights of a million and-a-half tenants occupying 8 millions of plots is in itself a task of no mean magnitude, not to mention the rent and revenue settlement work. These records, by fixing definitely the holding and rents of the raiyats, have conferred a great boon upon the tenantry, which, it is to be hoped, will be fraught with the best results for the administration.

While Mr. Maude framed the attestation rules and organised this difficult work, the difficult task of framing the rules and organising the work for rent settlement fell upon Mr. Maddox. The smoothness with which this great work has been carried out reflects the greatest credit upon the Settlement Officers and their assistants. At one time great friction was apprehended in this work ; but, while the concessions sanctioned by Government acted as lubricants, the work did none the less demand great tact in the local officers, and it must be admitted that they acquitted themselves well.

The revenue assessment reports have elicited favourable remarks from the Board both for the manner in which they have been written and the matters they contain. Most part of the confirmation work in regard to the revenue proposals fell on the Commissioner's office, and Messrs. Cooke, Stevenson, and Marindin took part in the work. When I took over charge three months ago over two thousand estates remained to be dealt with, but the work is nearly finished, and I hope that in a week the last pending estate in my office will be disposed of.
