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11

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Mr. Radice in a note of the 18th August writes: As to entering rents I would decidedly prefer that they be not entered at all in the *khatian*. The rayat's ideas of the rent he pays are generally so vague and inaccurate that it is all but useless to record them except at attestation by the attesting officer himself. The rent according to the landlord can best be recorded by insisting on *ekpadia* papers being filed before the commencement of field operations."

Orders were accordingly passed by Government that all entries of rent should be made by the *khanapuri* inspectors and not by *amins* and these orders were embodied in the Orissa rules. Mr. Maude wrote on this, in his letter No. 2112 of 25th September 1893 to the Director of the Department of Land Records and Agriculture: —

"You will observe that I have accepted in full the alteration made by the Government rules as to entry of rents by inspectors only, and as to the postponment of all entries of raiyati status until the time of alteration when this function will be performed under the Revenue Officer's own eye. The question whether inspectors can enter rentals with their own hand without the necessity of their staff being so increased as to materially augment the cost of survey is one which the Survey Department will be most fitted to discuss. My own belief is that unless the staff of inspectors be doubled, they can only carry out the order at the expense of their ordinary inspection duties, on the faithful performance of which it will be seen from the rules drafted for the supervision of *khanapuri* that we must chiefly rely in aiming at a correct preliminary record".

In letter No. 1161 T. R. of 22nd. September 1893 from the Government of Bengal to the Secretary to the Government of India it was laid down that rents and status should, at the *khanapuri* stage, be entered on the *parchas* only by inspectors, and in Government order No. 509 L. R. of the 26th January 1894 the following procedure was enjoined:—

"The rent will be entred by the inspectors after enquiry in the village, and with his own hand, on lists showing (*i*) names of tenants and landlords, (*ii*) rent as stated by landlord, and (*iii*) rent as stated by tenant. The inspector will file these lists with the Settlement Officer or the Assistant Settlement Officer under whose orders he is placed after the entries have been copied into the headings of the parchas. The *amin* will fill up the columns of the *khasra* and those in the body of the *parcha* as the work proceeds, field by field, noting in the *khasra* against the first field where each tenant's name appears the rent entered in the heading of the *parcha*. If the *amin* discovers, during the progress of his work, any discrepancies between the rent entries in the inspector's lists, and actual facts as stated by the parties to him, he will enter what he finds to be the facts in the *khasra* and in the body of the *parcha* in red ink; and will note such discrepancies, in a separate paper, for the orders of the inspector or of the Assistant Settlement Officer.

"When either of these officers has passed orders on the discrepancies, the correction (if any) will be made in the headings of the *parcha*, if the inspector's first figure is wrong; in the columns of the *khasra* and of the body of the *parcha* if the *amins* figure is wrong."

This rule did not come into force in Balasore until March 1894 and only a fourth of the villages of which the records were written during the season were done on this system. Mr. Maude, reporting on the working of the rules in August 1894, wrote:—

"In my opinion the lists are of practically no value and are not worth the expense of any extra *munserims*. As pointed out in my letter No. 701, dated the 2nd March 1894, to your address, the rule must interfere with the *khanapuri* work and the provision of the inspectors unless special or extra men are appointed; and the appointment of special or extra men means descending to a lower class of inspectors. Every rental has to be gone into again attestation, and it would be better and cheaper to leave the entries to be made entirely at that time."

The rule was in October 1894 set aside by the orders of the Government of India, who, in their letter No. $\frac{3028}{43}$ of the 16th October 1894, wrote:—

"Entry of status and rent at attestation is the old-established practice in Bengal. It appears to have been followed with complete success in Bihar in 1887; and experience has shown that it involves no material additional expenditure either of time or of money. The Board of Revenue, whose advice in a matter peculiarly within their functions must carry great weight, have expressed a decided preference for the continuance of this practice, and in these circumstances the Government of India trust that His Honour the Lieutenant-Governor will agree with them in thinking that its continuance is essential in order to safeguard the accuracy of the entries of rent and status.

"For these reason the Government of India desires that, as the system of entry by the Inspector is not regarded as satisfactory by His Honour the Lieutenant-Governor, the old rule of entry by the Revenue Officer at attestation should be followed, the columns being left blank at *khanapuri*".

The result was that the preliminary entries have since then been made by the *muharir* in the attestation camp and not by the *amin* in the field.

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404. The *patwari* in Orissa still exists only in a few estates. He is the Mahomedan counterpart of the village accountant (*bhoi*) of the early Hindu village. He was responsible for the collection of the revenue of the village to the divisional accountant or *Bhoimul*, the *Kanungo* of the Mahomedan system. Under British rule his duties and powers were defined by Regulation XII of 1817 and have been further described in the Revenue Officer's Manual. In the settlement of 1838 many *patwari jagirs* were resumed and it is only in the larger *taluks* that *patwaris* are now found.* Altogether there are in Cuttack 100, in Puri 321, in Balasore 56. The *Kanungos* play a far more important part in the district administration of Orissa than the *patwaris*. There are altogether 45 in the Province, viz., in Cuttack 25, in Balasore 12, and in Puri 8, besides three chief, or *sadar Kanungos*. Each *Kanungo* has a circle or *chakla*, comprising two or more Parganas, and within this area he collects rents from the tenants of Government and cesses from petty proprietors, maintains a record of proprietary rights, reports on all local calamities, fluctuation of prices of food grains, and other matters connected with the local revenue administration, and make such local enquiries as are ordered by the Collector of the District.

Employment of *Kanungos*, *Patwaris* and *Chukidars* on survey and settlement.

Proposals for utilising the services of *Kanungos* and *patwariss* in the Orissa survey and subsequently for the maintenance of the land records were made by Mr. Finucane in 1888 and were accepted by the Board of Revenue in their letter No. 973 A. of the 17th December, 1889.

The Government of Bengal in a letter No. 270, dated 22nd. January 1890, expressed entire approval of the scheme and urged that every effort should be made to overcome any difficulties that might be encountered. Survey schools for the training of *Kanungos*, *patwaris* and village headmen, were started in Cuttack, Puri and Balasore under the control of Mr. Patterson, the Deputy Superintendent of Survey, and 328 *patwaris* obtained certificates.

Orders were passed by Government in their letter No. 339 L. R. of the 16th March 1891 approving of the proposal of the Board to place all *patwaris*, *Kanungos*, and *Chaukidars* under the control of the Settlement Officer, who for his purpose was vested with the powers of a Collector under Regulation XII. of 1817.

The *kanungos* in the Puri District were accordingly placed at the disposal of the Settlement Department and relieved of their ordinary revenue duties. They continued however to be paid from the general administration funds, and it was stipulated that they should carry out any written orders sent them by the Collector of the district.

In Cuttack the Collector expressed his inability to give up the *kanungos* until he should be provided with substitutes, and in their letter No. 397 T. R., dated 21st. September 1891, the Government of Bengal sanctioned the appointment of a special establishment to perform the ordinary duties of *kanungos* while the latter were on deputation with the Settlement Department.

In accordance with these orders 25 out of the 26 *kanungos* of Cuttack and all the 13 *kanungos* of the Balasore District were placed absolutely at the disposal of the Settlement officer and received their pay from the Settlement budget.

The *sadar kanungos* were employed at the headquarters, and their acquaintance with the records of the old settlement enabled them to render services of great value.

The other *kanungos* were employed partly at the headquarters in supervising the preparation of draft *khewats* and comparative statements, and partly under the Assistant Settlement Officers in the field. Their work was not found satisfactory, and in October 1892, Mr. Walsh wrote :—

"On the whole, however, I am strongly of opinion that their agency has not been nearly so effective as an agency of specially appointed *muharrirs* or *munserims* appointed by the Settlement Department, and I would strongly recommend that their services be returned to the regular line, and in their place the amount of their salary be placed to the credit of the Settlement budget for the appointment of special *munserims* to discharge the duties on which the deputed *kanungos* are now employed or which may be allotted to them. The expense is Rs. 13,200 per annum. This amount, if credited to the Settlement Budget, would procure a far more efficient agency for the purpose, and the services of these officers might be returned to the Collectorate."

* *Vide* para 331.

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In November 1892 the Collector of Cuttack raised objections to the employment of ***Kanungos*** otherwise than on field work within their own circles. The adoption of his views still further limited the usefulness of the ***Kanungos*** and in a letter No. 1665 dated the 8th July 1893, Mr. Maude wrote as follows to the Commissioner of the Division:—

"Not only is the Settlement Officer unable to get full value for the money spent in maintaining the *kanungos*, but such work as they can be put to is given grudgingly and under constant compulsion, and with the idea that they are not in reality responsible to the Settlement Officers. I should be unwilling however to lose their services altogether, as some of them do really useful work when in the mufasal, where they have of course the great advantage of local knowledge. Both Mr. Nathan and Mr. Radice and the other Balasore officers have *kanungos* working under them at the present time and they are doing work in these districts. In these circumstances I would strongly advocate that, if practicable, the system prevailing in Puri may be extended to Cuttack and Balasore, that is to say that the services of the *kanungos* may be again made over to the Collectors and the acting men abolished, but that they may receive orders to work under and assist the Assistant Settlement Officers whenever work is actually going on in their *chaklas*. By this means a great saving will be effected to the settlement budget, the duality of control will be done away with and the Assistant Settlement Officers will, at the same time, secure the service when required of such *kanungos* as are able and willing to help them. The system has worked so far in Puri and I see no reason why, if the Collectorate and Settlement Officers are in harmony, it should not work equally well in the other two districts.

If however this is considered to be impracticable I would recommend that the *kanungos* be handed over again to the Collectorate and the money now spent by the settlement on their maintenance be devoted to such substitutes as may be necessary. We should then at least have an establishment by the reduction of which we could economise when the full number is not required, and out of which we could exact strict obedience and a full tale of work, consideration which I consider far outweigh the local knowledge possessed by some of the *kanunges*".

These opinions were accepted by the Commissioner and the Director, and in a letter No. 1532 A. of the 11th November 1893 the Board of Revenue ordered that the ***Kanungos*** should revert to general duty, but that when settlement work was going on in his ***chakla*** a ***Kanungo*** should lend such assistance as might be required of him. All the ***Kanungos*** were allowed to revert at once except 1 in Cuttack, 2 in Puri and 9 in Balasore. Six of those in Balasore were retained till the end of the work and with one exception did extremely good work.

I found them thoroughly trustworthy. They possess a complete knowledge of the last settlement records and a great deal of local knowledge. The work done by Baistabunand Mahapatra and Hari Misir deserves special recognition. The former supervised copying and classification of some 2,000 records, and the latter did exceptionally good work in several assessment camps.

405. The employment of ***Patwaris*** appears to have been even less successful than that of the ***Kanungos***.

Patwaris.

In June 1891 Mr. Reily wrote :—

"The *Patwaris* I have seen at work are only turning out three to three and a half acres a day that is, about 100 acres a month. It is true that we are getting the *Patwaris'* services free, but we are paying the chainmen, and if the *Patwari* only turns out 100 acres a month, the chainmen are costing us an additional Rs. 12-8-0 for every 100 acres. It follows that every 100 acres surveyed by a *Patwari* is costing the state Rs. 12-8-0. A paid *amin*, however, can do 10 acres a day or 300 acres a month, and for this he is paid Rs. 3 per 100 acres. To the Rs. 3 per 100 acres will have to be added the Rs. 3-12-0 for chainman per 100 acres. Therefore the paid *amin* who can do 10 acres a day though he is paid Rs. 3 per 100 acres, costs the State only Rs. 6-12-0 per 100 acres, while the 100 acres done by unpaid *Patwari* is costing the State Rs. 12-8-0 per 100 acres. It would seem therefore to be far cheaper to employ paid labour than utilise the incompetent free labour of the *Patwaris*."

Their work does not appear to have improved much as time went on, for in the annual report for 1891-92 Mr. Walsh wrote :—

"The reports given by circle officers regarding their work are very unsatisfactory. On account of the difficulty of obtaining control over them or enforcing orders to procure their attendance the *Patwaris* have been of comparatively little assistance in either Puri of Cuttack."

Meanwhile in Balasore the ***patwaris*** proved even more intractable. In spite of the establishment of Survey Schools at Bhadrak and Balasore, they would not attend, and up to the end of August 1893 only six out of 56 were reported to be duly qualified in survey.

Only two were employed in the ***kanapuri*** in 1892-93, while five put in an appearance for a few days in the recess of 1893 : 16 were employed on attestation, but appear to have attended very badly.

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The attempt to use the *Patwaris* was indeed an utter failure and was quietly dropped. They were too well off and had too long enjoyed a practical independence to willingly accept the hard work and rigid routine of an *amin's* life, and Government wisely abandoned the attempt to exact its quota of service and contented itself with making the *patwari* pay rent for his land as will be described hereafter.

Utilisation of *Chaukidars*.

406. The services of the village watchmen or *Chaukidars* were requisitioned for the purpose of summoning tenants and dragging chains, &c. They received no pay while in their own villages, but if taken outside them were given a subsistence allowance.

Difficulties cropped up at the very outset. In May 1891 Babu Chakulal Sirkar, the *khanapuri* officer of Tangi Circle reported that most of the *Chaukidars'* beats extended over more than one village and that they were expected to attend at one and the same time on more than one *amin*; that the local police had persuaded the *Chaukidars* that they were not bound to obey the orders of the Settlement Officers, and that the *amins* themselves were disinclined to use the *Chaukidars* as chainmen, lest by so doing they should be debarred from making their expected profit, while the *tindals* objected to pulling chains with men of such low caste.

Again in June, 1891, Mr. Reily wrote :—

"The services of these *Chaukidars* have been utilised on the strength of orders, or rather a wish expressed by His Honour at the conference held at Cuttack in January last. I think it would be well if His Honour would express in writing his desire that the services of *Chaukidars* should be used in survey work. There is no doubt that very great difficulties are placed in my way. The police are very much opposed to it, and it is but natural that they should be, as they are deprived of the services of *Chaukidars*. The Survey Department are opposed to it. The *amins* dislike it, as these *Chaukidars* are mostly low caste men, whom these *amins* pretend they cannot touch. The *Chaukidars* themselves are opposed do it."

In August 1891 a circular letter was issued by the Deputy Inspector-General of Police desiring the District Superintendents to issue positive orders to all their subordinates that the *Chaukidars* should serve as chainmen or render any other assistance in the survey work when called upon by the Settlement Officer.

At this time *Chaukidars* were made to serve outside their villages, though never at a distance of more than three miles; but in 1893 orders were passed by the Magistrate of Cuttack that they were on no account to be employed outside their own villages.

In spite of this restriction and the positive orders issued from hadquarters the difficulties appear to have subsisted to the last, for in May, 1893 Mr. Maude wrote to the Magistrate of Balasore complaining that "the Police of that district refuse to assist when required in the serving of processes or warrants."

Khanapuri being over, comparatively little assitance was required from the *Chaukidars*, and in the stages of attestation and settlement of fair rents they have usually done willingly enough the little that was expected of them in the way of summoning tenants, or helping to re-measure with the padika—one of their customary duties.

Besides these three classes of *kanungos*, *Patwaris* and *Chaukidars*, it appaars to have been thought that the village headmen (*muqaddams*) and the *sarbarahkars* could be compelled to assist in the survey, and they were called upon to qualify themselves in the training schools; but when it was found that they possessed quasi-proprietary rights the proposal was abandoned.

Identification of last Settlement fields.

407. The form of *khasra* first in use contained a column for the old *bhauria* number, *i.e.*, for the number assigned to the plot in the *bhauria* or field book prepared in the last settlement. It was not however an easy task to identify the present survey with the last settlement fields. The *amins* had not got the old *bhaurias* and were dependent on the zamindars and tenants for their information and the latter very often did not know the numbers. Even if a copy of the *bhauria* was produced the process of relaying it was tidious and difficult, all measurements having to be referred back to some landmark that could be identified even after 50 years. The result was that in August 1891 there complaints from Assistant Settlement Officers that the old numbers had not been entered and that the attempts made to write up numbers in the survey office had not been successful.

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It was decided that the numbers should be entered at attestation by the settlement *muharrirs*, but, during his visit to Orissa in February 1892, the Director ruled that the identification of the last settlement survey number was unnecessary, and in 1892-93 the column for old *bhauria* number was omitted from the *khasra*. Had it been possible to get an accurate record of the *bhauria* numbers they would certainly have been of the greatest use in the identification of revenue-free and privileged lands, but the expense of the identification would have been absolutely prohibitive. The *bhauria* has been used a good deal in the settlement of boundary disputes and other claims, the expense being paid by the disputants, and in a few villages almost the whole of the *khanapuri* has been revised after the identification of the last settlement fields.

One very large village in Cuttack, Nagpur, containing about 7,000 fields, was attested in this way at a cost of Rs. 140 paid by the proprietors, and all parties appear to have been thoroughly satisfied.

Treatment of disputed entries.

408. The general principle followed has been to give the *amin* no power whatever of deciding disputes, it being certain that most of them would use such power to extort gratifications from the villagers.

At first the *amins* were required to leave blank every disputed entry, entering the substance of the dispute on the dispute list for the orders of the revenue officer and encircling the blank space with a red line.

It was however found to be impossible for a revenue officer to deal with all disputes while the *khanapuri* was going on, and in the season of 1892-93 the rule was for the *amin* to make the entry that appeared to him correct, encircling it with a red line and recording the substance of the dispute in the dispute list. This was again modified in the case of entries in column 7 of the *khasra*—name of raiyats and under-raiyats—the entry being left blank by the *amin* and subsequently made in accordance with the orders of the inspector. This is the procedure laid down in the final edition of the rules.*

The *Khanapuri* officer when visiting a village was expected to decide all pending disputes, to check and revise the inspector's orders, and in addition to this to examine the records and check a few entries. With 100 to 500 *amins* or more in the field it was obviously impossible for him to cope properly with the work, and except in Balasore when there was a very strong staff who enjoyed the benefits of the experience gained in Puri and Cuttack, the decisions were at best extremely summary and formed little more than a basis for the drafting of the record.

Boundary Disputes.

409. The determination of village boundaries is governed by Rule 4, Chapter VI of the Rules under the Bengal Tenancy Act, which runs as follows :—

"*4. (a) In the demarcation of village boundaries care shall be taken to preserve, as far as possible, for the unit of survey and record, the area contained within the exterior boundaries of the village maps of the revenue survey.*

(b) Where there is no dispute the boundary of the village according to possession should be followed, and where that boundary does not differ substantialy from the boundary of the revenue survey, the latter need not be separately shown in the map.

(c) Where there is considerable difference between the boundary according to the revenue survey map and the existing boundary of the village as a certained by the Revenue Officer, the latter should be followed for the purposes of map and record, but the boundary of the revenue survey map should also be marked on the new village map.

(d) Where there is a dispute as to village boundaries, the Revenue Officer shall decide the disputes under the Bengal Survey Act V. (B. C.) of 1875".

The rules drawn up by Mr. Reily for the guidance of *khanapuri* officers in 1891-92 provided that the Survey Department should send to the circle officer lists of all boundary disputes with disputes traces.

That the circle officer should arrange these disputes in local groups, complete the traces, and depute a *kanungo* to the spot to enquire and settle the dispute if possible.

That in all cases where the area in dispute was over 50 acres, or where the *kanungo* failed to arrive at a settlement, the circle officer should himself proceed to the spot and decide the case after local enquiry and record of evidence.

*See Appendix B, II, Rule 52, etc.

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A good deal was however left to the discretion of the circle officer and the procedure varied considerably.

If at the *khanapuri* stage no decision had been arrived at, a separate set of numbers were given to the fields in dispute and a separate *khasra* and *khatian* prepared ; the records of the villages being completed after their return from the Settlement office to the survey camp.

It was held by Mr. Maude that no boundary disputes could be instituted after the close of the *khanapuri* and that claims put in at the time of attestation should be dealt with as ordinary objections.

His orders were generally interpreted by Assistant Settlement Officers to mean that the exterior boundary of a village could not be altered save by an order under the Survey Act V of 1875, and the correction of the records at the time of attestation was generally made by creation of new *tahsilalahidas*. It has, however, been subsequently held that an Assistant Settlement Officer framing a record under the Bengal Tenancy Act has power at any stage of the operations to enquire into disputes as to the village within which any lands are situated and in cases tried formally under section 105 and section 106 a good many external boundaries have been changed.

Besides the ordinary disputes between villages in the Moghulbandi, it has been necessary to decide a good many between the temporarily settled and the permanently-settled area, and some between the Moghulbandi and the Tributary States. In the early correspondence it was laid down by the Board of Revenue,* that the Survey and Settlement officers could survey the entire boundary, reporting disputes with Tributary Mahals to the Superintendent for decision under Act XX of 1850.

In 1892-93 a procedure was agreed upon whereby in evry case of a dispute with a Tributary Estate an enquiry should be made by an Assistant Settlement Officer in conjunction with an officer deputed by the Superintendent of the Tributary Mahals, and the result of their enquiry reported to the latter officer for a decision. In accordance with these orders reports were submitted by Assistant Settlement Officers as to the boundaries of Nilgiri and Keonjhar in Balasore district, and of Keonjhar, Dhenkanal, and Atgarh in Cuttack, and have been decided by the Superintendent. Generally the revenue survey line has, as far as possible, been followed, but the maps of the wilder portions being on the scale of 1″ = 1 mile only, it has been difficult to relay them with any great degree of accuracy and the parties have generally agreed to a fairly straight line.

The Balasore disputes are by far the most important and unfortunately owing to the omission to give effect to the so-called *monocasa* decisions in the revenue survey maps they had to be re-opened in 1893. These were decisions given by competent authorities, before the final completion of the Revenue Survey proceedings, which modified boundaries as laid down in the Revenue Survey maps.

Act XX of 1850 having in the meantime been repealed by Act XI of 1893 the powers of the Superintendent were such as he holds under clause 10 of the sanad, and the Settlement Officer was vested with powers of a Commissioner under clause 10 for the purpose of deciding their disputes, an Assistant Settlement Officer and the Dewan of Mohurbhanj being appointed as assessors for the purpose of the preliminary enquiry.

The survey village.

410. Up to June, 1891 when the demarcation of 462 square miles had been completed in the Cuttack district the *village* was understood to mean the fiscal unit shown as a village in the papers of the last settlement and was demarcated accordingly. As to the disadvantages of this system I here quote from Mr. Reily's letter No. 27 T. P. of the 29th June, 1891 :—

"Unfortunately, however, the demarcation has been hitherto done in accordance with the boundaries given in the old Settlement papers and not in accordance with the revenue survey records. The truth is that all the registers in the Collector's office, as well as all proceedings taken in connection with sales, *batwaras* or transfer of property, the boundary and area of the property has I believe, always followed the old Settlement papers, and not the revenue survey records. In Bengal the Collector's registers have been based on the revenue

* Board of Government, No. 781 A., dated 3rd October, 1891.

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survey records and the *thakbust* map. In Orissa, however, no *thakbust* survey was ever made, the old Settlement papers taking their place. The revenue survey maps in Orissa were thrown aside as next to useless, and the Collector's registers have been written up in accordance with the old survey papers. It may be said that, seeing that the boundaries as given in the old Settlement papers are familiar to all concerned, it would have been as well to keep to these boundaries, and not those laid down by the revenue survey records. Apart from the fact that a departure of this kind would require the special orders of Government, I am not prepared to recommend this arrangement. To separately demarcate and traverse each detached block detailed in the old settlement papers, would, in my opinion, put Government to much useless expense. Not only would the cost of the demarcation be needlessly increased, but the cost of the traverse survey and stone-embedding would be raised to three or perhaps four times the sum it would cost if we adhered to the revenue survey records.

"If we demarcate each separate village or detached block, in many cases consisting of a few acres, as detailed in the old Settlement papers, we should have to traverse over 16,184 separate villages in Cuttack, and 3,784 in Puri, while if we adhere to the revenue survey records, the number of villages to be traversed would be only 4, 188 in Cuttack and 1,430 in Puri. It will be seen that the amount of traverse work to be done would be reduced by one-fourth and the stone-embedding would also be reduced to one-eighth of the amount that would be necessary if we followed the old Settlement papers."

Meanwhile the practice of the Survey Department varied in different areas. In the Tangi Circle the *tahsilalahidas* found within the exterior ambit of the revenue survey village were treated as so many separate villages, a note being made against the numbers in such *tahsilalahidas* that they were transferred to the village the name of which they bore and details as to area, &c., left blank. In Puri district we find from Mr. Walsh's reports that the practice was to give independent serial numbers to the plots included in the *tahsilalahidas* and to prepare a separate *khasra*, so that each *tahsilalahida* was practically treated as a separate village, but without any necessity for reduplicating numbers.

Some correspondence followed between the Survey and the Settlement Departments and in his letter No. 682, dated the 5th December, 1891, Colonel Sandeman, the Deputy Superintendent of Survey then in charge of the Orissa party, wrote :—

"Let us suppose there are two *mauzas* and in the latter there are two portions of A. The map of B will be numbered throughout and the fields in the portions which belong to A. will find their proper places in the *khasra* of B in which their proprietary (*sic*) and the fact of their being a portion of A will be recorded. When the *khatians* of A and B are prepared, they will be by rights omitted from B and find their places at the end of the *khatian* of A."

With the modification that the separate *khatians* prepared for the *tahsilalahidas* of A continued to be kept with the records of B, this order remained in force until the conclusion of the survey operations, though it was variously interpreted. Generally the traverse took as their unit the existing *"mauza"* as pointed out by the villagers and plotted the village on a 4" scale. Comparison was then made with the old 4" maps of the revenue survey, and whenever any differences appeared they were ordered to be noted for the information of the Settlement Department. Actually very few notes of such discrepancies appear to have been recorded. All *tahsilalahidar* blocks over 50 acres in area were separately traversed, but not plotted separately. In 1893, at the instance of Mr. C. A. Radice, the Survey were asked to demarcate on their maps the boundaries of *estates* as being practically equivalent to *tahsilalahidas*, but the question being considered by the Director during his visit to Orissa in August 1893 he recorded his opinion as follows :—

"Mr. Radice is said to have asked that boundaries of estates should be marked on the maps. But estates are often not compact. I do not think that this should be attempted. It is enough to mark the *tahsilalahida* boundaries on the maps."

Accordingly the attempt to demarcate estates was abandoned, but there were many practical difficulties, and in spite of the repeated orders to reconstruct the revenue survey villages it was often found impossible to do so.

In 1893 a suggestion was made that in the case of large villages the unit of survey should be the hamlet, *"tolah"* or *"sahi"*. But Mr. Maude in his letter No. 1093 of 20th April, 1893 to the Director of Land Records reported that it was too late to effect any change in the existing rules. As a matter of fact the Survey Department had in several cases made into separate villages the hamlets included in one revenue survey village, as in the case of *mauza* Bidyadharpur of Pargana Bakhrabad now surveyed as three separate villages.

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To explain the difficulty of following either the revenue survey or the records of the last settlement it is necessary to give some account of the term "village" as used in Orissa.

From an early time there appears to have been confusion between the terms *"mauza"* meaning village, and *"mahal"* meaning estate. Each pargana originally contained a certain number of *taluks* or estates and each village belonged to one or the other of these *taluqs*.

Then came divisions, sales and other exchanges of lands, so that the proprietor of village A, of estate X, became possessed of lands in village B, belonging to estate Y, and for convenience collected rents from these lands along with those of village A.

In the last settlement these lands were treated as forming part, not of estate X only, but of village A, and in the measurement papers of village B would be described as *"tahsilalahida"* or "separate collection" lying in B, but belonging to A and would be excluded from the area of village B as *dakhilkharij* lands, *i.e.*, lands transferred from B to A. Sometimes the *amins* went further and measured such isolated plots (*"dianchaks"*) as part of the village to which they had been transferred, the land finding its place in the field book of A and being entirely omitted from that of B. In this case the settlement papers would not show the existence of the isolated plot in village B. Though it would appear in the revenue survey map. The same thing might happen within one estate also if the landlord's agent or the tenure-holder who collected the rents of village A also collected those of certain lands in village B. Again portions of villages might be alienated by sale or gift or become separate estates though not with the dignity of a *taluk*. The area of these lands would be excluded from that of the villages of the *taluq* and each such portion would be a *tahsilalahida*, or a *"dianchak"*. Often the Settlement Department lumped together a number of such portions and created of them one village, but this was by no means always the case.

This is a general account of the origion of the revenue villages of Orissa, but the nomenclature was by no means always consistent and what appears to have been practically done was to follow the zamindars' papers with all their inconvenience and inconsistencies.

In the present settlement it was desired really to find the *gram* or village locally known by one name and included within one periphery.

This in most cases is shown in the *rakba jama-kharach* or statement of village areas prepared at the last settlement, in the Collector's *mauzawar* register and in the revenue survey maps. In the area statements however of both the last settlement and the revenue survey the unit for which details were given was the revenue village and sometimes the local village or *gram* was not even mapped. In such cases the present survey followed the boundaries as pointed out by the villagers.

To illustrate the confusion that was possible I have given in Appendix D extracts from the records of village Ahyas, the most complicated that I have met with. At the revenue survey the lands of 32 villages were mapped on one sheet. Appendix D reproduces the revenue survey area statement for a single one of these component villages. Appendix D 3 shows the same village as given in the Collector's *mauzawar* registers while Appendix D 4 is an abstract of what is known as a *tahsilalahida* statement or comparative table of past and present areas of whole villages such as has now been prepared for every village in the Province. It will be seen that on the present survey sheets have been mapped the lands of 52 original villages *mauzas* now owing to division of estates shown as 111, and 40 *tahsilalahidas*. In the C register 296 *tahsilalahidas* are shown, but the present records have been simplified by including most of them without any distinction in the villages shown in column 5 to which they appertain. Appendix D 1 shows a *tahsilalahida* statement of a moderate sized village containing, according to the Collector's *mauzawar* register, lands of one *taluk* and a single *tahsilalahida*.

411. The procedure for the writing of *khewats* is governed by Rule 9, Chapter VI. of the rules under the Bengal Tenancy Act which runs :—

Preparation of draft *khewats*.

"(a) The proprietary *khewat* shall show the character and extent of proprietary interests; and when there are large tenure-holders, the character and extent of whose interests may, in the opinion of the Revenue Officer, require it, such interests shall be recorded in a similar form in addition to being recorded in the *khatian*."

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"(*b*) The *khewat* of proprietary interests shall first be drawn up in accordance with the registers maintained by the Collector under the provision of the Land Registration Act VII (B. C.) of 1876. As the record-writing proceeds the proprietary *Khewat* shall be corrected in accordance with the facts of possession."

For this purpose it was necessary to supply the Survey Department with copies or extracts from the Land registration Registers, and it appears that copies were indeed taken in May, 1891 but were mislaid, and the *amins* took the field unprovided with any means of checking the landlord's statements.

No ***khewats*** were prepared in the field in 1891 and the resulting inconvenience is well set forth in a report by Babu Chaku Lal Sifkar, one of the circle officers, which is here quoted :—

" The want of a *Khewat* is causing much inconvenience, for I am often in the dark as to whether the *mauza* under survey is held under a temporary or permanent lease, or whether it forms part of a revenue free estate".

" I am therefore working entirely in the dark as to the interests of the landlords and many subordinate tenure-holders in the tract under my jurisdiction. I have to trust entirely to such information as I can gather from the landlord's agents and others in the mufasal".

In order to remove these difficulties, rules for the preparation of ***khewats*** were drawn up by Mr. Reily for the season of 1891-92, but the scheme broke down and the ***khewats*** were either prepared in recess by the Survey Department without the aid of the Settlement Officers, when they were generally little more than copies of the Collector's registers, or they were written in the field at ***khanapuri*** or preliminary attestation, and were a record of ***mauzawar*** possession without reference to the names of the persons recognised by the Collector as proprietors of the estate. The difficulties met with are set forth in the following extract from a letter, No. 678, dated 18th November, 1892, from the Deputy Superintendent of Survey to the Settlement Officer :—

"The preparation of draft *khewats* is not ordinarily a duty of the Survey Department, and hitherto we have always been supplied with draft *khewats* before commencing *khanapuri*. Last season, however, owing to the failure of the Settlement Department in supplying these draft *khewats*, it was decided in April that the draft *khewats* should be prepared by the Survey Department for the remainder of the season. We were then (*i. e.*, during last week of April) supplied with blank forms of *khewat* Part II, and form 19 (*khewat* Part IV Tenure-holders), but no instructions as to their filling up, although asked for, were given. These forms were issued to the *khanapuri amins* who prepared, the *khewats* in the field. Copies of the Collectorate registers were not supplied till late and comparison had therefore to be made after the field season had closed.

"Draft *khewats* Part I were supplied by the Settlement Department, but as these were made out *mahalwar* they were useless to us in that form and had to be made out *mauzawar*. This was done in the case of such *mauzas* as we could identify on the *mujmilli* map, but the *kharij-dakhil* portions could not be traced. The *mauzas* we could identify were sent out into the field and the *kharij-dakhil* portions are now being sent to the Assistant Settlement Officers to file with the *mauzas* to which they belong.

"The forms of *khewat* Part III were not received till after the close of the field season."

In the next season, 1892-93, draft ***khewats*** were prepared by the Settlement Department from the Collector's general registers of revenue-paying and revenue-free land and were supposed to be attested at the time of ***khanapuri***. ***khewats*** so prepared were however but little better than rough drafts, and in 1893 elaborate rules for the attestation of ***khewats*** were drawn up by Mr. Radice and approved by Mr. Maude, and with some modifications were eventually incorporated in the attestation rules printed in Appendix B.

The principle of the rules was that for each revenue-paying estate a ***khewat*** should be prepared based on the entries in the Collector's land registration register A, as corrected by the mutation register D. That no mutations or corrections in the names or shares recorded in the Collectorate should be allowed save under the orders of the Assistant Settlement Officer, and that all such mutations should be reported to the Collector to enable him to take action under Act (VII B. C.) of 1876.

From this ***mahalwar khewat*** was to be extracted the ***mauzawar*** or village ***khewat***.

There was a good deal of discussion as to the proper method of dealing with cases where, owing to some private and unregistered arrangement, the proprietorship of the village differed from that of the whole estate, and as far back as 1893 it was decided that as all the registered proprietors had under the Land

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Registration and Tenancy acts the right to sue for and recover rents, even in the villages in the sole possession of a single co-sharer, they must all be recorded; but that where the interests of the proprietors in a particular village were clearly proved to differ from that in the estate as a whole, a note should be made of the fact in the remarks column of the *khewat*.

Unfortunately these orders came rather late and were not always understood, so that many of the *khewats* were records of ownership in the village only, while in every circle the *mahlwar khewats* were left sadly incomplete.

Strenuous efforts were made at the time of settlement of rents to complete and correct all the *khewats*, but it was found very difficult to procure the attendance of all the zamindars, and when it came to taking *kabuliyats* for the payment of revenue so many mistakes were found that in December, 1897 after a conference with the Director of Land Records it was decided :—

That the *khewats* framed at attestation should not be finally published.

That at the time of taking *kabuliyats* the *mahalwar khewats* should be finally corrected and the notes as to differences of possession in particular villages verified by the *kabuliyat* officer.

That from these *mahalwar khewats* fresh village *khewats* should be prepared and after final publication in the village bound into the volume of the record of rights. It is hoped that by this means a maximum degree of accuracy may have been attained while still complying with the provisions of the law as to final publication.

There have been many forms of *khewat* in use at different times, but under the last rule they will all, except in parts of the Puri District, be in a form which differs chiefly from that given in Appendix G of the Survey and Settlement Manual of 1895 in that area is divided into "Assessed", "Unassessed" and not into "Cultivated," "Uncultivated," and that the *mufassal* assets of the village and not the *sadar jama* of the estate are shown.

Besides this *khewat* of revenue-paying estates, *khewat* Part I, three other *khewats* are prescribed by the Survey and Settlement Manual and were prepared in the early years of the operations.

Khewat Part II, is a *khewat* of revenue-free estates and under the instructions originally issued by Mr. Reily should have been prepared from the Collector's Land Register B, and corrected at the time of *khanapuri*. This, however, was not done, and in the attestation camps this *khewat* was generally discarded in favour of a comparative statement of revenue-free lands. It continued however to be copied from these statements until the visit of H. H. Sir Charles Elliott to Orissa in March, 1894, when, under his orders, it was discontinued. Full particulars regarding revenue-free lands are entered in the final records and have been finally published.

Khewat Part III corresponds to the Land Registration Register B, Part II, of lands occupied for public purposes. It was supposed to be prepared at the time of attestation and Assistant Settlement Officers were enjoined to take particular care in verifying the contents. It was not a convenient form and its preparation appears to have been abandoned in 1894, and the form is now rarely to be found in any record and has not been included in the record of rights. Full particulars regarding the lands occupied for public purposes are however entered in the final records, and registers prepared for each department have been made over to the Collectors and to the Departments concerned.

The tenure-holders' *khewat* was originally prepared in form No. 19 of the Survey and Settlement Manual of 1888 for all *muqaddams* and other proprietary tenure-holders. It was not however decided until 1898 who were to be considered as proprietary tenure-holders and the form was by no means always filled up even in villages where there were *muqadams* or sarbarhkars. In 1896 a form was devised for Orissa and was prepared for a good many villages at the stage of settlement of rents, but this in turn gave way to the form which was prepared at the time of settling revenue, revised when taking *kabuliyats*, and after final publication bound up with the *khatians* in the volume of record of rights.

Outturn and cost of survey and record writing.

412. The following figures taken from the returns of the Survey Department will show the annual progress and cost of survey and of the *khanapuri* or preliminary

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writing of the record. They do not therefore show the cost of supervision by the officers of the Settlement Department, which was heavier in the later years owing to the greater number of Assistant Settlement Officers employed, but it is practically impossible to separate the charges on this account from those for attestation to which the whole amount is therefore debited*:—

413. The following is a statement by districts showing the progress of the major operations from the beginning :—

DISTRICT.	Survey year.	AREA COMPLETED IN SQUARE MILES. Traverse Survey.	Cadastral Survey.	Record-writing.	Topographical Survey with village boundaries.
Puri ...	1889-90	413	358	358	...
	1890-91	481	364	364	...
	1891-92	135	307	307	...
	1892-93	...	...	...	...
	1893-94	...	105†	105	...
	1894-95	123	...	...	162
Cuttack ...	1890-91	501	331	279	...
	1891-92	1,286	1,453§	1,164	...
	1892-93	...	485	826	...
	1893-94	15	...	...	...
	1894-95	646	5	5	661
Balasore ...	1891-92	588	...	...	...
	1892-93	1,145	1,084	1,069	...
	1893-94	...	649	664	
	1894-95	190	½	½	190
Total ...	.....	5,523	5,141½	5,141½	1,013

414. The amounts expended from 1889 to 1895 are as follows :—

		TOTAL SUMS EXPENDED. Traverse Survey including demarcation and stone-embedding.	Cadastral Survey including maps and areas.	Record-writing.	Other heads including Topographical Survey with boundaries.	TOTAL.
		Rs.	Rs.	Rs.	Rs.	Rs.
Puri ...	1890-91 ...	19,687	47,132	10,413	1,850	79,082
	1891-92 ...	9,758	33,696	9,453	13,529	66,436
	1892-93 ...	...	4,998	3,454	776	9,228
	1893-94 ...	...	3,032	3,261	...	6,293
	1894-95 ...	3,962	336	510	4,708	9,546
	Total ...	33,407	89,224	27,091	20,863	1,70,585
Cuttack ...	1890-91 ...	22,388	34,682	9,399	3,548	70,017
	1891-92 ...	47,880	1,10,666	39,980	15,286	2,13,812
	1892-93 ...	3,794	59,427	76,567	1,371	1,41,159
	1893-94 ...	798	...	32,568	374	33,740
	1894-95 ...	13,953	6,277	814	6,219	27,263
	Total ...	88,813	2,11,052	1,59,328	26,798	4,85,991
Balasore ...	1891-92 ...	17,740	...	...	...	17,740
	1892-93 ...	49,601	79,992	33,723	47	1,63,363
	1893-94 ...	842	50,527	45,096	...	96,465
	1894-95 ...	3,823	9,991	3,920	1,767	19,501
	Total ...	72,006	1,40,510	82,739	1,814	2,97,069
GRAND TOTAL ...		1,94,226	4,40,786	2,69,158	49,475	9,53,645

N. B.—In paragraph 622 the cost is returned at Rs. 9,43,091, but some of the cost in column 5 above was incurred in permanently-settled areas.

† Revision.

‡ 13 square miles of overlaps on Madras excluded.

§ Of this 364 is revision.

* See however Chapter XXV.

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Cost per square mile.

415. The following table shows the cost rates per square mile in the three Districts. P. stands for Puri; C. for Cuttack; and B. for Balasore.

		COST RATES PER SQUARE MILE.			
		For Traverse Survey.	For Cadastral Survey.	For Record-writing.	REMARKS.
1890-91	P. ...	40·9	68·5	28·4	
	C. ...	42.7	76·6	29·3	
	B. ...	Nil	...	...	
1891-92	P. ...	58·4	109·8	30·7	
	C. ...	38·2	88·8 33·9 (*a*)	36·7 31·0 (*a*)	(*a*) Revision survey of 1878-79.
	B. ...	24.2	...	...	
1892-93	P. ...	...	11·5 43·4 (*c*)	... ...	
	C. ...	...	65·7 56·0 (*a*)	46·1 38·5 (*b*)	(*b*) Arrears.
	B. ...	47.1	68·8	34.6	
1893-94	P. ...	...	...	27·0 (*c*)	(*c*) Temple lands.
	C. ...	53·2	...	29·0 (*d*)	(*d*) The rate of revision survey.
	B. ...	...	75·2	70.0	
1894-95	P. ...	32·2 (*e*)	...	...	(*e*) Traverse Survey 2″ Scale.
	C. ...	21·6 (*e*)	...	...	
	B. ...	20·1 (*e*)	...	...	

The total cost of the survey and record-writing varied from Rs. 137 per square mile in Puri in 1890-91 to Rs. 199 per square mile in Puri in 1891-92.

The high rate for cadastral survey in 1891-92 may be accounted for by the difficulty of getting any decent work out of the local *patwaris* and *amins*, and that of traverse partly by the difficult nature of the country.

Comparison with other surveys.

416. Taking the years 1891-95 the mean annual cost rates in Bihar work out to—

	PER SQUARE MILE
Traverse, &c.	33
Cadastral Survey	67
Record-writing	68
Total ...	168

For Orissa the average expenditure on these operations in the 5 years of 1890-95, during which the survey was in full swing, came to—

	Rs.
Traverse, &c.	38
Cadastral Survey	93
Record-writing	56
Total	187*

The greater cost in Orissa may be said to be due almost entirely to the difference in the cadastral survey; and this may be accounted for by the acknowledged inferiority of the Uriya *amin*.

* In the purely temporarily-settled areas the cost works out to Rs 181 per square mile, see end of paragraph 623.

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CHAPTER XVII

ATTESTATION.

Introduction.

417. After the *khanapuri* or "filling up of the forms" the draft record had to undergo the process known as "attestation," or verification by a revenue Officer. Where the *khanapuri* has been good this would naturally be the simplest of all the stages of a Settlement under the Bengal Tenancy Act. The revenue officer would have before him a complete record of the holdings in the village and a statement of the rents claimed by the landlords if not by the tenants. It would only remain to read out to the tenants their *khatians*, to settle any disputes left over from *khanapuri* and to enter the rent and status. Indeed, in theory, the process should be one of almost mechanical monotony; but in Orissa the *khanapuri* of two-thirds of the Province was done while the rules as to forms and procedure were still in a state of flux.

The survey with their huge camps had far outstripped the revenue officers, and records, framed, under different sets of rules, by *amins* whose natural perversity had been imperfectly checked, were found to be full of mistakes.

Tenants, ignorant and apathetic, neither understood nor cared to understand our system of measurement, and could with difficulty be persuaded to take the trouble to attend the *amin* in order to point out their own fields. Landlords were, as a rule, little better; many did not take the trouble to file correct papers; others, while understanding the value of the settlement record, deliberately altered their rent-rolls in the way they thought most advantageous to themselves. With such a record, of which the only reliable portion was the map and the field area statement, attestation, far from being simple, became the most important and difficult process of the whole Settlement.

Attestation in 1890-91.

418. Attestation began first in the Circle of Rahang, Serai, and Chaubiskud under rules framed by the first Settlement Officer, Mr. A. K. Ray, working under Act VIII (B. C.) of 1879 and the Settlement Regulations.

The main features of the system were—

(*a*) The despatch to each village of a *muharrir* to do the preliminary attestation of the record before the visit of the Assistant Settlement Officer.

(*b*) The visit of the Assistant Settlement Officer to the village and the reading out of the *khatians*, in his presence, to the landlords and tenants.

The main defects of his system are summed up by Mr. Walsh as being—

(1) The insufficient number of attestation *muharrirs* employed at a time.
(2) The delivery to one *muharrir* of the records of several villages.
(3) The absence of a proper inspecting staff.
(4) The omission to distribute "*parcha* slips."
(5) The incompleteness of the instructions to attestation *muharrirs*.
(6) The incompleteness of the forms handed over to the *muharrir* to be filled up in the village.
(7) The omission to take on the *khatians* the signature of the parties.

Mr. Reily's rules.

419. After the appointment of Mr. Reily as Settlement Officer, detailed rules for attestation under the Tenancy Act were drawn up and submitted to the Director and Commissioner, and in July, 1891 we find the following description of the procedure :—

"They (the Assistant Settlement Officers) test the *khanapuri* as it is being done by the Survey Department. Afterwards, when the records of villages are received from the Survey Department, the following procedure is adopted :

"Notice is given in the village that attestation work will be begun on a date not less than ten days from the date of notice. An attestation *muharrir* is then sent to the village, who reads out to the raiyats and zamindars, or their representatives, all the entries in the *khasra* and *khatians* as made by the Survey Officers. When these entries are disputed, the *muharrir* makes out a list of such disputes ; and if the dispute is due to a manifest error which

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is admitted by both parties he notes the fact in the dispute list. When he has completed the attestation in this way, the *muharrir* reports to the Assistant Settlement Officer, who then gives the dispute list to the *kanungo* and deputes him to the village with instructions to arrange the disputes if he can.

"The *kanungo* returns the lists showing what he has done towards arranging the disputes. The Assistant Settlement Officer next goes himself to the village. He assembles the raiyats and zamindars or their agents and reads over the entries which are not disputed, then takes up those which have been disputed but arranged by the attestation *muharrir* and *kanungos*, and finally enquires into points still in dispute and comes to a summary finding upon them. He then, in or near the village, enters in the *khatians* the status of the tenants ascertained by himself, and the total amount of each tenant's rent, and he records the rate of rent as stated by the parties where there is a rate."

Mr. Sen, then Assistant Settlement Officer of the Tangi Circle, reported that the ***khanapuri*** was so incorrect that he found it necessary for the attestation ***muharrir*** to go over every field again with the ***khasra*** and also to distribute fresh ***parchas,*** and Mr. Walsh in the Serai, Rahang, and Chaubiskud Circles made a similar check.

Attestation in 1891-92.

420. During the season of 1891-92 the several circle officers drew up detailed instructions based generally on Mr. Finucane's note, but greatly differentiated to meet local necessities. The most complete of these appear to be the rules in force in Mr. Baroda Charan Mitra's circle, which were approved by Mr. Reily and printed by the Director in October, 1892. They are typical of the procedure in those circles in which the ***khanapuri*** had been completed before the year of 1892 the salient features of the system being—

(1) Every circle was divided up into a number of groups of villages each in the charge of a ***munsarim.***

(2) Under each ***munsarim*** were employed a number of attestation ***muharrirs,*** as a rule one for every ordinary village and two more for larger villages.

(3) The attestation ***muharrir,*** was before beginning his work, provided with that—

(*a*) The ***khasra, khatian*** and map.

(*b*) ***Parchas*** in duplicate already filled up by ***thika muharrirs*** in this office.

(*c*) ***Lakhiraj, tanki minha,*** etc., statements for which the columns regarding the last Settlement had been previously filled in from the old records by ***thika muharrirs.***

(4) The attestation ***muharrir*** on arriving in the village distributed the ***parchas*** to the tenureholders and raiyats.

(5) He then attested the record by reading over and explaining ***khatians*** in the village, filling up at the same time the columns of rent and rights. Where necessary he visited the field with the parties after his day's work in the village.

(6) All mistakes were entered by him in the ***badar fard,*** or mistake list.

(7) If there were no disputes, the attestation was completed by taking the signatures of the parties to the ***badar*** corrections and ***parchas,*** and in most circles by correcting the ***khatian.***

(8) Disputes were entered in the ***badar fard.*** If amicably decided with the assistance of the attestation ***muharrir,*** the parties and he himself signed the ***badar*** and the ***parchas.*** If not so decided, the signature columns of the ***badar*** remained blank and the ***parchas*** were left unsigned.

(9) The ***munserim*** inspected the work of the attestation ***muharrir*** and endeavoured to bring about an amicable settlement of those disputes the attestation ***muharrirs*** could not deal with. He treated the disputes in the same manner as the ***muharrir.***

(10) At the time of preliminary attestation the ***muharrir*** filled up the blank columns of the ***lakhiraj,*** etc., statements.

(11) He also attested the ***khewat,*** entering the disputes in the ***badar fard.***

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(12) When the preliminary attestation of a group of villages was completed the final attestation was performed by the Assistant Settlement Officer at a convenient centre. He employed, where possible, as his ***muharrirs*** the men who had performed the preliminary attestation ; this was understood to form part of their duties. When this was impossible, each Assistant Settlement Officer made his own arrangement for appointing men and dividing the 12 annas per hundred numbers, which was the rate sanctioned for each village.

(13) The ***khatians*** were read over to the raiyats whose signatures are taken on the bottom of the page. The ***khatian*** was also signed by the landlords and tenure-holders.

(14) The Assistant Settlement Officer decided summarily disputes still outstanding and examined and initialled each page of the ***khatian***. The ***khatians*** were corrected according to his decision.

(15) He examined and initialled the entries of the ***lakhiraj***, etc., statements.

(16) He finally attested the ***khewat***.

(17) In most circles ***adhai-jama-fards*** (statements of collections) were prepared in some at the time of preliminary and in others at the time of final attestation.

Defects of the rules of 1892.

421. The main defects of the system appear to have been :—

(*a*) The isolation of ***muharrirs*** in villages where no effective supervision was possible.

(*b*) The absence of a gazetted officer before whom objections could at any time be preferred.

(*c*) The payment of ***muharrirs*** at contract rates.

Mr. Mitra was of opinion that with the procedure described, he could efficiently attest 3,000 fields in a day or ⅓rds of a lakh in a month. Subsequent experience has shown such an outturn to be absolutely incompatible with good work, even with all the records already written in the correct form, which was not always the case in the early attestation, and in a subsequent paragraph* will be found an account of the disastrous results of thus forcing the pace.

System of Attestation of 1892-93.

422. In the ***khanapuri*** of 1892 an attempt had been made, notably in the Gope Circle, to do away with the stage of preliminary attestation. The ***khanapuri*** officer visited the village from time to time while ***khanapuri*** was proceeding, disposed of all disputes, and entered rents and status.

As soon as the ***khasra*** was complete, and while the Survey officers were still on the ground, the Assistant Settlement Officer visited the village, asked each raiyat his rental and status and took his signature to the ***khatian***. This was the final attestation, and we find records finally attested in this manner before the areas had been entered in the ***khatian*** or before the ***Parchas*** had been distributed, and even in one or two instances in the absence of a map.

This was clearly not a success, and in September, 1892, the Settlement Officers proposed that the Survey Department should prepare only a map and an area statement leaving the ***khanapuri*** to the Settlement Department. This proposal was considered impracticable and a compromise was effected by which the ***khanapuri*** was to be done under the joint supervision of the two departments, the Survey being responsible for the map and the Settlement for the other records.

Khanapuri being complete, the records were atonce sent to the Survey office where areas were extracted and entered.

The records were then returned with a trace of the map to the circle officer, who grouped the villages together and issued a proclamation calling upon all concerned to attend before him at convenient centres distant not more than three miles from any village of the group.

* Paragraph 435.

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As such centre the *parchas* were explained to the tenants and the areas entered in them, if this had not been already done by the camp office. The signatures of landlords and tenants having been secured and all objections disposed of, the Assistant Settlement Officer attested the rent and status which had been already entered at *khanapuri*. The records were then returned to the Survey Department for correction of the trace according to the orders on the dispute list and for the compilation of statistics.

Attestation of 1893-96.

423. The rules were still very incomplete and nearly all details were left to the circle officers, who drew up long and elaborate instructions which were submitted to the Settlement Officer for his approval. From these Mr. Maude compiled very complete instructions for the season of 1893-94.

The salient features of the system then adopted were :—

(*a*) The periodical inspection of the records by the revenue officer while *khanapuri* was in progress.

(*b*) The examination of the records for the detection of serious errors before they were taken over from the Survey camp.

(*c*) The preliminary attestation of the records by a *muharrir* in the circle officer's camp.

(*d*) The comparison of present entries with the figures in the records of the last settlement.

(*e*) The disposal of all disputes and the correction of the record before final attestation.

(*f*) The reading out before the Assistant Settlement Officer of the—

(1) Name of landlord.
(2) Number of fields.
(3) Number of *kitas*.
(4) Area.
(5) Rental as stated by landlord.
(6) Rental as stated by tenant.

(*g*) The summary decision by the Assistant Settlement Officer of the rent and status of the holding.

(*h*) The return of records to the Survey camp for extraction of statistics and correction of the original map.

Corrections in the rules continued to be made during the whole of the year 1894 chiefly with a view to the economy of labour. The rules were finally revised in 1895, and are printed as Appendix B to this report.

Progress in Attestation.

424. Unfortunately nearly all the attestation of the Province had been completed before the promulgation of these orders.

The following table shows year by year the number of records attested in each of the three districts—

YEAR.		Cuttack.	Puri.	Balasore.
1890-91	....	69	278	Nil.
1891-92	....	1,282	1,613	Nil.
1892-93	....	963	62	511
1893-94	....	564	1	620
1894-95	....	1,356	23	1,800
1895-96	....	670	120	686
Total	....	4,904	2,097	3,607
Total number of records to be attested	....	4,876	2,109	3,607

The figures are only approximately correct, as it has been found impossible to reconcile the returns of different years, which being added together give in Cuttack a total of more villages attested than there are in the district. Figures in Balasore have been adjusted; in Cuttack probably some villages are shown twice, having been twice attested; in Puri a few village records hav been amalgamated.

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Attestation centres.

425. The wording of the former rules framed by Government required the Assistant Settlement Officer to be in or near the village at the time of attestation of the record and settlement of rents, and at first ***muharrirs*** were actually deputed to the villages to do the preliminary attestation; but when this had been accomplished the Assistant Settlement Officer, instead of going to the village himself and reading out the ***Khatians*** on the spot, generally summoned the tenants to his camp for the purpose of finally attesting the record. Both in Orissa and elsewhere it was found that the attempt to do attestation in each and every village led to waste of time and supervising power and in a revenue circular issued by the Board in 1893 it was laid down that the tenants might be made to attend a camp distant not more than three miles from the furthest limit of their village, objections being as far as possible disposed of in the village and on the spot. This necessitated a careful arrangement of circles and a strict adherence to programmes, and it was at one time the practice for the attesting officers to open branch camps two or three miles away from their centre, at which outlying villages were attested. The camps were in charge of a head ***muharrir*** and were visited periodically by the Assistant Settlement Officer for the purpose of disposing of disputes and for final attestation. These camps however led to a waste of time and were difficult to supervise properly, and their opening was accordingly discouraged and eventually forbidden save for very special reasons. The same rule applied to fair rent camps and was generally observed.

Arrangement and division of ***Khasra***.

426. In the ***Khasra*** the arrangement of fields was purely geographical and presented no difficulty once the map of the village had been prepared. At first some doubt was felt as to whether * ***tahsilalahidas*** should be treated as separate villages and alloted separate ***Khasras,*** but it was eventually decided that one ***Khasra*** only should be prepared with a single set of serial numbers running geographically from the north-west to south-east corner.

Arrangement and Division of ***Khatians***.

427. The unit of the ***Khatian*** is the parcel or parcels of land held by as tenant or group of tenants in a village as a single tenancy, and it is therefore necessary to prepare a separate ***Khatian*** for every tenure-holder, raiyat, and under-raiyat in each estate in a village, and for the lands held in direct possession by each separate group of proprietors and tenure-holders; and if a cultivator holds lands in more than one share of a partitioned estate or tenure, a separate ***Khatian*** for his holding in each such share.

This is the rule laid down in the Survey and Settlement Manual and its applicability to Orissa appears to have been recognised from the very beginning of the work; but the principle was not at first carried to its logical conclusion that only the lands of a single tenancy should be entered in any one ***Khatian,*** and that for every separate status separate ***Khatians*** should be prepared.

This appears indeed to have been the intention of Mr. Reily, but while ***Khanapuri amins*** were absolutely forbidden to record status it was impossible for them to excerpt ***Khatians*** by classes. In the ***Khanapuri*** rules of March, 1892, it was laid down that "the slips for tenure and under-tenure holders will be separated by the ***Khanapuri*** officer from raiyats' ***Khatians*** after determination of each tenant's status and will be separately filed." This rule was unworkable, the amount of labour involved being equivalent to the personal ***khanapuri*** by the revenue officer of the village. These rules went, however, still further and directed that if a raiyat held lands under numerous petty landlords in a village, one ***khatian*** for the whole would suffice. This rule accounts for much of the confusion to be found in the records of that period.

In the records prepared in the season of 1890-91, the confusion appears to have been worse; we find from the reports of the Assistant Settlement Officers that revenue-free, resumed, and raiyati lands were not infrequently found in the same ***khatian,*** necessitating the complete re-arrangement of the ***khatians*** and a great deal of re-copying. For example in the Rahang circle the number of ***khatians*** was increased during attestation from 13,035 to 16,079, and in all the circles of Puri, and the Tanghi Circle of Cuttack, the Assistant Settlement Officers thought it desirable to re-copy a very large percentage of the ***khatians.***

* Vide Cap. XVI, Paragraph 410.

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It was not until the visit of the Director in September, 1892 that definite orders were passed as to the arrangement and division of the *khatians*, status by status. The rules then framed have been added to since, but differed but little from those in Rule 68 of Appendix B, Part III. to this report. For the purpose of settlement of rents this arrangement was subsequently modified,* but the principle remains the same, viz., that the arrangement of a volume is first by estates or *tahsilalahidas*, within each estate by separate groups of landlords, within each such group by status, and within each status, and alphabetical arrangement of tenants. In his inspection note of 1894 His Honour Sir Charles Elliot recorded his opinion that too much pains was being taken to separate statuses, and a long correspondence was started which led to a final settlement of the question.

In a note written in December, 1894, Mr. R. Nathan made the following observations on the *khatian* writing and *tirij* writting :—

"There are three possible courses —

"(i) To prepare separate *khatians* for separate classes of interests.

"(ii) To enter different classes of interests in the same *khatian*, but to place together the plots belonging to each separate interest, and to arrange the various tenures in a regular sequence in the *khatian* page.

"(iii) To enter different classes of interests in the same *khatian* taking no heed in the sequence of the plots as to the class of interest to which each plot belongs.

"(3) The third of these systems is the least satisfactory. In addition to the points noted in paragraph 4, the following disadvantages would arise: The *khatian* would present a confused picture both to the raiyat and the attesting officer and clerks. This would entail loss of time both at preliminary and final attestation. To explain the *khatian* to the raiyat it would be necessary to take out the areas included in the different classes of tenure, and make sure that he realised the plots included in each. If from the first there has been a separate *khatian* and *parcha*, this would be unnecessary. As Mr. Maude points out, the want of clearness in the *khatian* would open the way to errors that might otherwise be avoided. It would also be necessary to further confuse the *khatian* by entering different classes of rents. The present *khatian* forms are not arranged for this. The *khatian* would require a further attestation: a status column would have to be substituted for the single status space. Finally, when it came to preparing the *tirij*, more time would, I think, be spent in separating out the interest than would have been necessary had the separation been performed in the first instance.

"(4) With regard to the first two methods, the separate *khatian* system has the following advantages :—

"(i) Greater facility in the preparation of the *tirij*.

"(ii) A valuable use of the *tirij* is an index list. Mr. Maude points out this important aid to attestation would be lost if the *tirij* was not arranged in the same manner as the *khatians*,

"(iii) It would be necessary to avoid the difficulties indicated in paragraph 3 to complete the *khatian* by totalling the area held under each class of tenure. Again a rent and a status column would be required for the entries relating to each class of tenure.

"(iv) It is convenient at final attestation to take up each class of tenure in turn. The same classes of questions and references are apt to arise in considering the different *khatians* regarding one class of interest, and it is convenient to dispose of them before going on to the consideration of another class.

"(5) The special advantage of the second and third methods is the saving of space and reduction in the bulk of the record, which tends to become unwieldy. I do not think that this advantage is sufficient to counterbalance the difficulties noted in paragraph 3 and 4. If the final record is prepared in the form of a *Jamabandi* roll, the saving of space would not be very great."

On this the Director of Land Records expressed a doubt as to the practicability of such a division as Mr. Nathan recommended, especially in respect of *thani* and *pahi* fields, and Mr. Nathan explained that he did not propose to have separate *khatians* for *thani* and *pahi* or *minha* holdings, but that *bazyafti* and similar tenures and the service tenures ought not to be entered on the same *khatian* with raiyati lands.

Mr. Nathan at the conference of 1894 expressed his conviction that the arrangement under which raiyats of *bazyaftidars* and *kamildars* came before raiyats holding under proprietors and permanent tenure-holders was sound, as it was convenient at the time of attestation to take up the raiyats of these persons at the same time that their own *khatians* were attested. At the time of settlement of rents it was however necessary to bring together

* Cap XX. Paragraph 489 and Appendix C.

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first all tenants paying rent directly to the proprietor; secondly, all lands valued for revenue only or unassessed; thirdly, tenants paying to classes 1 and 2, and rents were not included in the assets of the estate. The order of the *khatians* laid down in Rule 68, Cap. IV., App. B, Part III was therefore modified to this extent.*

All the Orissa officers consulted strongly deprecated the proposal to keep *bazyafti, bahali, jagir,* and raiyati lands in one *khatian* form, and the Director expressed his opinion that on this point the unanimous opinion of the Orissa officers should be accepted.

It was agreed in conference at Tangi on the 16th December 1894 that it was necessary to distinguish in the *khatians* and in the *jamabandi* between *thani* and *pahi* lands, and that the word "*thani*" or "*pahi*" should be entered against each plot in the *khatians* so far as information can be obtained; but it was thought unnecessary to have separate *khatians* for *thani* and *pahi* lands.

These rules were adopted and continued in force to the end of work, but it was found by experience that at the time of settlement of fair rents, and still more at the stage of compilation, it was an advantage to have separate *khatians* for *thani* and for *pahi* lands, and at re-attestation every separate class was where possible given a separate set of *khatians.*

Entry of rent and Status.

428. The "entry of rent and status" has been already discussed under the head of *khanapuri.*†

The rules required that both entries should be made or attested by the revenue officer himself, but in practice the entry of status was almost always made either by the *amin* at the time of *khanapuri* or by a *muharrir* in the attestation camp, and was read out to the raiyat in the presence of the Assistant Settlement Officer, who, if no objection was raised, attested the entry with his signature. Similarly in the case of rents the statements of both landlord and tenant were entered by the *amin* or *muharrir,* who if the statements agreed filled up also the column for rent as ascertained by the Assistant Settlement Officer. The entry thus made was read out in the presence of the Assistant Settlement Officer to the assembled tenants and attested. If there was any dispute as to the amount, it was summarily decided by the Assistant Settlement Officer and the entry at once made and attested, no record being kept of the grounds of the finding.

Division of Holdings.

429. Division of a raiyat's holding without the consent of the landlord is invalid alike under Act X. of 1859 and Act VIII of 1885, nor are landlords in Orissa bound by custom to recognise any such partition. In the case of *bazyafti* and *kharida jamabandi* holdings, indeed, to which a *quasi*-proprietary right attaches, the whole or any portion may by custom, be alienated, but even in respect of these lands many zamindars have successfully insisted on the payment of a premium or '*salami.*'

In spite, however, of law and custom it was found that raiyats had very commonly alienated portions of a holding and still more often had made a *de facto* division among themselves, the zamindar's papers continuing to show the original raiyat and his holding only.

Payments for rent were credited as made by so and so on account of the original holding.

Necessarily, when the *amin* was preparing the *khasra* and *khatian* in the village the name first given him was that of the man in possession. The original rules of 1893-94 required that he should compare such name with the lists of tenants supplied by the landlord and make entries according to the following rules:-

"In the case of partitions of holding by mutual consent, which have not been recorded in the *jamabandi* papers, the name of the tenant given in the lists of tenants furnished by the landlord should be entered first, and the names of co-sharers after, as joint tenants, land a remark may be made that partition has not been recorded by the landlord.

"If in any case the tenure or under-tenure is held by more than one person, and such persons have privately divided the lands comprised in the tenure or under-tenure among themselves, and the division is not recorded in the landlord's *sherista,* then in the remarks column against the plot in question should be entered '*dakhal* tenure-holder so and so,' the name to be entered being that of the tenure-holder who is in direct, exclusive possession of the plot in question, and to whom alone the person in possession pays the rent of such land."

* See Rule 28, Appendix C, Part I.

† Cap. XVI, Paragraphs 403 and 404.

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Subsequently these rules were withdrawn and the practice was to enter as raiyat the person found in possession, but the rental was not divided, the former area and the whole rent being entered in the *khatian* representing the original holding, while in the *khatians* of the new holdings formed by the partition a note was made that the rent was *barati*, *i. e.*, included in the rent of th eafore-mentioned holding.

When, however, it became necessary to settle rents the rule was that a rent must be settled for every holding to which a separate *khatian* had been assigned. and thus the imperfect partitions recorded at attestation have in the new settlement been completed. The tenants showed a strong desire to avail themselves of the settlement proceedings to have partitions made of their holdings, but this tendency was discouraged as far as possible by insisting on the consent of the landlord being obtained, and refusing to accept obviously in convenient divisions. Only one zamindar, the proprietor of the large estate of Utikan, made any serious protest against this division of rents and holdings, and he did not long press his objections.

On the whole zamindars were very apathetic in regard to this matter; their objections were not so much to the subdivision of the holdings and apportionment of the rents as to the loss of *salami* or fees payable on mutation and division.

Comparative statements—*Lakhiraj Bahal*, *Jagir*, *Minha*, *Bazyafti* and *Nijjot*.

430. In the records of the last settlement were to be found for every village and every estate not only totals of the area and rent of every class of land and holding, but details of every holding in which there were raiyats having rights superior to those of the ordinary *pahi* raiyat, or tenant-at-will as he then was.

The most important classes were :— (1) *Lakhiraj Bahal*, or confirmed revenue free grants. (2) The *Bazyafti*, or resumed revenue-free grants. (3) The *Jagirs* or service grants. (4) *Minha*, or land, generally homestead held without rent but included in a rent-paying holding. (5) Proprietor's private lands.

For each and every one of these, statements were prepared showing the entries as they stood at the last settlement and the present claimants and areas claimed. The statements were certainly useful as a check, and those of revenue-free and *jagir* lands were almost indispensable to a correct record, but they took up time. In 1894 Sir Charles Elliott recorded his opinion that time was being wasted on their preparation, and accordingly the *bazyafti* statement was discontinued, and the *lakhiraj* statement allowed to take the place of the *khewat* of revenue-free lands.

The other statements, however, continued to be prepared until 1896, when all except that of revenue-free lands were stopped.

This last showed the entry in the *zuidad* or report of the last settlement, the entry in the Collector's general register of revenue-free estates, and the facts found on the ground, and it continued to be attested and corrected till the end of the work. It was required for the resumption by consent of areas in excess of revenue-free grants.

Incidents of Tenures. Entry in *Khatians*.

431. The question of the entries to be made in the *khatian* having been raised at the time of Mr. Finucane's visit to Orissa in February 1892, it was found that the existing form contained many superfluous and useless columns, and the following declaration of the guiding principle was made by the Director :—

"Nothing should be entered on the *khatians* which is not necessary for the raiyats and landlords to have in the extracts of the records to be subsequently made over to them. The *khatian* is the 'record' which has to be published. Every entry in the *khatian* as published may be made the subject of a dispute which may have to be decided as a suit."

Notwithstanding this declaration and the fact that the form of *khatian* was remodelled, it continued to be the practice to record the name of the crop grown, but nearly all the special incidents of particular tenancies were omitted, those entered being generally—

(*a*) Rights of user by the public.

(*b*) Conditions on which service tenures were held.

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In the record as finally revised and published in the seasons of 1896-97 the following entries were made in the remarks column of the *khatian* in addition to that of status:—

(*a*) Right of *thani* and *bazyafti* raiyats, etc., to hold at a fixed rent for the term of settlement.

(*b*) Rights of purchaser of an estate at an auction sale to assess to rent invalid rent free grants.

(*c*) Rights of the public to the free use of grazing and cremation grounds and other reserved lands.

(*d*) The fact that the extra rent for a "special crop" grown in a certain field was only payable so long as that crop was grown.

(*e*) Liability of certain rents for river-side lands to annual variation.

(*f*) Right of fishery in rivers entered in the proprietor's *khatian*.

It was agreed at a conference held by Mr. W. C. Macpherson with the local officers in August 1897 that entries (*a*), (*c*), (*e*) and (*f*) were properly made owing to the revision of the rule, entry (*d*) had already ceased to be necessary, and with the orders to settle rents for all rent-free tenancies which came into force from January 1898, entry (*b*) ceased to be of any use.

In the estate of Madhupur the terms on which certain *Debottar* grants were held were at the instance of the proprietor recorded, but such entries are not usual.

Objections at the time of attestation.

432. Whenever a landlord or tenant objected to any entry in the records, a note was made by the attestation *muharrir* on a list, the *"badar fard"*, showing the name of the objecter and of the other party, if any, the fields in dispute and the nature of the objection, and no correction of the record was made nor was the *khatian* signed until the Assistant Settlement Officer had passed orders on the objection. Obvious mistakes in which both landlord and tenant were agreed as to the correction to be made were, however, at first disposed of by the *muharrir* or *munsarim* and the records corrected, subject only to the confirmation of the Assistant Settlement Officer; and even under the later and more accurate methods of attestation it was customary to enter on a separate list corrections agreed upon by both parties; taking their signature in token of acquiescence. The Assistant Settlement Officer even in such cases generally called up the parties and asked whether they really agreed to the change before signing the order, and might exercise his discretion in declining to allow mutations in cases of suspected collusion.

A good deal of difference of opinion prevailed as to the best form of entry in these disputes lists. Many of the best and most careful attestation officers preferred that the *muharrir* should enter nothing beyond the numbers of the fields and the names of the parties, while on the other hand it has been pointed out that if the substance of the dispute is not recorded it is necessary to write a long order to prevent the risk of mistake. The balance appears to Mr. Webster entirely in favour of an accurate record of the nature of the dispute. It enables the Assistant Settlement Officer to see at once what it is he has to find out, and without it he may have to listen to a long rambling story before he catches the drift of the dispute. It takes up some of the *muharrir's* time, but this is much less valuable than that of the Assistant Settlement Officer, and at the same time it is of great assistance to the *muharrir*, who has to interpret an extremely brief order not always very accurately worded.

It must, however, be added that *muharrirs*, unless the supervision be very strict, exact money by their version of the dispute and waste an enormous amount of time in the mere effort of literary composition and in making fair copies. Moreover an over-worked or unconscientious Assistant Settlement Officer may not make independent inquiries or go behind the *muharrir's* version. On the whole I prefer to have a record only of the *khasra* numbers and the names of the parties to the dispute.

Parties were also entitled to file petitions of objection without affixing any court-fee stamp. These were decided in the same way as the *badars* or objections recorded by the *muharrir*.

Signing of *Khatians*.

433. During preliminary attestation the *muharrir* was required to obtain, if this had not been already done, the signature of both landlord and tenant to every *khatian*, and to

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sign it himself in token of its having been duly read out and explained. The Assistant Settlement Officer at the time of final attestation was further required to initial the entries of rent and status.

This should have provided an ample safe guard against defective or careless attestation, but unfortunately in the early days of attestation many *khatians* were passed by *muharrirs* without the signatures of the parties, and the final attestation was done by stamping with a facsimile seal. This use of seals is a great saving in mechanical labour, and could have done no harm if the Assistant Settlement Officer never allowed the *khatian* to be stamped until every one had been read out and every objection disposed of. I am afraid however that this was not always the case, and the seal often meant very little.

After the rules of 1893-94 were framed, the use of facsimile seals was discontinued in most circles.

The original rule as to the initialling of corrections was that it should be done by the *muharrir* or *munsarim*, the idea being that where there were many corrections the record should then be fair copied. In the rules of 1893-94 the Assistant Settlement Officer was required to himself initial every correction in the *khatian* and *khasra*. The rule was subsequently rescinded as regard the *khasra*, but the Assistant Settlement Officer continued to be responsible for the attestation of all mistakes in the *khatian*. In practice, however, only corrections of rent and status were initialled by the Assistant Settlement Officer, all others being checked and initialled by a head *muharrir*.

Completion of record by Survey Department.

434. After attestation, records were returned to the Survey Department, who entered the totals of the area columns of the *khasra* in a form known as the *milan khasra* or a shorter form known as the *mot khasra* and prepared a statement of cropped areas, they also corrected the original sheet map and its trace, and corrected the *khasra* in accordance with the reports of the *amins* attached to the attestation camp for the formation of new fields or division of old ones.

In 1894 the preparation of statistics after attestation was transferred from the Survey to the Settlement Department, and in 1895, the survey being complete the corrections of traces and *khasras* were made entirely in the Settlement camp.

The re-attestation in Puri and Cuttack.

435. In January 1893 the examination by Mr. Baroda Churn Mitra of a number of records of the Sarai and Chaubiskud, Rahang, Kodhar, and Gop Circles of Puri disclosed so many errors and omissions in the attestation that it was held to be necessary to completely revise the attestation before beginning the settlement of fair rents.

The nature of the errors brought to light was very various, but the following is a list of the most prominent defects of the early work :—

(1) The inclusion in one and the same *khatian* of lands held under different proprietors.

(2) The omission to ascertain the existing rent of a holding.

(3) The omission to give effect to orders on the dispute lists.

(4) The postponement of petitions for future disposal.

(5) The absence of the Assistant Settlement Officer's signature on the records.

(6) The absence of any record of the attestation proceedings.

(7) The confusion of status; revenue-free and revenue-paying lands, paying fixed and variable rents all being entered in one *khatian*.

(8) Failure to demarcate and prepare separate *khatians* for *tahsilalahidas*.

There has been much controversial discussion as to the cause of and responsibility for these defects. It appears to me that the state of the records may chiefly be attributed to the bad *khanapuri*, the inexperience of officers and the praise awarded to large outturns. The *khatian* forms were not suitable. The postponement of correction of records by vernacular-knowing muharrirs according to orders passed in English from the field season to recess was also a great source of error.

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Be this as it may, the result was that practically all the records of the Puri District and so much of Cuttack as had been attested before the middle of 1893 had to be re-attested for revised. The work was begun in both Districts in 1895-96 and half-way through the season special rules were framed to simplify and expedite it; much of the elaborate comparison of last settlement areas and rents that characterised the attestation of 1894-95 being stopped, and simple directions given for the utilisation of the old forms in place of re-copying. How this revision was combined with the settlement of fair rents will be told in a different chapter.* What it cost it is not easy to estimate; roughly, 15 lakhs of plots in Puri and 10 lakhs in Cuttack had to be revised. Revision and fair rent work combined cost about Rs. 1,000 per 10,000 fields, revision alone about Rs. 1,000 for 20,000 fields, or about Rs. 1,25,000 for the revision of 25 lakhs of plots. Some of this work would, however, have had in any case to be done owing to the lapse of time, so we may reduce the estimate for actual revision to one lakh besides what it has cost, owing to the consequent postponement of the realization of the new revenue.

Establishment and Outturn.

436. When attestation first began, the Assistant Settlement Officers were engaged in the twofold work of inspecting the *khanapuri* and supervising attestation, and progress was alarmingly slow.

Mr. Finucane, when he visited the Province in February 1892, found that less than 10,000 plots a month were being attested, and recorded his opinion that 1,000 plots per working day was a more proper outturn.

The Officers engaged on the work do not seem to have understood the conditions under which such an outturn was possible; for we find that in April one officer attested over 39,000 plots, while two officers in another circle attested 47,000 plots in addition to reparing soil maps. In May five officers attested over 207,000 plots or an avarage of 41,000 each.

Next year, under the revised rules here was again a falling off, but in January 1893 the average outturn was over 30,000 plots per officer, and in February one officer showed 4,193 plots as attested in a single day. In 1893-94 the average outturn per officer was only 8,019 plots per month, but in Balasore it was 12,660 plots against only 5,921 in Cuttack. It is difficult to account for this very small outturn, partly it was due to the very inaccurate *khanapuri* an which the officers were working in Cuttack and partly to an almost excessive striving after perfection, *e. g.*, the elaborate comparison of last settlement and present settlement areas, the reconstruction of revenue survey villages, and the initialling of every correction in the record by the Assistant Settlement Officer himself. After the visit of His Honour Sir Charles Elliott, in 1894, all superfluous refinements were done away with, and with more experience and more systematic arrangements of the work, the average outturn for 1894-95 came to 19,418 plots per month.

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* Cap. XVIII, Paragaph 461, and App. C., part VII.

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CHAPTER XVIII.

SETTLEMENT OF RENTS.

Introduction.

437. In order that the land revenue of the temporarily-settled estates should be equitably assessed, that the public burthens should be equalized, and that Government should obtain its fair share of the increased wealth of the country with the list possible loss to the landed proprietors, it was necessary to have a complete record of the rents payable to zamindars and of the value of the land for which no rent was actually being paid.

So much could have been done under the povisions of Regulation VII of 1822, but a good deal more was found to be necessary. Many tenants had been holding at rents fixed for the term of settlement, many at very low rents, and it was clearly right that both these classes should be made to contribute towards the increase to be demanded in the revenue. This principle had so clearly been recognised that under section 104 (2) of the Bengal Tenancy Act it was imperative to settle fair rents for all tenants in all cases in which it was proposed to revise the land revenue.

Principles of assessment, 1891.

438. In a note of the 3rd February 1891 Mr. Finucane, in recommending that for this and other reasons Chapter X of the Bengal Tenancy Act should be extended to Orissa, wrote as follows :—

"It would be premature now to discuss the principles on which settlement should be made. It will probably be found that the rents of the *pahi* raiyats are as high as the land can afford to bear, and that they may be left undisturbed.

"The rents of *thani* raiyats, which, under the terms of last settlement, ought to have remained unaltered for the past sixty years, will, as a matter of course, have to be now enhanced, if they have not in fact been enhanced during the currency of the existing settlement. It is not easy to lay down *a priori* the principles on which such enhancement should be made.

"The full enhancement which may be demandable on the ground of rise in prices cannot, it is probable, be taken, because the rents fixed for *thani* raiyats at last settlement were higher than the competition rents demanded from *pahi* raiyats.

"Neither can the rents of *thani* raiyats be fixed on the principle of raising them to those now paid by *pahi* raiyats. A middle course will have to be followed. The question is one regarding which the Settlement Officer should ascertain facts and ask for orders before finally adopting any principle of enhancement."

The general impression appears to have been that rents would be enhanced up to the "prevailing rate", as defined in the Bengal Tenancy Act, and Mr. Reily, early in 1891, issued to all Assistant Settlement Officers instructions for the preparation of soil maps, really rate maps. The system its attendant difficulties, and the possible alternatives are so clearly set forth by Mr. Finucane in his notes of July 1891 that I cannot do better than quote what he says :—

"When the attestation of a number of contiguous villages is done, the Assistant Settlement Officer goes over the village lands with maps and records in his hands, and divides the whole village into blocks or *chaks* of land. These blocks are pointed out by the raiyats and zamindars as being blocks recognised by them, which are said to pay the same rate of rent.

"The Assistant Settlement Officer marks off these blocks on the maps by drawing a line round the boundary of the block, each of which is coloured differently. The rate of rent, where there is a generally prevailing uniform rate, is also noted on the map.

"The Assistant Settlement Officer then extracts the fields belonging to each tenant in each block, and calculates what the rental would be on the area of the holding, at what may be called the block rate.

"Having worked out the rental of each holding in this way the Assistant Settlement Officer is supposed to compare the rental so arrived at with the rental actually paid, as already stated, by the parties and recorded by him, and if he finds that the actual rent paid is much less than the rent arrived at in the manner above described, he next proceeds to consider whether the rent should be enhanced on the ground that the tenant is paying at less than the prevailing rate. If he thinks that there are *prima facie* grounds for supposing that the rent ought to be enhanced, he, before proceeding to enhance it, calls on the raiyat to state the previous history of the holding and to show whether there is any reason for his being allowed to hold at less than the prevailing rates.

"This is the procedure described by Mr. Reily as being that which he proposed to follow, and has followed to this extent, that the attestation has been done in the manner described of 167 villages.

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"The existing rentals of these villages have been recorded and the village lands have been split up into blocks, but the subsequent operation of extracting the area of the fields belonging to each raiyat in the several blocks, applying the block rates to these areas, working out the rental in this way and comparing it with the actual rental, has not been gone through.

"I examined the blocks or *chaks* into which the only one village in Cuttack, of which the records were available, had been split up, and had the rates actually paid marked on the fields of each block.

"The result was that in a village of 62 acres there are four blocks and thirteen different rates. In other villages it will, Mr. Reily thinks, be found, as he has found in a pargana of Puri, that there is greater uniformity of rates, that in fact there will be practically one uniform rate for a whole block.

"It is obvious that the system of splitting up villages into blocks in the manner described has one great advantage, in that it renders it necessary for the Assistant Settlement Officer to walk or ride through every village, or, as Mr. Reily says, to 'go over every inch of the ground', and thus enables him to note facts of interest regarding the village lands; but whether the system of splitting up the village into *chaks* will help very materially in the settlement of rents will very largely depend on the question of facts, is there, or is there not, a uniform rate of rent paid generally for the lands of the block? If there be a uniform rate, or anything like a uniform rate, then the system enables the Settlement Officer to see at a glance which of the tenants are paying at less than that rate, and also enables him to call on such tenants to show why their rents should not be enhanced up to the prevailing rate. But if it be found that there is not a uniform rate paid generally for the whole block, or for recognised classes of soil within the block, then it appears to me that it is questionable whether much will be gained, as regards settlement of rents, by splitting up the village into blocks and by extracting the fields belonging to each raiyat in each block; for the new rental cannot be worked out by the application of a prevailing rate to the areas of fields appertaining to each holding in each block, if there be no prevailing rate.

"The procedure is obviously a very elaborate and thorough one, and it must, I fear, add considerably to the cost of settlement. Mr. Reily is unable to say what the cost will be on the system above described. Babu Chaku Lall Sircar says he thinks the expense will be double of what it would be if the villages were not split up in blocks.

"The only alternative procedure which might be adopted would be to have the attestation of holdings made and existing rents recorded, as is now done, and then to make out a list of the tenants, showing the area of land of each class in each holding, and the amount of the present rent.

"When on looking over the list it is found that any particular tenant is paying less rent than is generally paid for the same area, he might be asked why he is paying less, and if he alleges that it is because the land he holds is of inferior quality to that for which the higher rent is paid, his particular fields might be noted on the map, and the Assistant settlement Officer might go on the spot and ascertain whether these particular fields are really inferior to those for which the higher rent is paid.

"The effect would be that the Assistant Settlement Officer's enquiry on the ground would be limited to the particular holdings which, from an examination of the *terij*, appear to be paying an unduly low rent."

439. For more than a year all Assistant Settlement Officers continued to combine with the work of attestation and inspection of *khanapuri*, the preparation of rate maps and the collection of all the miscellaneous information required for assessment at the end of that time.

Substitution of classes of crops for classes of soil.

Mr. Nathan, who had all along been working in Kotdes, in the Puri District, wrote:—

"The system of preparing soil maps, as originally attempted, is not applicable to Orissa. The villagers are not able to point out with any degree of accuracy or certainty definite tracts of land bearing a uniform rent, and therefore the attempt to classify soils by the aid of present rates of rent, as stated by land holders and cultivators, has not been altogether successful."

He proposed, however, to substitute for it, not Mr. Finucane's alternative scheme of working solely on existing rents, but a system of classification of land according to the crop grown, and, following out this plan, made an experimental assessment of 24 villages of Kotdes.

Experimental assessment of Kotdes.

440. Briefly the principles of his assessment were—

(1) To ascertain the rate of rent paid in each village for lands growing a particular crop; this be called the "prevailing rate." When different rates were found in different blocks belonging to the same class, he formulated the following rule of practice for the determination of the prevailing rate: arrange the rates for corresponding to a particular class of soil in order of descending magnitude; against each write

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the *pahi* area over which the rate obtains. By trial find the area highest on the scale, the sum of which with the sum of all areas lower on the scale is greater than the sum of all areas higher on the scale.

(2) To ascertain the average of prevailing rates paid for lands of a particular class in a group of similar villages: this was the "guiding rate."

(3) All rents primarily to be raised up to the prevailing or the guiding rate whichever was less.

(4) The maximum limit of enhancement on the ground of rise in prices to be, in the case of rents fixed for the term of settlement, 100 per cent.

(5) In the case of *pahi* raiyats whose new rent, according to the above rules, would be more than Rs. 10, a deduction to be made from the above enhancement in proportion to the rise of rent rates during the term of settlement.

(6) In the case of tenants paying at privileged rates *bazyaftidar* where the rent to be fixed was Rs. 5 or over the limit of enhancement, to be 200 per cent., or Rs. 5, whichever was greater.

(7) In the absence of special reasons, the existing rent to be assumed not to be more than the fair rent.

Thus there were two methods of enhancement, either up to the prevailing rate under sections 30 and 31 of the Bengal Tenancy Act, subject to limitation by the guiding rate; or, on the ground of rise in prices, subject to the limitation of the guiding rate and to rules (4) and (5) above.

The results of this experiment were submitted by Mr. Nathan with a complete report dealing with the whole question of settlement of rents and assessment of revenue.*

It was pointed out that, equitable and fair though the rents calculated under this system might be, it was still necessary to settle them in the manner provided for the trial of civil suits, and neither Mr. Nathan nor the Director saw any way of doing this without a prohibitive waste of time and money, excluding the expenditure on such legal proceedings.

Mr. Nathan estimated the cost of settlement of rents under his scheme at three annas per acre.

441. No final orders were at the time passed on the proposals, but Mr. Finucane† pointed out that the cost of Mr. Nathan's scheme was prohibitive, that legally it waa unsound, in that the so-called prevailing rates were not such as the Civil Courts would recognise, while, in order to enhance on the ground of rise in prices, it was necessary to show when a rent was fixed. He proposed that for the next two years the work of the Revenue Officers should be practically confined to ascertaining existing rents or status.

Mr. Finucane's note of December 1893.

That they should assume the rents of *pahi* raiyats to be fair and equitable as they stood and should take no action of their own motion to alter them.

That the rents of *thani* raiyats should be fixed about 25 per cent. lower than the average incidence of *pahi* rents in the village, basing all enhancements on the "rise in prices".

If the rents so calculated were agreed to they would be settled; if not, it would remain for the Assistant Settlement Officer to put on record evidence of the rise in prices and any other points raised before proceeding to enhance the rents according to law.

The Lieutenant-Governor, Sir Charles Elliott, recorded his general agreement with these suggestions, while still thinking some simple form of soil map essential to an equitable settlement of rents with reference to the agricultural value of land.

442. The next attempt to settle rents was made by Mr. Taylor in the year 1894-95 in a block of 41 villages in the immediate neighbourhood of Cuttack.

Mr. Taylor's experiment-assessment in Bakhrabad and Dalijora.

These formed a far more promising area for experiments in soil mapping than Pargana Kotdes. In the latter the rents were

* Appendix A (2) (a).
† Appendix A (2) (c). Note of 14th December 1893.

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all lump rents, the proprietors were notoriously ignorant of the details of their estate management, and, the classification of crops and soils appears to have been unusually complicated. In Kodinda and Bakhrabad Mr. Taylor found most of the estates in the hands of descendants of the proprietors who had held them at the last settlement, and a very large area belonging to a shrewd and capable zamindar whose papers were in excellent order and showed clearly his classification of the land, which was generally well known to the tenants also.

In this area Mr. Taylor, following Mr. Nathan's lead, divided up the villages into blocks according to the crop grown. He personally checked the rates and then caused a detailed rent-roll *"chakbandi* sheet," showing the area and class and rate of rent for every plot in each holding to be prepared. On this sheet the former area and rent were entered and the new rent at the "prevailing rates" calculated.

Existing rents were not reduced except for special reasons, such as deterioration or diluvion of the land, raiyati rents were never more than doubled; Mr. Taylor afterwards proposed to limit the enhancement to 50 per cent. except in the case of purely peppercorn rents. *Bazyaftidars* were assessed at full rates subject to a limit of enhancement of 200 per cent.

Where tenants were willing to accept, Mr. Taylor recorded their acceptance; where they did not appear, no steps were taken to enforce attendance.

Objections taken at the time were summarily disposed of and tenants were allowed a month in which to put in formal petitions for revision.

On the whole the experiment was successful. The tenants understood and appreciated the procedure and were willing enough to accept even large enhancements, and I am of opinion that the rents then fixed were very fair. Certainly the procedure removed many glaring inequalities, though perhaps the rates as a whole were in some cases a little high and in others a little low.

The drawbacks to the system were that it depended for its legality on enhancement up to a "prevailing rate" while the rates taken were in many cases "averages", and it would have certainly been difficult to prove that they were "prevailing rates" within the meaning of the definition in the Bengal Tenancy Act.

Further, the system entailed a lot of local inspection and lengthy calculations, so that it would have been costly and there would have been a considerable liability to error. Accordingly Mr. Taylor next took up the settlement of rents in *Killa* Dalijora to the north of Cuttack containing 100 villages, and contented himself with preparing a rough soil map used only for reference in case of objection.

Rents of raiyats were left untouched except for the assessments of lands held in excess of that shown in the zamindar's papers. In a few cases only where the rental shown by the zamindar was less than at the last settlement a general enhancement of *pahi* and *thani* rents was made on the ground of rise in prices.

Lands held by the proprietors, or tenants paying at privileged rates were assessed at the "village rate," *e.i.*, at the average rate paid in the village for all pahi lands or for all *pahi* and *thani* if the latter was higher.

The enhancement of rents of *bazyaftidars* was subjected to a limit of 200 per cent.

The assessment so made was a very lenient one and was readily accepted by the tenants, but the proceedings were never confirmed and the rents were eventually resettled in 1897.

Rate Reports of 1895.

443. Meanwhile an attempt had been made to tabulate figures for the Province to show the area and rent under each class of tenants and the increase in cultivated area and in assets since the last settlement. Figures for seven Parganas of Puri were compiled in 1894, and the results were published in the annual report, but were considered too incomplete to be of any real use.

In 1895 rate reports were written by four officers for the circles of Jajpur, Balubisi, Utikan and Asureswar, but the figures have never been revived or put to any practical use.

Experimental assessment in Balasore.

444. In the spring of 1895, I proposed rents on the basis of a soil map in 14 villages of Balasore, and as the result of my experience submitted in my letter No. 1075 of

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of 5th May 1895 proposals for the settlement of fair rents, of which the following is an abstract:—

(1) The *Kanungo* being duly empowered by a commission issued to him should prepare a soil map and enter the rates.

(2) The soil map having been open to inspection for three days the Assistant Settlement Officer should dispose of disputes and objections and confirm or modify the rates.

(3) In fixing the rates the guiding principle should be to make new rents, area for area, conform as nearly as possible to existing rents.

(4) *Pahi* rents when less than the deduced rent, to be proposed at the latter amount, but not to be more than doubled except for excess area.

(5) *Pahi* rents to be levelled down to the prevailing rates only in case of loss more than 10 per cent of the former area or for special reasons.

(6) *Thani* rents to be enhanced by not more than 33 per cent. on the ground of rise in prices.

(7) *Bazyafti* rents to be enhanced up to full rates subject to a limit of 300 per cent. besides the assessment of excess area at full rates. The limit of enhancement to be 200 per cent. for substantial rents.

In proposing this rule for *bazyaftidars*, I gave it as my personal opinion that a settlement at half rates would be more equitable.

Working on this system I estimated that one Assistant Settlement Officer should be able to dispose of 8,000 or 10,000 plots in a month or 2,000 tenants at a cost of nearly 3 annas per acre.

Balasore—October, December 1895.

445. During the rains of 1895 figures were tabulated and preliminary assessment reports written by Babu Sri Gopal Bhattacharjya in the Kapari, Adda, Tappa Parsand and Bhateswar sub-circles, and in the following cold weather the settlement of fair rents was begun by Babus Sri Gopal Bhattacharjya, Prasanna Kumar Banerji, Romesh Chandra Das and Girish Chandra Dutt,

They proposed rents in November and December to 13,805 tenants and the results were discussed by me in my letter No. 320 of the 10th January 1896 to the Director of Land Records and Agriculture.

The procedure adopted was based on Mr. Finucane's Note of the 14th December 1893, existing rents of tenants other than the privileged tenants being assumed to be fair, and the standard with which rents were to be compared being the "village rate" or the average incidence of rents paid by occupancy raiyats as found by dividing the total rent by the total area after exclusion of lands held rent free or at privileged rates.

Rents of all classes of tenants when found to be less than 90 per cent. of the product of the area held and the "village rate" were in general raised, some remission being allowed where cause was shown.

A compassionate reduction of one-third from the rent calculated at the village rate was suggested in the case of the privileged tenants.

Briefly the result of this experiment was to raise the nominal existing rental by a third, two-fifths of the increase being contributed by *bazyaftidars*. Occupancy raiyats' rents were in the aggregate raised by 10 per cent., no distinction being made between *thani* and *pahi*.

The bulk of the work, however, was done in tracts where in recent years there had been a large increase of cultivation very little of which had been assessed by zamindars. For this reason assets was raised by one-third a large proportion of the increase being derived from rents imposed upon excess areas.

First Fair Rent Rules of 1896.

446. Certain rules were framed by me and submitted with the report No. 320 already referred to. To discuss these rules I was summoned to Calcutta and returned with instructions to take charge of the whole of Orissa (Mr. Maude, the Settlement Officer of Cuttack and Puri having gone on leave). I was directed to start settlement of rents at once in all three districts.

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In March Mr. Stevens, the Senior Member of the Board, Mr. Lyon, then officiating as director of Land Records, visited Orissa. They drew up the first set of detailed rules for the settlement of fair rents.

It was decided that:—

(1) The rents of *pahi*, settled and occupancy raiyats and non-occupancy raiyats, were presumably fair and should not be interfered with except on the application of landlord and tenant.

(2) That for difference of measurement an allowance of 10 per cent. of the former area should be made and any further excess found assessed at the village rate, *i.e.*, at the average rate paid by cash-paying occupancy raiyats under the zamindar, as found by dividing the total recorded rental by the surveys * area of their holdings.

(3) That, subject to a maximum enhancement of 100 per cent. the rents of *thani* raiyats should be proposed at a rate which was the mean of the village rate and of the average rate paid by *thani* raiyats; this rate to be called the *mean rate*, provided that the rent of no *thani* raiyat already greater than the product of the mean rate and the survey area or within 10 per cent. of such product should be altered.

(4) That the rents of *bazyaftidars* paying nominal full rates should ordinarily be raised by 50 per cent. or in special cases by 100 per cent., provided that the rent so settled should not exceed two-third of the product of the village rate and the cultivated area.

(5) That the rent of *bazyaftidars* holding at half-rates should ordinarily be enhanced by 200 per cent. and in special cases by 300 per cent., provided that the rent so settled should not exceed two-third of the product of the village rate and the cultivated area.

(6) That lands in the possession of proprietors should be assessed at the village rate, a grace concession being made in all deserving cases.

(7) That invalid grants made by the zamindars should not be resumed but assessed for revenue, leaving the zamindars to take steps for their aassessment.

8. That where additional rents were taken on account of the cultivation of specially valuable crops, such additional amount should not be included in the fair rent settled, but separately entered as a temporary *de facto* payment.

Such were the lines on which the settlement of rents began in Orissa generally. They depended for their validity on the general presumption enunciated in Section 27 of the Bengal Tenancy Act that the rent payable for the time being by an occupancy raiyat is fair and equitable, and on the liability of tenants to pay additional rent for land held by them in excess of the area for which rent has been previously payable by them. (Section 52 of the Bengal Tenancy Act.)

For the rest it was expected that the tenants would accept the rents proposed, and that if they did not it could be proved that the enhancements were justified by the rise in prices.

The system did not pretend to perfection, and it was obvious that it would leave untouched many inequalities that under a more elaborate method, such as that tried by Mr. Nathan in Kotdes, would have been removed.

On the other hand it was very justly claimed for it that it was simple; that it involved the least possible disturbance of the *status quo*; that on the whole the existing *pahi* rents might rightly be assumed to be fair, and that the settled rents would consequently be fair also; that it avoided the great danger inseparable from all systems of soil mapping of inequalities in assessment due to the idiosyncrasies of individual officers; and lastly that it was open to any person dissatisfied with the rent proposed to apply for the settlement of a different rent and adduce formal evidence in support of his contentions.

*By survey area is meant the area of a holding as determined by the Survey Department.

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Modification of original rules.

447. Naturally the scheme provoked a good deal of criticism both from the District Officers and from some of the leading men of the native community, but they had nothing better to propose in its place and with some slight modification, the rules were accepted by the Local Government in their letter No. 400 T. R of the 6th June 1896, and recommended to the approval of the Government of India in letter No. 766 T. R, of the 15th September 1896.

In a letter No. 4136-4010, dated the 3rd November 1896, * the Government of India suggested further consideration of some of the points raised in the correspondence, and these were accordingly discussed in a conference held at Cuttack on the 25th and 26th January 1897. His Honour the Lieutenant-Governor being in the Chair, and the Senior Member of the Board and the Director as well as all the local officers being present. †

Alterations were made in the rules with a view to ensure that unduly low rents should not escape enhancement. A modification originally proposed by Mr. Thomson in the rules for assessment of *thani* rents was accepted, *i. e.*, it was decided that where the average incidence of the *thani* rents was higher than or within 12½ per cent. of the village rate, *thani* rents in such village should be altered only for alteration in area or because some particular rent was exceptionally low, and where the difference came to more than 12½ per cent. all *thani* rents should be raised by half the percentage.

It was also decided to discontinue the separation of the additional rent taken for specially valuable crops from the normal rent; and to record a specially high rent only in cases where it was justified by the quality of the soil. with these and a few other minor alterations the rules were again submitted by the Government of Bengal with their letter No. 238 T. R. of the 12th May 1897 to the Government of India.

Rules finally approved.

Some exception was taken by the Government of India to the rules for the settlement of *pahi* and *thani* rents and further reports ‡ were called for from the local officers. On receipt of these reports § the Government of Bengal expressed themselves satisfied that the rents settled were not unduly low, and the rules eventually received the approval of the Secretary of State, communicated in his despatch ¶ No. 20 of the 3rd February 1898 and are printed as Appendix C to this report.

I shall now proceed to consider in detail the most important points in the rules and correspondence, especially the treatment of the several classes of tenants found in Orissa.

Procedure for settlement of rents, Act VIII of 1898.

448. In settling rents the revenue officer was, under section 107 of the Bengal Tenancy Act, required to follow the procedure laid down in the Code of Civil Procedure for the trial of suits, subject only to such rules as the Local Government might make.

The rule framed in this behalf, Rule 24, Chapter VI of the rules framed under the Bengal Tenancy Act, runs as follows :—

"When (1) a landlords or tenant applies for the settlement of a fair rent, or (2) in any case in which a revenue officer engaged in the settlement of the land revenue proposes to alter an existing rent, notice shall be given in the following manner to persons interested :—

"(1) In the case of an application made by the landlord or tenant, notice shall be served on every person interested in the application, together with a copy of the application or extract therefrom or summary thereof so far as the application concerns such persons.

" Board's instruction under Rule 24 (1) :

" If only one person is interested in the application a copy should be served on him, if more than one, an extract containing such particulars as concern him, should ordinarily be served on each persons. If a summary only is given, the revenue officer should satisfy himself that such summary contains all that it is material for the parties interested to be informed of.

"(2) In the case of a settlement of the land revenue, a copy of the proceedings prescribed in Rule 23 shall be served by proclamation and beat of drum, and by posting it in the

* Appendix A, No. 9.
† Appendix A, No. 10.
‡ Appendix A, No. 12.
§ Appendix A, Nos. 13 to 16.
¶ Appendix A. No. 17.

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presence of not less than two persons in some conspicuous place in the village comprising the lands under settlement. Proof of service of such notice at least one week previous to the date fixed for settlement of fair rents shall be sufficient notice to all persons concerned."

The first preliminary then to settlement of rents was the preparation for each estate and tenure in the village of a schedule showing the name of each tenant, the area of his holding according to the survey papers, the rent paid, and the area for which it was being paid.

From these data the village rate and *thani* rate were extracted and the rents calculated and entered in the column for proposed rents.

Then having satisfied himself that the record was complete and that a month's notice had been given inviting parties to file applications for settlement, the Assistant settlement Officer fixed a date for proposal of rents and issued a notice accordingly. On such date he read out the proposed rent to the assembled villagers and after listening to their objections and making such modifications as he found necessary in his original proposals recorded the fact of their acceptance.

If any tenant whose rent it was proposed to alter was absent a notice was served upon him informing him of the amount of new rent and fixing a date for his appearance. Unless he made any objection the rent proposed was settled on such adjourned date.

In only a very few cases in the whole Province tenants refused to accept the rents ultimately proposed to them and in those instances evidence was recorded and a rent settled according to law.

The proceedings were closed by the record of a formal judgement recapitulating the general grounds on which rent had been altered and declaring the new rents entered in the schedule to be fair and equitable.

Act III (B. C.) of 1898.

449. With the passing of Act III of 1898 a change was introduced. Before beginning the settlement of rents the attested records were published in the village. Then the tenants were sent for and rents proposed and settled as before, but objections were now more summarily dealt with at this stage.

The rent roll or schedule of old and new rents was then published in the village and the tenant allowed a month in which to prefer objections. These being disposed of, the roll was submitted to the Settlement Officer for confirmation before the new rents were entered in the *khatians*.

The later system certainly entailed more work on the Settlement Officer, but it enabled him to exercise a far more effective supervision, and also gave the tenants a better chance of getting their objections properly disposed of.

Act V (B. C.) of 1894.

450. It was for a long time uncertain whether Section 101 (2) (*d*) of the Tenancy Act would apply before the date of expiry of the old Settlement, the wording used being "where a settlement of revenue is being made."

To clear up this doubt and also a difficulty as to the date from which the new rents should take effect, Act V of 1894 was passed.

This act corrected the wording of Section 101 (2) (*d*) to "where a settlement of revenue is to be or is being made," and further provided that the new rents should become payable from the date on which the new settlement of land revenue came into force.

Combination of re-attestation with settlement of rents.

451. It has been shown in paragraph 435 that in 1896 the state of the records was such that in the whole of the District of Puri and in one-fourth of Cuttack, it was necessary to go over the whole attestation again, and as settlement of rents was also going on the question was raised how the two processes could be combined so as to economise time and power.

In Puri in the rains of 1896 the experiment was first tried of letting one officer revise and attest the record and then pass it on to another, who fixed the village rate, sent for the tenants, and proposed and settled rents.

The great impediment to any closer combination of the two processes was the sequence prescribed in the Government Rules under the Tenancy Act, which required that, attestation having been completed, at least a week's notice should be given of the date for settlement of rents and that a month's time should be

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allowed to all parties to apply for settlement of rents; and to comply with this rule, and yet prevent too great a waste of time, the following procedure was suggested by Mr. Lyon and work out during my visits to the Puri and Khurda camps in October-November, 1896 *.

The preliminary attestation of the village being complete and objections disposed of, a schedule of existing areas and rents was drawn up, the village rate extracted, and the new rents calculated according to rule.

On the date fixed for attestation the new rents were also read out to the tenants and their acceptances, where given, recorded. They were then informed that on a date at least one week ahead the rents would be settled and a notice to that effect was published in the village.

On the date so fixed rents were again read out, the acceptances of former absentees recorded, and objections disposed of and the new rents entered as settled.

The records were however not published until the expiration of a month from the date on which they had been finally attested.

The great merit of this procedure was that it gave the tenants a whole week to think over the rents proposed to them and ensured nearly all objections being preferred before the record was published in the village.

After the passing of Act III (B. C.) of 1898 the reading out of the rents at the time of re-attestation was in many instances discontinued as causing delay in the publication of the record, and as being unnecessary in view of the subsequent publication in the village of the rent-roll.

Correction of attested records.

452. It was at first assumed that, except in the villages requiring re-attestation, the records were sufficiently perfect to allow of rents being settled at once without further corrections. Accordingly, so far as possible, schedules were prepared at headquarters in the recess of 1896, and issued with the records to officers about to settle fair rents

Experience however soon showed this to have been a great mistake. It answered fairly in the records attested in 1895 and 1896 but in the case of those attested in previous years the result was that numerous corrections had to be made in the schedules which were so cut about as to become almost illegible.

More and more liberty had to be allowed to officers to correct mistakes before beginning to settle rents and in the season of 1897-98 the general rule was to make an informal revision of the record explaining all *khatians* to the tenants before proposing rents.

The records were a good deal altered at this stage, but schedules were only allowed to be re-copied where this was absolutely necessary.

Acceptances.

453. In paragraph 11 of his letter No. 455 of the 11th February 1896 with which he recommended for approval the experimental settlement of rents in Balasore, Mr. W. C. Macpherson, the Director of Land Records, suggested that unless the signatures of tenants were obtained they might hereafter deny having accepted the rents, and that the mere record of the fact of acceptance might not be held by the special judge to be sufficient, and he recommended a change in the law whereby a tenant should not be allowed to subsequently object to a rent unless he within a reasonable time filed a written objection before the Assistant Settlement Officer.

The Board however and the Government of Bengal held that there was no reason to apprehend that the special judges would not be satisfied with a note of acceptance and did not consider any change in the law to be necessary.

Some attempt was made when beginning work in 1896 to obtain the signatures of tenants in token of their acceptance of the settled rents, but the villager writes so extremely deliberately that the waste of time was prohibitive and all that was done was to record on the schedule opposite the tenant's name "Accepts", and later "Appears and accepts," together with the name of the substitute if the raiyat did not come himself.

Genuine acceptances in the early stages of the work were very difficult

* See Appendix C.

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to get. Our rapid and somewhat summary method did not suit the slow understanding and love of detail of the Uriya and the *bazyaftidars* in particular were not at that time convinced that their opposition to enhancement was hopeless.

In the end however every tenant was induced to give some sort of consent to the proceedings; and as the work went on and the people got more accustomed to our procedure and realised how easy our terms were and how little they gained by objecting, acceptances were obtained with no great difficulty.

Naturally it was not easy to get a man to definitely express his acquiescence in an enhancement even though he knew it to be fair and the Board of Revenue in their letter No. 486A dated 23rd April 1897, held that it was unreasonable to expect that every tenant who meant to accept would say so in so many words, and that regard should be had to the man's demeanour.

The number of appeals against fair rent decisions was very small and such as were brought were in contested cases in which the Assistant Settlement Officer had in the first instance recorded evidence.

The general opinion among the officers engaged in fair rent work appears to have been that the system of basing the settlement on acceptances was a mistake; that such acceptances might mean that the man really was willing to pay the rent proposed, or that he could not argue the matter with the Assistant Officer, or that he was really afraid lest he should draw down upon himself the anger of the all-powerful Government.

They would have had some system, such as that suggested by Mr. Macpherson in his letter of February 1896, whereby rents should be proposed to tenants and their objections listened to, but acceptances only taken in the case alterations; and that where such acceptance was not given the Assistant Settlement Officer should record the ground on which he made the alteration and settle the rent accordingly, leaving it to the tenant to put in a written petition to have such rent modified.

Practically this is very much what is done under section 104 A (1) (*d*) of Act III (B. C.) of 1898.

Rents in Orissa have, since that introduction of that Act, been proposed, and acceptances recorded, under section 104 A (1) (*d*), but where after allowing any reasonable concession the Assistant Settlement Officer has failed to obtain an acceptance he has under section 104 A (1) (*d*) retained or altered the rent, recording the grounds of alteration, if any and has left the tenant if still dissatisfied to put in a written objection under section 104 E, *i.e.*, after draft publication of the rent-roll.

In the first code of rules it was provided that acceptances need only be recorded where rents were altered. Rents it was proposed to maintain were read out to the tenant and settled as fair unless a specific application for reduction or enhancement was made.

Subsequently, in accordance with the law, every rent was read out and settled whether alteration was made or not.

Pahi raiyats.

454. The present cultivators or raiyats of Orissa are generally divided into two classes: *Thani* meaning resident, and *Pahi* meaning non-resident. Of the latter Mr. Ricketts, the Collector of Balasore, wrote in answer to the question of the Board of Revenue in 1831:—

> *Pahee* raiyats are those tilling land in villages in which they do not reside. The rates paid by them are, as before mentioned, lower than the *thanee* rates. *Pahee* raiyats are to be found whom for a lengthened period have tilled the same land *pahee* at one unvarying *jama*. But no length of possession is considered to give a right, and should any person propose to settle in the village and take as *thanee* the land held *pahee*, the *pahee* raiyat must give way."

The settlement of 1837 left their rights unchanged, except in the few Parganas in which *pattas* were given by Mr. Wilkinson and Mr. Hunter, and for the most part there was not even a record of the rents payable by individual raiyats. The grant *pattas* was definitely forbidden by paragraph 8, Government order No. 1199 of 22nd August 1837, and there after the aggregate rent payable for all the *pahi* land under cultivation was taken as the basis of assessment to revenue, and the raiyat left to make his own terms with the zamindar.

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Act X of 1859 gave rights of occupancy to such raiyats as had held the same land for 12 years, but the landlords continued to enhance rents periodically, though, except in Balasore, their power of ousting tenants without recourse to the Courts became much more limited.

The rights of *pahi* raiyats and their relations with their landlords are dealt with fully in another chapter,* here it must suffice to say that in the present proceedings the provisions of the Bengal Tenancy Act have been applied and they have been treated as having the rights of settled, or occupancy or non-occupancy raiyats under that Act.

It has been assumed that their rents are competition rents† and that they should not ordinarily be altered except for the assessment of excess area or because they were found to be lower by a third than the village rate, without any reason for the difference.

It may here be noted that the term *pahi* is applied only to raiyats paying directly to the zamindars or proprietary tenure-holders of the village, and not to tenants holding under the resident *lakhirajdars* and petty tenure-holders, who, by the custom of the country, were all regarded as "under raiyats" without rights.

On the whole, the enhancement of their rents has been as follows :—

		Former rent.	New Rent.	Percentage of enhancement.
		Rs.	Rs.	
Cuttak.	....	11,40,500	11,95,700	4·9
Puri.....	....	2,38,500	2,52,500	5·9
Balasore.	....	6,04,600	6,59,400	8·4
Total.	....	19,83,600	21,07,600	6·2

These figures exclude the *pahi* lands included in mixed *thani-pahi* holdings, for which another Rs. 2,60,000 should be added. Adjusting the figures Mr. Kingsford found in Balasore that the total *pahi* enhancements were from Rs. 7,23,550 to Rs. 7,84,300 or 8·4 per cent., *i. e.*, the same as for pure *pahi*.

Excess area.

455. Under section 52 of the Bengal Tenancy Act VIII of 1885 every tenant was liable to pay additional rent for all land proved by measurement to be in excess of the area for which rent had been previously paid by him, and in determining the amount to be added to the rent the Court was to have regard to the rents payable by tenants of the same class for lands of a similar description and with similar advantages in the vicinity.

The area found by measurement appeared on the face of the record ; the area for which rent had been previously paid was found in the zamindar's papers and attested. To the latter area in order to cover possible errors due to difference of measurement 10 per cent. was added and the amount so obtained deducted from the survey area; the remainder, if exceeding .4 of an acre, was assessed at the village rate, *i. e.*, an amount equal to the product of the remainder, and the village rate was proposed to the tenant as additional rent, but was in many cases reduced for specific reasons, *e.g.*, inferiority of soil. In a few cases it was raised on application of the landlord on the ground of special fertility of the soil.

This rule as to excess area was the subject of much discussion. It was on the one hand pointed out that in Wards' Estates it was the practice not to assess any excess amounts less than 20 per cent. on the former area, while on the other hand some of the local officers were in favour of only allowing one gunth in the *man, i. e.*, 4 per cent. as the margin of error in the case of *thani* and other holdings, known to have been accurately measured.

Eventually as a compromise Rule 10 of Appendix C was adopted providing :—

(i) That 10 per cent. should be the normal allowance.
(ii) That in special cases the allowance might on the application of the landlord and tenants be reduced to 4 per cent.
(iii) That no excess of less than ·04 of an acre should be assessed.

* Chapter XI, paragraph 324, &c.

† Settlement officer to Commissioner No. 2770, dated 31st December 1897, paragraph 19. Appendix A (13).

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The only zamindars who moved in the matter were those of Utikan, who claimed to have the allowance for error reduced to 4 per cent. in the case of all tenants in their zamindari.

In Madhupur special arrangements were made and are described in the chapter* dealing with the settlement of that estate.

Ordinarily no attempt was made to identify the particular plot of land which constituted the excess, but the tenants often knew, and if it was inferior usually claimed and got a small reduction.

Where either the *khanapuri* was bad or the landlord's papers inaccurate, the tenants would in many cases deny the existence of any excess. If they did so they were on payment of annas 11 a day allowed the services of an *amin* to re-measure the land.

Sometimes it would be found that the measurement of the field was actually wrong and in that case the fee deposited for the enquiry was refunded; more often the tenant had had recorded in his name a bit of some one else's land, or of fallow which he did not want and gave up, but generally the survey papers were found to be practically correct, and the objection groundless, or due to an error in the zamindar's papers, or to a misunderstanding on the part of the raiyat.

The percentage of assessments on excess area varied very much from circle to circle and from district to district. The percentage was greatest in Balasore and least in Puri. It appears to me that the percentage of enhancement to a certain extent varies according to the quality of the *khanapuri* and attestation. In Balasore we worked on good *khanapuri* and well-attested records, great pains having been taken to record in the village, or at the camp close by, the area for which the tenant was paying rent. In Puri and parts of Cuttack this had not been done and in many cases the zamindars borrowed the areas contained in our records when they were called on to file rent-rolls at the re-attestation stage. At any rate in Balasore there was no re-attestation. Cuttack was partially re-attested and Puri entirely so. It must be added however that there is a larger area for extension of cultivation in Balasore than elsewhere.

The assessment of excess lands in Orissa has throughout been based on the rates generally payable for similar lands in the vicinity; the alternative of a proportionate increase on the existing rental provided by section 6 of Act III (B. C.) of 1898 has rarely been used, except in the case of homestead lands.

Reduction of rent.

456. The rules as at first framed contained no provisions for the reduction of rents. This omission was subsequenly rectified and it was provided:

That where a tenant's lands as found by measurement were less by 10 per cent. than the area for which he was paying rent, he should receive a reduction of his rent proportionate to the deminution in the area of his holdings. †

This was sufficient provision for cases of dispossession or diluvion, but tenants could also claim a reduction as of wright for deterioration of the soil of their holdings by deposit of sand or other specific cause. (Section 38, Act VIII of 1885.) Such cases were met with in Paraganas Kodinda, Olas, Saibir, Kalamatia of district Cuttack, and to some extent throughout the whole of the unprotected area. Purubduai and Oldhar in Puri had suffered especially great injury owing to the Adlabad breach in the Bhargabi river which it has been finally decided to leave open. Such cases as these had to be dealt with each on its own merits, and much was necessarily left to the discretion of the Circle Officers; but rules showing the general principle on which the reductions should be calculated were drawn up and issued early in 1897, and the case of Purubduai and Oldhar was specially reported to the Board.

As a rule in such cases soil maps showing the areas affected were prepared and the block rates ascertained, but instead of calculating the fair rents directly on such rates the decrease in the annual value was calculated for each holding and the amount deducted from the former rent. The rules are printed in Appendix C, Part VI.

A third case was where the existing rent was unduly high, but there was no specific ground on which the tenant could claim a reduction. Such rents were

* Paragraph 605.

† Appendix C, Part I.

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occasionally found where petty landlords in a densely-populated area rack-rented their tenants, but as the Local Government had not thought fit to vest any of the officers engaged in settling rents with powers under section 112 (1) (*b*) of the Tenancy Act they were unable to redress the injustice and inequality complained of.

It is true that very high rents were the exception and not the rule, and that without soil maps or rates it would have been difficult to be certain which rents were too high, but I think it is a matter for grave regret that in a settlement where rents found to be obviously low were unhesitatingly enhanced, the Settlement Officer should have been powerless to reduce rent which he knew to be oppressively high.

The result of this inability to equalise rents has been to enable the landlord who rack-rents his tenants to make a double gain, firstly in that he extorts more from his tenantry, and secondly that, owing to the great increase in assets and for the security of the public revenue, it has been necessary to leave with him a larger share of his collections. It is my opinion however that cases of this nature are rare and officers entrusted with the power to reduce rents would very rarely have been called upon to exercise them.

Village rate.

457. The criterion by which the fairness of all rents in a village has, under the summary procedure adopted in Orissa, to be judged is the average "village rate" *i.e.*, the average incidence of competition rents.

It was not at first at all clear how this village rate was to be found, what was the area on which the rent should be held to be payable, nor what classes of tenants should be excluded.

In the rules of the experimental assessment in Balasore it was, where possible, to be ascertained by dividing the sum of the attested rents of *pahi* raiyats and of the *thani-pahi* raiyats paying lump competition rents by the sum of the areas of their holdings as shown in the zamindar's papers.

However, after a full discussion at which the Senior Member of the Board, Mr. (now Sir) C.C. Stevens, and Messrs Lyon, Thomson and myself were present, it was resolved that the village rate should be based on present survey areas,* and should be calculated by dividing the sum of the cash rents paid by the settled and occupancy *pahi* raiyats in each revenue-paying estate in the village by the sum of the present survey areas.

Before doing this it was the practice to deduct from both sides of the sum the areas and rents of lands growing special crops as well as those paying produce rents.

Further provision was made for special cases (*vide* Rule 5, Appendix C, Part I. and four alternative methods for ascertaining the village rate were prescribed :—

(1) To take the average of the village rates of three or four adjacent villages.

(2) To take the rate as deduced from the principal estates only of the village.

(3) To make two rates for different parts of the village.

(4) To neglect figures for estates in which there was obviously collusive and low record of rents.

The first provision was very frequently resorted to either where the *pahi* lands in the village were insufficient to form a safe basis for a rate, or where, owing to the very marked difference between the rate as deduced from the recorded rents of the village in question and those of the surrounding villages with similar advantages, there was reason to believe the rents to be incorrectly recorded.

(2) The second provision was used where, as was often the case, either owing to the inferiority of the soil or the absence of the proprietors, rents in the "*taksilalahida*" portions of a village were much below the general average.

(3) The third provision was very rarely used indeed, but was intended to provide for cases where there was a very well-defined distinction between *jala* and *pal* or rice and river side lands. It was based on the case of *mauza* Adda, Pargana Adda Rupiya, in Balasore, where there was one block of ordinary rice land and another of valuable *pal* lands paying widely different rates.

* *Survey area* means the area entered in the record prepared by the Survey Department.

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In all cases such deviations from rule were subject to the approval of the Settlement Officer or his covenanted assistants in charge of districts, and were carefully supervised.

Proprietors' lands.

458. By the custom of the country the collectors of revenue under the Hindu, Moghul, and Mahratta *regime*, held in part payment for their services certain lands free of assessment. In the case of the superior officers their lands were known as *khanabari* (homesteads) and *nankar* (bread giving) lands and in the case of the *muqaddams*, *sarbarahkars*, and other village headman as *watan* or *pitrali* (ancestral) or *heta* (*i. e.*, *jagir*) lands.

It is not very clear what rights in these lands were recognised, but there can be no doubt but that the village headmen always claimed to retain their *pitrali* even on sale for arrears of revenue.

This right the British Government did not recognise, as will appear from the following quotation from a letter of the Sadar Board of Revenue, dated the 8th November 1805, addressed to the Collector of Cuttack, in connection with a proposal of the *padhans* of Lembai to make over the rights connected with the payment of revenue to one Nilmoni Choudhuri:—

"It must be explained to the *padhans* that their *nankar* lands in common with the other land will be considered as forming part of the security of Government for the public revenue, and that in case it is necessary to have recourse to an attachment or to a sale of lands such *nankar* property will be attached and sold."

At the last Settlement all such lands were nominally assessed at full rates under the designation of *khudkasht*, *nijjot*, or *khamar* except small areas of homestead (*khanabari*) lands exempted from assessment.

No right of occupancy was at that time recognised in any but *thani* raiyats, and act X of 1859, while extending rights of occupancy to all raiyats who had held the same land for 12 years, exempted from this rule *khamar* and *nijjot* lands let for a term or year by year. Practically down to 1894 the record of *nijjot* land was made in accordance with local custom and Act X of 1859, no distinction being observed between the lands of zamindars and those of proprietary tenure-holders.

The question what should and what should not be considered to be *nijjot* was answered in the Director's inspection note of February 1892 in which it is provided that:

"*Under nijjot* is to be entered—(1) land held as *nijjot* at the last Settlement cultivated by the proprietor or his assignee; (2) land shewn as *nijjot* at the last Settlement, if specifically let to raiyats as *nijjot*."

In this report on Kotdes Mr. Nathan (paragraph 20) pointed out that, differing from Section 6 of Act X 1859, Section 116 of the Bengal Tenancy Act protected only the private lands of the proprietors and not those of any class of tenure-holders, and suggested the necessity of special legislation. The Board considered this view of the law to be correct, but thought the matter too small for legislation, and Government agreed.

Chapter XI of the Tenancy Act has, however, not been extended to Orissa and the rights of *muqaddams*, *sarbarahkars* and other village tenure-holders have been scrupulously observed in preparing our record.

In the Attestation Rules of 1895 it was laid down as follows:—

"*Nijjot* lands are defined in section 120 of the Tenancy Act. This section has not been extended to Orissa where the question of *nijjot* is still governed by Section 6 of Act X of 1859, but the spirit of the Tenancy Act definition must be followed with the exception of clause (*a*) which prescribes that *nijjot* must have been cultivated by the proprietor for 12 continuous years before the passing of this Act."

"The real guide to whether land is *nijjot* or not will be the custom of the country by which *nijjot* is held to be the last settlement *nijjot* with the addition of such lands as the zamindar may have reclaimed from waste, either by his own plough or by letting in *bhagchas* to a raiyat and for which no cash rent has been paid. To this area must be applied the provision of Sections 6 and 7, Act X of 1859, *i.e.*, land can only be protected against the accrual of occupancy rights where it has been let out on lease for a term or from year to year."

All lands in the immediate possession of the proprietor or sub-proprietor and cultivated by his servants and not recognised as *nijjot* have been recorded as *nij-chas*. By the custom of the country *nijjot* included also the lands cultivated by a tenant paying produce rents, but applying the provisions of the Tenancy

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Act. Such tenants have in this settlement been classed as occupancy or non-occupancy raiyats.

In the Assessment Rules of 1896 it was proposed to value all these lands, *nijjot* and *nij-chas*, at the "village rate", but to allow the proprietors a deduction not exceeding 25 per cent. of the gross valuation on all lands *bona fide* cultivated by themselves or their servants and not obtained by improperly ousting raiyats.

This concession was based on the anology of Rule 53 of the North-Western Provinces' Board's Rules; which allows a deduction of 25 per cent. on all *'sir'* land actually and in good faith cultivated by the proprietors, or by hired labour at their expense, and the adoption of this rule was appoved by the Local Government. *

The Government of India in their No. $\frac{A136}{40-10}$, dated the 3rd November 1896, pointed out that a hard and fast rule such as that proposed might prove inconvenient and suggested that it would be sufficient to issue instructions to value *sir* lands leniently.

This suggestion was adopted and the final rule on the subject (†) runs thus:

"The Assistant Settlement Officer will make the normal valuation for *nijjot* and *nij-chas* at the village rate, should so far as possible, at the time of settling fair rents, assess *nijjot* and *nij-chas* lands at their actual valuation (letting value) rather than at average rates."

In making proposals for the assessment of revenue it was at first the practice to reduce the increase of revenue, in cases of apparent hardship, by allowing deduction from the valuation of the proprietor's lands, but Mr. Commissioner Cooke, in submitting for the orders of the Board of Revenue the settlement reports on 13 estates of Pargana Randia Orgara, expressed his disapproval of the under-valuation of *nij-chas* lands, and the Board of Revenue in their letter No. 21 A of the 18th January, 1898, accepted the Commissioner's views.

Thenceforward no reductions have been allowed in any valuations of *nijjot* or *nij-chas* except where the proprietors could show it to exceed the fair letting value of the land.

Tenant of *Nijjot*.

459. *Nijjot* lands are commonly sublet to tenants who usually pay half the produce as rent. A certain number of these tenants, though by no means all, have been recorded in our *khatians*, and their existing rents have been settled as fair and equitable, neither tenants nor land lords ever applying for alteration.

Nij-chas lands when leased out cease to be *nij-chas*, but by custom the zamindar may let them on produce rents without losing his right to immediate possession. In this settlement that custom has not been recognised and many fields claimed by the proprietors as *nij-chas* have been recorded as raiyati.

On the other hand many fields actually let on produce rents are recorded as *nij-chas*, the tegants finding no place in our record and not claiming any.

Special Crops.

460. By "special" crops are meant those crops for the cultivation of which an extra rent is paid in addition to that paid for the land when growing the staple crops of the Province.

Mr. Maude included under this head two crops only, the *Pan* or "piper betel", the leaves of which are used by the people to wrap round the preparation of the lime and betel-nut that they habitually chew, and sugarcane. To these I would add three more-tobacco, cotton and jute.

Pan is grown in raised gardens of from one-fiftieth to a quarter of an acre. At the last Settlement these gardens were assessed at Rs. 25 to Rs. 75 per acre, and though the life of a garden is only from 15 to 20 years, these high rates continued to be paid in some villages by the *thani* raiyats down to the present settlement.

Pahi tenants sometimes got leaases for the term of life of a garden at a similarly high rate, but generally the rents were liable to revision annually

* Government to Board No. 400 T. R., dated the 6th June 1896.

† Rule 17, Appendix C.

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according to the area of the garden found in their possession and to its condition, very young and very old gardens paying less than the full rates.

Sugarcane is grown on ordinary rice land, generally near the homestead. It is a very paying crop, but entails much labour for its cultivation and cannot be grown on the same land two years in succession. In some parts, but by no means in all, it was the practice to take an extra rent from *Pahi* raiyats when they grew it. Another feature of sugarcane cultivation was the practice of exchange of fields, locally known as *akhubadali*, whereby a tenant desirous of growing sugarcane but having no suitable land temporarily exchanged one field with a neighbour and grew the crop on that. Each continued to pay his ordinary rent, but the actual grower of the sugarcane made also an extra payment to the zamindar.

Cotton is on much the same footing with sugarcane, but more dependant on the fertility of the soil.

Tobacco, a more valuable crop than either, is entirely dependant on silt deposits for its growth, and the high and variable rents taken may be accounted for by the varying depth and quality of the silt deposited from year to year.

The four cases have these features in common that in all the rent is higher than that paid for similar lands growing other crops in the neighbourhood; and the rent is annually determined by the addition of a certain sum proportional to the area actually growing the crop to the ordinary or normal rent of the holdings. To some extent this additional rent was a tax on industry, but in the case of tobacco and cotton it was chiefly due to the special qualities of the soil and in a sense this appears to be the case with *pan* also, as only in a few villages can good leaves be produced. At first it was proposed in all these cases to arbitrarily ascertain the normal rent of the holding, recording the balance as a temporary payment terminable on ceasing to grow the special crop.

Exception to this rule was taken by Government* on the ground that it was opposed to the policy laid down in Lord William Bentinck's Minute of 1833 and that it must act as a check on Industry and discourage cultivation of the more valuable crops. Two alternatives were suggested, the first that of settling as fair the whole rent actually paid, the second that of settling the normal rent only and treating all further collections as illegal *abwabs*.

The first alternative had the sanction of custom and of the practice in the last settlement, but was open to the objection that these rents could not in fact be always collected every year; the second proposal was in conformity with imperial policy, but it was in the first place very difficult to say how much of the extra rent should be treated as a tax on industry and moreover there was found to be no legal means of reducing the existing rent.

Eventually a compromise was effected and—

(i) The rent actually paid was settled in full.

(ii) If a custom of yearly alteration was found to exist, a note of the fact was made in the *khatian*.

(iii) Where there was any fear that the whole amount could not be collected in full, or where the extra payments where considered not to be warranted by the fertility of the soil, only such amount was carried into the assests of the estate as the Settlement Officer considered should be demanded with reference to the capability of the land.

417. *Thani*† raiyats literally 'raiyats of the place,' were those who had homes in the village.

Thani raiyat

They were in a manner proprietors of their holdings and from the earliest times had been protected against ejectment or enhancement of their rents beyond the recognised amount. To them in the last settlement leases ‡ were given, showing the land held by them, the amount free of rent, and the rent payable on the balance. This rent was fixed for the term of settlement and had in most cases been unaltered up to the time when we began to settle rents.

In the present settlement, the *thani* right of every tenant who could prove that he held *thani* land by inheritance or purchase from the holders at the last settlement was recorded in the *khatians*, no attempt being made to identify

* Letter No. 400 T. R., dated 6th June 1896.

† See paragraph 319 *Supra*.

‡ *Kalipatta, i. e.*, ink leases.

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the land plot by plot with the old settlement numbers unless the zamindar objected to the entry of any of the land as *thani*. A tenant forfeited his claim to recognition as *thani* by accepting a reduction or enhancement of rent by the zamindar or by abandoning his holding, as many did in the great famine of 1866, being only re-admitted as *pahi*.

Apart from these restrictions *thani* lands had been freely bought and sold (subject generally to the payment of a large premium to the zamindar), so that *thani* lands were sometimes found in possession of non-resident raiyats. Such men have generally been recognised as settled *thani* raiyats of the village, but the practice varied in different circles and at different periods, and I have found cases, as in Balubisi, in which the *thani* right was not recognised by the zamindar and has been disallowed. There were no authoritative rules on this point, but in the large majority of cases the right of the purchaser to hold as a *thani* raiyat has been recognised.

The right to create new *thani* tenancies since the last settlement has no-where been admitted; in places the zamindar had given tenants leases of land as *thani*, or had practically recognised the *thani* right by allowing raiyats their homestead free of rent, but such holdings have been classed as *pahi* and the holders as ordinary settled raiyats, their *minha* land being assessed to rent or revenue.

It was decided at the visit of Mr. (now Sir) C. C. Stevens and Mr. Lyon to Orissa in March 1896 that some consideration should be shown to the *thani* raiyats and that their rents should be fixed some what lower than those of the ordinary occupancy raiyats. Accordingly the limit of enhancement was fixed at a rate which should be the mean of that formerly paid by the *thani* and that paid by the *pahi* raiyats. It was pointed out however that the result of the rule was to exempt from all enhancement the rents paid for the more valuable *thani* lands, which were generally the best lands in the village, and towards the close of 1896 the rule was modified,* and it was provided that where the *thani* rate, *i. e.*, the average incidence, of existing *thani* rents, was more than 12½ per cent. below the village rate, all *thani* rents in the village might be enhanced by half the percentage of difference. This rule depended for its equity on the assumption that *thani* rents were fixed at the last settlement on the basis of a soil classification and that what were then the best lands are generally still the best.

These assumptions open up a very large question which I shall have to consider more fully when analysing the rents now settled; here I only propose to deal with the question whether in fact the rents fixed were based upon the productive power of the soil. I would first quote from a letter from Mr. Commissioner Ricketts to the Sadar Board of Revenue (No. 1435 of the 23rd September 1836:—

"*Paragraph 11.*—Actual payments, by which I mean the rates actually paid, are of course considerably influenced by the nature and situation of the soil. I have not, therefore, in directing actual payments to be made the basis of settlements, prohibited the assessment of lands at rates suited to their nature and situation which Mr. Mills in his report on the settlement of Haveli Cuttack says I have done; but the nature and situation of the soil are only two of an infinity of causes operating to increase and decrease the amount of rent the land can pay, and if we give up ourselves exclusivly to those two guides to assessment and do not go wrong, it is my belief, luck, not learning, will have helped us on."

"*Paragraph 15.*—In those Parganas of Cuttack which have from the immemorial paid a considerable revenue, that is, those Parganas which from natural advantages were first cultivated, in every village are to be found *thani* raiyats paying different rates for lands in every respect the same. This all allow, and within the last eight or nine years, during which from repeated calamities season and other more remote causes the resources of the agricultural classes have considerably deteriorated, this inequality of assessment has become very general."

"The *kudimi* raiyats, those who from industry or from having possessed the means of combating with their reverse of fortune have maintained their ground generally, are found to pay the highest, while the latest settlers pay the lowest rates."

With reference to this report the Board in a letter to the Government of of Bengal † gave a summary of the opinions expressed by the Commissioner and Collectors of Orissa in the following terms:—

* Rule 8, Appendix C, Part I.

† Board to Government No. 15 of 30th October 1836, paragraphs 91 to 96.

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"*Paragraph 91.*—Mr. Wilkinson observes that his principle in settlement making has been to assess lands according to their capabilities, and if he found a raiyat holding land in other respects of a similar description at a lower rate than his neighbour with reference to all circumstances, he either raised the one or reduced the other; that, in short, he did not consider that actual payments should be invariably assumed as the basis of settlements; that the equalization of the public demand (*vide* preamble to Regulation VII., 1822), the chief desideratum in settlements, would be defeated if merely actual payments were invariably made the basis of settlements."

Mr. Mills' opinion, Collector, Central Division, Cuttack.

"*Paragraph 92.*—Mr. Mills may be considered to hold the same doctrine with this difference, that he would take the rates actually paid by the tenantry and, where he found unequal rates to prevail, he would distribute the aggregate amount with the assistance of the people on the whole of the lands, with reference to their relative class. In short, he would remedy irregularities in rates as an essential part of the settlement. And he argues that this is the more necessary, since such irregularities—that is, unusually high rates—are mostly occasioned by the circumstance of the *thani* raiyats cultivating *lakhiraj* lands at low rates. Hence, as two-thirds of the rent-free tenures would fall below the Resumption Law, the cultivators of the *khalisa* lands would never be able to continue paying the same rates, if in the revision of settlement the rates on such *khalisa* lands were not made suitable to their productiveness."

Mr. Repton's opinion, Collector, Northern Division, Cuttack.

"*Paragraph 93.*—Mr. Repton is of opinion that the basis of settlement should be the average rent actually realised by zamindars during previous years. He observes that all the *thani* raiyats are much over-assessed, and, as remarked by Mr. Mills, are only able to pay their rent by cultivating *lakhiraj* lands at an extremely low *jama*, that, if it is considered necessary to give *pattas* to the *thani* raiyats at fixed rates for a fixed period, it will then be necessary to enter more into detail to assess the lands as equitably as possible and to equalize the varieties of rate for the same land".

Mr. Ewart's opinion, Officiating Deputy Collector of Southern Division, Cuttack.

"*Paragraph 94.*—Mr. Ewart would listen to objections either from the zamindar or raiyat, would be guided by the existing state of things as proved by investigation, and, where he found adjoining lands in a village generally paying the same rates, yet some paying higher and some paying lower, he would make them correspond, or, where he did not find adjoining lands paying similar rates, he would adopt actual payment as his basis."

Mr. Commissoner Ricketts' opinion, paragraph 5.

"*Paragraph 95.*—Mr. Ricketts would be guided by actual payments. He would make actual payments the ground work of assessment, to be altered only where the rate paid by any individual raiyats might appear to be lower than is paid by others from favour or other unsuitable cause, satisfactorily demonstrable".

"*Paragraph 96.*—With reference to any case in which it may be shown that the *kudimi* raiyats can no longer pay the assessment imposed on them, he would admit of a reduction, but he would not throw the amount of that reduction upon other raiyats less able to pay the load although cultivating lands of similar description, but assessed at a lower than the average rate".

Having thus summed up the views held by the local officials, the Board, recorded their own opinion:—

"Thus it is necessary for the Settling Officer to collect the following heads of information:—

"*1st.*—The very best information he can obtain by every available means, such a *patwari's* village accounts, &c. to ascertain what is the rent actually received by every proprietor from every tenant in his village.

"*2nd.*—A classification of the several descriptions of soils and their respective rates of rent with reference to their produce and situation in an average of years.

"*3rd.*—Enquiries into and comparison of the rates of land of the same quality in adjacent places and villages to a greater or less extent as his judgement or opportunities lead him to make.

"*Paragraph 107*:—Having obtained all these data, he then proceeds to determine to the best of his power what is the rent actually paid upon a consideration of the whole evidence before him; and when he finds cases in which, in reference to these data, the rate said to have been actually paid is irregular, high or low, he makes particular inquiries into the causes of it and either upholds the alleged rate of rent or increases or reduces it, as in his judgement appears right and equitable."

Such were the principles on which the settlement was based, and though the actual application varied according as a particular officer attached more or less weight to rates or to existing payments, yet, as far as my experience goes, neither was neglected.

The class of crop grown was entered by the *kanungos* at the time of measurement. The Deputy Collector checked these entries and ascertained by

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local enquiry the rates paid for the several classes. These rates were compared with those in the zamindar's rent-roll and raised or reduced as might be necessary. The rates for the remainder of the village were then calculated so as to work up to what the Deputy Collector considered to be the true or proper total of the collections.

I think that it may safely be said that the rents so settled for the *thani* raiyats were within any one estate proportional to the value of the land, though there was often great disparity between the rates in neighbouring estates. The first assumption on which the rule for the enhancement of *thani* rents in the present settlement was based is therefore justifiable. As regards the assumption that rents which 50 years ago were adjusted to the value of the crop grown still continued to have any relation to it, the question depends so much on the physical characteristics of the village that it would be difficult to generalise. As a rule good low *sarad* lands continued to be valuable, and high or sandy lands to be poor but in areas much subject to flood or where canal irrigation had been introduced, the relative value of lands was liable to considerable change and Assistant Settlement Officers were warned to be careful, and given the option of reverting to the former method of enhancement if they found it more applicable.

Thani-pahi mixed tenancies,*

462. It often happened that a *thani* raiyat held also *pahi* lands; indeed, so long ago as 1831 Mr. Ricketts writing from Balasore noticed the existence of a class of "*Thani-pahi* tenants" holding both *thani* and *pahi* lands. After the Settlement of 1837 this became much more common. *Thani* raiyats took up *pahi* land at comparatively low rates—this was one of their privileges—and very often paid the rent of both *thani* and *pahi* lands together. As a rule a tenant knew his *thani* land and rent, and it was separately shown in the zamindar's papers, but this was not always the case, and in many Parganas, especially in Balasore, the *thani-pahi* lands had become indistinguishable. The rules for *thani-pahi* raiyats were framed especially with a view to dealing with the latter class, the principle being that it should be ascertained how much of the land and rent was, properly speaking, *thani* and that so much of the rent should be liable to enhancement in the same manner as pure *thani* lands, the rest being treated as *pahi*; but for the purpose of the assessment of excess area the whole of the lands, *thani* and *pahi* should be treated as a single holding.

The difficulty in working the rule was the very variable circumstances of the holdings to which it had to be applied; they might be *thani* and *pahi* lands really distinct but entered in one *khatian*; or they might be so far merged in one another that a single rent was paid though the lands were separate and recognised as such by landlord and tenant; or again the *thani* right might exist but, on paper, lands and rent alike have merged into a single holding. Where records were re-attested the *thani* and *pahi* lands were, where really separate, entered in separate *khatians*, leaving only those which were indistinguishable as 'mixed' holdings. These latter might, I think, have been treated as *pahi*, for that is what they were to all intents so long as the tenant could not say that any definite field was his *thani*. Indeed in some estates the zamindars succeeded in getting all tenants of this class entered as *Pahi* on the ground that the *thani* rights had long lapsed.

The treatment of *thani* raiyats' rents in this settlement is shown in the following table :—

DISTRICT	AT LAST SETTLEMENT.		AT PRESENT SETTLEMENT.							
	Thani.		*Thani.*				*Thani-pahi.*			
	Area.	Rent.	Area.	Existing rent.	Settled rent.	Enhancement. Per cent.	Area.	Existing rent.	Settled rent.	Enhancement per cent.
	Acres.	Rs.	Acres.	Rs.	Rs.		Acres	Rs.	Rs.	
Cuttack.	133·700	3,78,700	41,700	1,14,000	1,20,900	6	84,200	2,13,800	2,25,300	5·4
Puri.	96,900	2,01,600	35,200	64,600	68,800	6·3	68,000	1,18,000	1,22,803	4·
Balasore	107,100	1,85,000	11,700	19,800	21,700	9·6	111,800	1,79,100	1,91,600	6·5
Total...	337,700	7,65,30	88,600	1,98,400	2,11,40	6·5	259,000	5,10,900	5,39,700	5·7

* See paragraph 323.

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Under raiyats.

463. By section 48 of the Bengal Tenancy Act it is provided that the landlord of a raiyat holding at a money rent shall not be entitled to recover rent exceeding the rent which he himself pays by more than the following percentage of the same, viz. :—

(1) When the rent payable by the under-raiyat is payable under a registered lease or agreement, 50 per cent.

(2) In any other case, 25 per cent.

It is also laid down in the Tenancy Act * that in every case in which a settlement of fair rents is being or about to be made, the Revenue Officer shall settle fair and equitable rents for tenant of every class. The law officers of Government being consulted held:—

(i) That a Revenue Officer acting under Section 104 (2), read with Section 101 (2) (*d*) of the Act, is bound to settle the rents of under-raiyats where a settlement of rents is being made. †

(ii) That in enhancing or reducing the rents of under-raiyats the Revenue Officer should be guided by the principles laid down in the Act for the enhancement or reduction of rents of occupancy and non-occupancy raiyats according as the under-raiyats have or have not occupancy right; such enhancement to be subject to the provisions of Section 48 of the Act.

(iii) That the existing rents of under-raiyats must be considered to be fair and equitable until the contrary is proved, and that the contrary would not be proved by showing that existing rent is in excess of the amount recoverable under section 48 of the Bengal Tenancy Act. ‡

These decisions are embodied in Rule 26 of the Fair Rent Rules printed in Appendix C, and the universal practice has been to alter no under-raiyat's rent, except on the application of landlord or tenant.

Bazyafti.

464. A full account of the working of the Resumption Laws will be found in Chapter XXIII., and a very brief account of the origin of the *bazyafti* tenures will here suffice. §

At the last Settlement all claims to hold land free of revenue were investigated and in the event of resumption grants over 75 acres were made into separate estates, those of less extent being included in the revenue-paying estates ‖ and assessed at half or at full rates according as the grantee could or could not prove uninterrupted possession since the conquest,¶ the zamindars and *muqaddams*, if any being allowed collection expenses only at 15 per cent. on the nett *jama* of tenures assessed at half-rates.

In one respect the rules were not always observed, viz., it was often the case that where the settlement of the *khalisa* lands of a *maurasi* village, or village held by a proprietary tenure-holder, preceded the resumption proceedings, as in *taluk* Raghunathpur and many large estates, the *bazyaftidars* were not made to pay through the *muqaddam*. In some of these cases the rents were however actually collected by the *muqaddams*, though they received no allowances for so doing.

The rules were interpreted with great leniency, no attempt being made to assess the lands at anything like the real rates paid for similar lands in the vicinity, so that instead of paying full-rates and half-rates the resumed lands were assessed at from a half to an eighth of their letting value; the average incidence of rent of those nominally settled at full-rates being fourteen annas and of these settled at half-rates seven annas per acre. The resumed lands assessed at full-rates known as *kamil bazyafti* (perfect resumed) or *pura jama bazyafti* (fully assessed resumed) comprised all resumed *jagirs* and the tenures of which the holders could not prove continuous possession since the conquest.

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* Section 104 and Section 104 A of the Amended Act.

† Opinion of 27th November, 1896.

‡ Opinion of 28th May, 1893.

§ See paragraph 313.

‖ Board to Commissioner, No 542 dated 11th September, 1838.

¶ Rule XIII. of rules of 1841.

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The rest were known as *nisfi* (half) or *adhajama* (half assessed) *bazyafti*.

In according their sanction to the rules of resumption the supreme Government had expressed a hope that these petty resumed tenures would, before the expiry of the settlement, have become merged in the general raiyati lands of the Province,

To some extent this has been the case with the *pura jama bazyafti*, especially with the resumed *jagirs*, which were generally in the possession of men of low caste; but the lands assessed at half-rates belonged for the most part to Brahmans or to influential raiyats of the cultivating classes and have generally been preserved intact, as the following figures will show :—

	AREA RECORDED IN ACRES.	
	Last Settlement.	Present Settlement.
Pura jama	80,600	55,200
Adha „	221,300	232,400

The *bazyaftidars* received *pattas* at the last settlement, and for this reason especially have been able to preserve their status.

The question of enhancing the *bazyafti* rents was first raised in 1875 during the re-settlement of the Cuttack Town, when it was decided that the lands should be classified at the next lower rate in the scale of assessment to that under which they would naturally fall.

In a letter No. 20 T. R. of the 24th April 1895 from the Government of Bengal to the Board of Revenue it was decided to treat the *bazyaftidars* as tenants and not as dependant *taluqdars*, and the following principles were laid down for the assessment of their lands :—

(1) That the rents settled for the *bazyaftidars'* lands should be included in the general assets or the revenue-paying estates to which they have been attached.

(2) That the rents of the *bazyaftidars* should be enhanced on the same principles as may be applied in the case of raiyats and tenure-holders according as the *bazyaftidars* in each case may be recorded as a raiyat or tenure-holder, the enhncement being subject to a maximum of 200 per cent. or 156 per cent. over rents now paid by them when the rent is substantial.

(3) That the privilege of transfer and of fixity of the rents for the term of settlement which the *bazyaftidars* enjoy at present should be maintained to them by an entry in the settlement records.

(4) That *kamil bazyafti* raiyats having no right whatever to hold at privileged rates should be treated as *thani* raiyats Government order No. 2604 L. R. of 10th May 1894).

The last order appears to have been passed under a misapprehension of the terms on which the *kamildars* actually held; it being assumed that having been nominally assessed at full-rates their rents would be on a par with those of the *thani* raiyats, whereas in fact the average incidence was very much lower.

Following these principles it was in the first Assessment Rules of 1896 provided that the half-rents of *nisfi bazyafti* should be in the first place doubled and the full-rent so obtained should be ordinarily enhanced by 50 per cent. or if still very low by 100 per cent. *Kamil bazyafti* rents were ordinarily to be enhanced by 50 per cent. and if still very low by 100 per cent.

The enhanced rents of both *nisfi* and *kamil bazyafti* were subjected to a limit of two-thirds the product of the village rates and the cultivated area. No rent was to be assessed on the uncultivated lands and it was to be recorded that such lands would be liable to assessment if brought under cultivation on expiry of the settlement.

These rules on the whole worked well, and though at first it was found very difficult to get acceptances, yet after the *bazyaftidars* had been convinced that their rents were liable to enhancement and after a few objection had been disposed of by recording evidence and enhancing rents for rise in prices or on other grounds all general opposition ceased.

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In a few instances the enhancement of rents of lands belonging to a village idol or to a Brahman of unusual sanctity was resented, but Assistant Settlement Officers were encouraged to listen to such objections and allow most liberal terms.

The chief addition to the rules has been the permission to raise rents beyond the prescribed limits where the extension of cultivation since the last settlement was more that 50 per cent. The rule was rendered necessary by the very small areas assessed in some parganas at the last settlement, so that *bazyaftidars* were not found to be holding large cultivated areas and only paying rent for a fraction of them. Several petitions have been received from the *bazyaftidar* of the three districts protesting against the enhancement of their rents and have been reported on by the Settlement Officer. So far as their objections apply to the general principle of assessment the only relief which has ever been recommended by the Board of Revenue or Government was that of a progressive enhancement suggested in Mr. Toynbee's Note of 17th November 1896. This propos al was dropped in consideration of the petty nature and great number of the *bazyafti* holdings which rendered its practical application almost impossible.

Another class of objections to the enhancements in particular areas is more difficult to deal with as it is not easy when the assessment of a village is once finished to discover the reason that may have led to any unusual enhancement. It would be strange if in no case had any of the large staff of officers employed in settling rents been led by excess of zeal, for the interests of Government, to enhance some rents beyond the limits of prudence and equity, but as a general rule I can say with confidence that the rents are far below the competition rates for the class of land, and rarely indeed amount to more than one-half of what an occupancy raiyat would pay. The enhancement of *bazyafti* rents resulting from the application of the rules work out as follows :—

	Nisfi Bazyafti.						*Kamil Bazyafti.*					
	No. of holdings	rea.	Existing rent.	Settled rent.	Incidence per acre.	Enhancement per cent.	No. of holding	Area.	Existing rent	Settled rent.	Incidence per acre.	Increase per cent.
	2	3	4	5	6	7	8	9	10	11	12	13
		Acres.	Rs.	Rs.	Rs. A.			Acres.	Rs.	Rs.	Rs. A.	
Cuttack ...	98,800	94,800	35,700	1,03,200	1 1	189	28,600	22,500	19,400	30,000	1 5	55
Puri	36,400	59,400	33,100	67,300	1 2	103	5,400	6,500	6,100	8,200	1 4	34
Balasore	48,300	78,200	22,900	68,000	0 14	197	15,700	25,200	14,800	23,300	0 15	57

***Kharida* tenures.**

465. A very full account of the origin of the *kharida* tenure is given in paragraphs 53 to 57 of Mr. Stirling's Minute printed as an appendix on pages XXXIV to XXXVI of Mr. Toynbee's History of Orissa.

The name signifies simply 'bought,' and the tenure owes its existence to the practice by which *talukdars* and *muqaddams* were allowed to sell free of rent or at a quit rent patches of waste land *banjar kharij jama*, subject to the approval of the *sadar kanungo* or the controller in the Revenue Department.

These tenures were of three classes :—

(1) *Ma'afi Kharida*, tenures excused payment of revenue.

(2) *Tanki Kharida*, tenures subject to the payment of a *tanki* or quit rent.

(3) *Sarbarahi Kharida*, subject to assessment of revenue.

The whole of the rights possessed by the alienator passed to the purchaser. Mr. Stirling indeed thinks that the right acquired was that of actual property in the soil, which was certainly not vested in the *talukdar* prior to the British conquest of Orissa.

At the last settlement the rights of *kharidadars* and the treatment to be accorded to them were discussed in 1837, in connection with the settlement of *taluk* Malipur in the Cuttack District, in the correspondence ending with Government letter No. 983 of the 27th June 1837. The conclusions arrived at in this correspondence may be summed up as follows :—

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(1) Resident purchasers from zamindars acquired the same right of property as the zamindar and were to be called *kharidadars* of the first class.

(2) Resident purchaser from *muqaddams* or other dependent *talukdars* acquired the same right of property as was possessed by the vendor, and were to be called *kharidadars* of the second class.

(3) Rents of *kharidadars* of the first class were to be fixed at full raiyati rates subject to a deduction of 30 per cent.

(4) Rents of *kharidadars* of the second class were to be fixed at full raiyati rates subject to a deduction of 20 per cent. They were to pay through the *muqaddams* to whom another 10 per cent. was to be given for expenses of collection.

(5) The zamindar was allowed for expenses of collection the difference between 30 per cent. and the full amount of the allowances on the raiyati assets of the estate.

Sometimes in case of *kharidadars* of the second class 15 per cent. was equally divided between *muqaddam* and *zamindar*.

(6) Recusant *kharidadars* of the first class were allowed 5 per cent. *malikana* and the zamindar was placed in possession of the land and received the full amount allowed on raiyati assets less 5 per cent.

(7) Recusant *kharidadars* of the second class forfeited all right to re-entry and got no *malikana*.

(8) These rules applied to such *kharidadars* as were not permitted to enter into separate engagement for the direct payment of revenue to Government, whether *'pursethi kharidadars*, *i. e.*, purchasers of whole villages or integral portions of villages, or *kharida jamabandidars*, *i. e.*, purchasers of specific plots of land.

Besides these two classes there were *mazkuri kharidagi* estates admitted under the Moghul or Marhatta Government to separate engagement for revenue especially the *kharidagi baze asamian* estates generally composed of scattered plots of land extending over a large number of villages and held by a large number of *kharidadars* all jointly responsible for the payment of the revenue, though only the most influential were recorded as *malguzars*.

These were admitted to engage as proprietors, but when the estate had been sold for arrears of revenue they were treated as being of the second class only.

(9) *Ma'afi kharida* tenures were treated in the same way as other revenue free grants, but on resumption the holders were given allowances as *kharidadars* of the first or second class accordingly as they had purchased their tenures from zamindars or *muqaddams*.

In the present settlement *kharida jamabandi* tenures have been treated as tenures under the Tenancy Act and have been assessed under section 7 of that Act, a deduction being made from the gross assets of the tenure calculated at the percentage allowed to the *kharidadar* at the last settlement and the maximum limit of enhancement fixed at 200 per cent. or ⅔ of the product of the village rate and the cultivated area, whichever is less.

By an entry in the record of rights the privilege of holding at a fixed rent for the term of settlement has been allowed.

Pursethi kharidadars have been treated as village sub-proprietors and the amount to be paid by them fixed under the general rules for the assessment of revenue on proprietary tenures.

Thani-minha.

466. By the custom of the country, as indeed I believe of all Northern India, the *thani* or resident raiyats held their homesteads without payment of rent, this being one of the privileges which compensated them for the higher rates of rent that they had to pay.

These lands were at the last settlement exempted from assessment and recorded in the settlement papers and in the *pattas* given to the raiyats as *minha*, or 'deducted' from the assessed lands.

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In a Government order No. 1183 L. R. of 2nd March 1895 it was decided with regard to *thani* raiyats and *bazyaftidars* :—

(1) That those who got their *gharbari* (house site and surrounding plots) *minha* (rent-free) at the last settlement should continue to hold them *minha*, and that those who did not should continue to pay rent for them.

(2) That the area of *minha* allowed to each raiyat at the last settlement should be deducted from the area belonging to him now to be assessed to rent.

(3) That in making this deduction a margin of about 10 per cent. should be allowed for differences of measurement. If, however, in any case the portion of a plot left after making the 10 per cent. allowance should not exceed one-tenth of an acre, or 2½ *gunts*, the Revenue Officer dealing with the case might leave it *minha*, but if the area exceeded 2½ *gunts*, it must not be left unassessed.

Minha lands had been by custom freely bought and sold, and sometimes the *minha* was now found in possession of a person possessing no other land in the village, and in other cases the land now classed as *minha* was not homestead at all but arable land. In dealing with such cases the orders of Government have been interpreted in their most liberal spirit, and no attempt has been made to confine the *minha* to particular plots or particular tenants, but wherever *thani-minha* was found in the last settlement papers and a title to that *minha* by purchase or inheritance was established by any claimant and the land identified, it was allowed *minha* without attempting to discover whether it was the same plot that was held *minha* at the last settlement.

Bazyafti-minha.

467. The Government orders quoted applied to *bazyafti* as well as to *thani minha*, but it is rare to find a *bazyaftidar* holding his homestead free of assessment. *Bazyafti minha* is more commonly waste land recorded in the last settlement as *minha nalayek kantabari jangal* (*i. e.*, un-culturable throny jungle) or in other similar terms, and is correctly described not as *minha* but as *mauquf jama i.e.*, suspended from assessment. By the Assessment Rules of this settlement so much of the land as has now been brought under cultivation has been assessed to rent, in the case of lands still lying waste the assessment has, as before, been suspended and a note made in the village judgements that it will be liable to assessment if brought under the plough at the next settlement. *

Minha-Khanabari.

468. Not only raiyats but the proprietors and village sub-proprietors, used to hold their houses free of rent and revenue. In their case the *khanabari* (house and homestead) was at the last settlement either confirmed as *minha* or resumed. Generally a large area was claimed and part was resumed and assessed as *khanabari bazyafti*.

These lands were often retained by the proprietors even when their estates were sold for arrears of revenue and formed generally the most valuable part of the proprietor's private lands.

It was at first proposed to assess all such lands, but by Government order No. 4009 L. R. of the 21st August 1895, the privilege already granted to *thani* raiyats and *bazyaftidars* was extended to resident proprietors and tenure-holders. *Khanabari* lands have generally in the present settlement been classed as *nijjot* and assessed at full rates; where the proprietors proved any land to be *minha* it was exempted from assessment, but the areas so exempted were very small.

Rent free grants by zamindars.

469. Besides lands recorded in the papers of the last settlement three kinds of rent-free grants by zamindars were commonly found in Orissa :—

(1) *Zamindar-dia-minha.*— These were plots of land, mostly homestead, allowed by zamindars to a raiyat without payment of rent, and generally forming part of an occupancy holding.

(2) *Zamindar-dia-niskar*, or *kam jama.* —These were grants rent free or at a nominal rent made to Brahmins or old servants and by the custom of the country generally tenable more or less at the pleasure of the donor.

(3) *Zamindar-dia-jagir.*— Grants of land to retainers, servants, and others in payment of service. The zamindars commonly give small plots of land free of rent to low caste labourers and in exchange requisition the holder's labour for the cultivation of *nij-chas*.

* Appendix C, Part I.

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Mr. Nathan in his report on Kotdes, paragraph 23, proposed that such lands should be assessed at full rate and the rents added to the gross assets of the estate or tenure in which they were comprised. This proposal was approved by Government in their letter No. 2604, dated the 10th May 1894. At the visit of the senior Member of the Board and the Director to Cuttack in March 1896, it was decided that no attempt should be made to assess to rent these grants, unless the zamindar or grantee applied, but that they should be valued and the amount of the valuation included in the gross assets of the estate.

The interests of the zamindar were protected by an entry in the *khatian* recording the circumstances in which he was entitled to resume and the amount of rent that might fairly be assessed.

At this time section 192 of the Bengal Tenancy Act was not in force, but in order to facilitate the resumption of these invalid grants on the application of the proprietors it was extended to Orissa by a notification of the 17th October 1896. No alteration was however made in the prescribed procedure until the end of 1897 when Mr. Macpherson, in a letter No. 2624 S. of the 11th November 1897 to the Board of Revenue, pointed out that although section 192 only provided for assessment of grants when either the grantor or grantee applied, yet under section 104 (2) of the Act we were required to settle rents for all tenants in Orissa, and expressed his opinion that the latter section over-rode section 192 and that it was necessary to fix a fair rent for all these invalid grants.

This view being accepted by the Board and Government the assessment rules were altered and Assistant Settlement Officers directed to settle rents for all *zamindar-dia* grants with effect from the 1st January 1898, the holders of resumed *jagirs* being treated as non-occupancy raiyats and the others generally as occupancy raiyats (see Rule 14 of Appendix C). In the case of *minha* there can be no doubt that the fixing of a rent was the most convenient course, as it could be done by a small addition to the existing rent of the holding; but on the other hand I am of opinion that the rents were often high enough already and the *pahi* raiyats, like the *thani* at the last settlement, paid for their *minha* by a higher rate of rent on the rest of their land. In some cases of that nature the difficulty was got over by not recognising the *minha* as such, but treating it as an integral part of the rent-paying holding. In the case of gifts to Brahmans there is also no doubt that the fixing of a fair rent put the zamindar in a much stronger position than the mere assessment to revenue, as in the latter case the grant was only voidable on the sale of the estate for arrear of revenue (section 52 of Act XI. of 1859) if created since the settlement.

The case of *jagirs* stands on a wholly different footing. These grants were to chiefly two classes of persons, either to barbers and potters, etc., in payment for their services to the proprietor and his tenants, or to low caste men who in return carried the zamindar's *palki* and tilled his private lands. They were pure service grants tenable, by the custom of the country, only during the pleasure of the grantor, and excluded from the operation of the Tenancy Act. In many cases indeed part of the holding was rent paying and a portion only was held rent free in return for service, and it was simple to assess an extra rent for the balance previously rent-free. But such tenures were commonest among under-raiyats and tenants of *lakhirajdars* whose rents were not altered. To give the holders of purely service tenures occupancy or non-occupancy rights was certainly hard on the zamindars, who in some cases have complained that in consequence they have been deprived of the necessary services of the *jagirdars* who, once secure in the possession of their lands, refused to work.

In other instances neither *jagirdar* nor zamindar would accept any rent whatever, neither did they admit the relation of landlord and tenant. The difficulty was got over by treating the lands as the proprietor's *nijchas* and valuing them accordingly; and this, in my opinion, would have generally been the better course.

Certain cases however were found in which the so-called *jagirs* were merely suspensions of rent or a portion of the rent in a settled raiyat's holding in return for services. Not a few instances also occurred in which the zamindar caused a record of *jagir* to be made in the hope of destroying the status of his raiyats. With these exceptions the *jagirdars* had really no rights and it was quite unnecessary to record their possession, but they might have been entered in the

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khatians as cultivating the proprietor's private lands in payment for services rendered. It is not possible to state accurately the number of invalid grants assessed to rent and revenue as they have in many cases been included in the raiyati holdings, but the following figures are approximately correct; they do not include the permanently settled estate of Madhupur, the circumstances of which are wholly different:

DISTRICT.	ASSESSED TO RENT			VALUED FOR REVENUE.		
	Number.	Area. Acres.	Rent. Rs.	Number.	Area. Acres.	Rent. Rs.
Cuttack	5,200	3,300	7,200	16,000	13,100	27,500
Puri	160	800	700	4,000	1,700	3,400
Balasore	3,100	4,100	4,900	9,700	8,900	15,300

Chaukidars.

470.* The village watchman, or *chaukidar* as he is now commonly called, is one of the most ancient institutions of the country, so old that we have lost sight of his origin. In the Hindu times we find that the *danduasi* or 'staff-bearer' guarded the agricultural village as the *chatia* † did those of the bazar, and under the Mahommedan *regime* they only changed their name to *chaukia* or *chaukidar*. These men were essentially village servants, but the duties of watch and ward were also performed by *paiks* or footmen who appear, to have been servants or retainers of the *taluqdar* engaged equally in Police work and in rent collection. Yet another class are found of *khandaits* and of *paiks* of the *Khandait* caste holding larger *jagirs* and appearing to resemble somewhat the *Ghatwals* of Bankura and Birbhum. These men were independent of the zamindar and performed their duties in subordination to the *amil* or principal executive officer of the division.

Such was the police force at the time of the British conquest, and Regulation XIII of 1805 recognised the existing distinction, providing in Section 5 for the maintenance of *sardar paiks* and their subordinates under the control of the *darogas* of *thanas*, and leaving the village watchmen or *dusadhs* in the position of servants of the zamindars. Regulation XX of 1817 brought these village watchmen under the control of the *darogas*, though still leaving their appointment with the zamindar, and from that time forward they have been regarded as servants of Government though not without duty of service to the zamindar.

At the last settlement it was ordered that for every *chaukidar* about three acres of land should be allowed rent-free, the excess, if any, being resumed and assessed at full rates, and the prescribed amount made up where necessary by some addition from the culturable fallow or *mahal pahi* land. The confirmed *jagir* was treated as *minha*, the area being entered along with that of other unassessed land of the estate.

In 1841 Mr. Commissioner Mills made proposals for the resumption of all the *jagirs* and the payment of *chaukidars* by fixed salaries, and orders were issued in accordance with which the *jagirs* of *chaukidars* and *paiks* were resumed and included in the assessed lands. Pending however the confirmation of the proposed scheme the amount assessed was in most cases again deducted from the assets before the revenue was calculated. Later again, in 1843, the usual practice was merely to make a valuation of the *jagir* and leave a note that it was liable to resumption on the completion of the arrangements for money payments. In all cases the allowances on the resumed *jagir* were calculated at the same rates as those on the raiyati rental of village. Mr. D. J. Macneill in his general Report on the Village Watch in Bengal expressed his opinion that the resumption of the *chakran* lands left incomplete in 1845 should be made at the next settlement, and police officers have for the last fifty years been unanimous in condemning the system of remuneration of village police by *jagirs*.

In the Government Resolution of 28th November 1891 on the report of the Police Commission the following orders were passed :—

"The *chaukidari* system in Orissa is shown by the Committee to be in urgent need of reform and three different courses of action are suggested, but not exhaustively examined. The Commissioner of the Division, in consultation with the District Officers is now considering a suggestion to bring all the Orissa *chaukidars* under the Act. If this measure be adopted, the Lieutenant Governor thinks it had better be carried out under the supervison

* For a further account see Paragraph 333.

† See above paragraph 333 for an explanation of this term.

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of the Settlement Officer when the *jagirs* held by the *chaukidars* have been surveyed and determined. All these lands should be commuted and the necessary number of *chaukidars* should be decided on and their pay fixed *pari-passu* with the progress of settlement."

Accordingly the Settlement Officer and his assistants were called upon for reports, which were submitted to the Commissioner with Mr. Maude's letter No. 1788 of 29th July 1893.

Government, however, in their letter No. 1561J., again referred the question for further consideration by the Commissioner, and when the settlement of rents began no final orders had been passed, but fair rents were settled for the *chaukidari chakran* lands conditionally on the introduction of a system of cash payments. In a letter No. 309 J., dated 30th April 1896, Mr. R. C. Dutt, the Commissioner, after reviewing the several alternatives before the Government, made the following proposals:—

"(i) *Khandayets* and *paiks* should be relieved of all police duties, and their *jagir* lands should, by an amicable arrangement with them, be assessed to rent, payable to the estates in which they are situate. The service lands of *chaukidars* should likewise be thus assessed to rent. The work of assessment is being done provisionally by Mr. Maddox in the temporarily-settled estates; a special officer should be deputed to do this work in the permanently settled estates, under the instructions of Mr. Maddox.

"(ii) *Jagir* lands thus asssed should be settled with zamindars in the permanently-settled estates by the special officer deputed for the purpose, and 55 per cent. of the rental should be fixed as Government revenue. In the temporarily-settled estates the jagir lands now being assessed will be settled with zamindars along with all lands in their estates, and 55 per cent. of the gross assets should be fixed as the Government revenue.

"(iii) In large Government estates like Khurda and Banki the Khurda system should be maintained or the Act introduced; the raiyats should pay a *chaukidari* rate, and a proportionate deduction should be made from their homestead rents.

"(iv) Excluding *chaukidars* in large Government estates, the total number of *chaukidars* in the Division should be reduced to 6,500. They should be paid at a uniform rate of Rs 3 a month. This expenditure should be considered a charge on land revenue after the *jagir* lands have been assessed and settled, and the temporarily-settled estates have been re-settled in the manner described above.

"(v) The pay of all the *chaukidars* in a district should be drawn by the District Magistrate and paid through the police in such manner as the Magistrate thinks safest and best. The *chaukidars* thus receive their pay directly and punctually from the Magistrate and the police, and should know no other masters."

The Lieutenant-Governor, Sir Alexander Mackenzie, decided that the Chaukidari Act VI (B. C.), of 1870 should be extended to Orissa, exceptions being made only in the case of thinly inhabited and backward tracts; and in paragraph 10 of the Resolution No. 866 J. (Police), dated 9th February 1897, passed the following orders:—

"(1) The Act will be introduced throughout Orissa as soon as possible after the completion of the present settlement, the *chaukidari jagirs* being, in the meantime, resumed and settled with the *chaukidar*-holders, who will be treated in all respects as *thani* raiyats of the village in which the lands lie. They will be released from all obligation to serve as *chaukidars*, but will be eligible for appointment as such by the Magistrate.

"(2) The lands will be incorporated with the lands of the estates within which they lie and be included in the settlement of those estates, an allowance of 15 per cent. on the rent for cost of collection being made to the zamindar in each case.

"(3) In consideration of the receipt of the rents of the resumed *jagirs* (less the deduction of 15 per cent.) the Government will undertake to pay the salaries of the *sardar chaukidars* who may be appointed throughout the temporarily-settled parts of Orissa, at the rate of Rs. 6 each per mensem, the maximum number of *sardars* being limited to one for every ten *chaukidars*. This arrangement is subject to the sanction of the Government of India.

"(4) *Jagirs* in the permanently-settled estates will be treated under Part-II of of the Act.

"(5) Mr. Dutt considers that the present number of *chaukidars* (8729) is excessive, and would reduce it to 6,500. The Lieutenant-Governor agrees that a considerable reduction may be made without loss of efficiency, and it will be for the District Magistrates to settle to what extent the reduction should be carried, with the view especially of securing that adequate pay shall be given to each *chaukidar*, without imposing an excessive burden on the villagers. The Lieutenant-Governor is disposed to think that the rate of pay should not ordinarily exceed Rs. 4. per mensem.

"(6) In the backward tracts in which it may be decided not to introduce the Act, the *chaukidars* will be under the direct supervision of the Police. They will be given settlement of the *jagir* lands, where such exist, and will, in addition, continue to receive the customary dues from the raiyats, for the realisation of which they should be given such

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assistance as may be necessary and practicable. Regulation XX of 1817 will continue to apply to these *chaukidars*, until it becomes possible to work Act VI (B. C.) of 1870.

"(7) The Magistrate should be permitted to take advantage of the presence of the Settlement Officer to prepare, as soon as may be, his schedule of villages, settle the number of *chaukidars* required, and work out all details. Enquiries should be made as regards men suitable and available to act as members of *panchayats*, and early report should be submitted whether there are, infact, any tracts in which it is absolutely impossible to work the Act, or to find even a single man to act as the *panchayat*, the provisions of Section 62 of the Act being bore in mind."

The Local Government's proposals were approved by the Government of India in letter No. 411 in the Home Department dated 1st July 1897 and recommended to the Secretary of State for India in the letter No. 211, dated 4th August 1897. In a despatch of the 4th November 1897 the Secretary of State expressed a doubt whether the *chaukidari jagirs* were liable to resumption, and accordingly a further report was called for and was submitted to the Commissioner with this office letter No. 878, dated the 13th April 1898.

The Commissioner, the Board of Revenue, and the Local Government were unanimous in their opinion that the *jagirs* were liable to resumption, and the Government of India having in their letter No. 458, dated the 27th September 1898, accepted this conclusion, the orders for resumption became final.

In accordance with these orders rents hitherto settled provisionally continued to be settled at the village rate or a little below it, an entry being made in the judgement that the rents would only become payable on the extension to the village of the Chaukidari Act. Consent was obtained with little difficulty, as the terms were very easy for the *chaukidar*. For the assistance of the Magistrate, maps on the scale of 1" to the mile of each Thana showing village boundaries, names and numbers, and the rivers and canals, together with lists of the villages in the Thana arranged geographically, and showing the area and approximate number of houses, have been made over to him.

As to the backward tracts mentioned in paragraph 10 (6) of the Government Resolution, the Commissioner points out that the effect of giving the *chaukidar* settlement of his *jagir* land would be to deprive the Magistrate of all control over him, and recommended (letter No. 437 J., dated 25th July 1898, to the Chief Secretary to the Government of Bengal) that in any tract in which it was thought inexpedient to introduce the Chaukidari Act the *jagirs* should not be resumed. This proposal was approved by Government in their letter No. 5106 J., dated the 26th August 1898, to the Commissioner, but the orders came too late to be given effect to by the Settlement Department.

The only backward tracts in the temporarily-settled area to which the present extension of Act VI is reported to be inexpedient are Parganas Balarampur, Ragri, Shergara, and Kantajhar in Thana Dharamsala, and Dalijora in Thana Cuttack. Both Thanas contain backward and permanently-settled areas; and as the judgements expressly provide that the resumption shall not take effect until the Act is introduced, it will be simpler to postpone the extension of the Act to these areas.

The number, area, and rent of the resumed *jagirs* are as follows :—

Number	...	...	12,100
			Acres.
Area	....	....	20,200
			Rs. A.
Rent	...	...	43,000 0
Incidence per acre	....	....	2 2

In the permanently-settled areas, * including Madhupur, *chaukidari jagirs* have not been resumed. It is to be observed that in Madhupur all *chaukidari jagir* is shown as granted by the zamindar of that estate, but it is as much Government property as in any temporarily-settled estate and cannot be resumed by the donor.

***Khandaits* and *Paiks*.**

471. The *Khandaits* (swordsmen) and *paiks* (footmen) are the last relics of the old Hindu militia, and under Moghul and Mahratta were utilised as police in subordination

* This is not quite correct. Rents were assessed on a few such *jagirs* in the *Sataishazari* and *Ekhrajat* mahals belonging to the Puri temple, but the proceedings will have to be revised by the District Magistrate.

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to the *amil* and *kotwal.* *

Regulation XII of 1805 protected from resumption the lands assigned to *Paiks* and *sardar paiks* for the performance of their police duties, and this section was understood to cover the *khandaits* and *rahbars* (or road patrols) and such of the *nahbars* as were of the *Khandait* caste.

These men, or such of them as had not been dispossessed by the zamindars or assimilated into the general body of the village watchmen, had their *jagirs* confirmed at the last settlement in consideration of the performance of police duties, which they did so badly that of recent years they had only been employed on miscellaneous duties such as patrolling the roads.

The advisability of resuming their lands was discussed in connection with the reform of the village police system; and in Resolution No. 866 J. (Police), dated 9th February 1897, His Honour Sir Alexander Mackenzie announced his determination to release them from all obligation to render service if they would accept settlement on easy terms. The Government orders were as follows-paragraph 11 of the Resolution referred to above :—

"The case of the *khandaits* and *paiks* has, lastly, to be considered. It has already been stated that there are two classes of *khandaits*—those who received their lands from the Mahrattas, and those who were nominated by the zamindars and appointed by the Magistrates. The Government cannot compel the *khandaits* and *paiks* to agree to the resumption of their *jagirs*; but there can be no objection to resumption if they agree, in consideration of the Government relinquishing the right to their services; and the Lieutenant-Governor learns that they have, as a fact, generally expressed to the Settlement Officers their willingness to accept settlement of their lands on that condition. The *jagirs* will, therefore, be resumed by amicable arrangement with the holders. The latter will receive settlement, and will be declared to be raiyats holding at fixed rates, and existing holders will sit at half the assessed rents for their lifetime. The holdings should be included in the estates within which they lie, and form part of its assets in future If the area of any *khandait's* holding is such as to require that it should be treated as a tenure, the Settlement Officer should report whether it should be so settled at fixed rates. If it is deemed advisable to retain the services of some of the *paiks*, as, for instance, for the patrolling of the main roads, proposals as to the arrangement which should be made for the payment of the men after the resumption of the *jagirs* should be submitted to the Government for orders. The number of *paiks* is especially large in Balasore, and it is possible that they are in some parts of that district discharging the duties of the village watch. If so, the men so employed should be treated as *Chaukidars* the orders above relating to *Chaukidars* being applied to them and their *jagirs*, save that their *jagirs* should be resumed only with their consent, and settled at half rates for the lifetime of the present holders. The case of Khurda, where it is understood there is a very large number of petty *paik jagirs* should be especially reported upon."

By an oversight the rules for the settlement of fair rents were not modified in accordance with this Resolution, and rents continued to be settled at full rates though much leniency was shown in the way of small concessions.

The *khandaits* of Dihi Arakhpur objected at first to the assessment, alleging the great inferiority of their lands, but eventually executed a written agreement to pay rent at Re. 0-12-6 per acre, or at about a fourth of the rates for good average land. The lands held by the *sardar khandait*, Jadumani Paikra, in the Puri District and those of the paiks of Balasore were assessed at $\frac{2}{3}$ of the village rate. Most of the remaining *khandait* and *paik jagirs* were assessed at full rates.

The rents so proposed had all been accepted when, towards the close of 1898, it was brought to the notice of the Board of Revenue that the orders of Government had been overlooked; and in their letter No. 960A., dated the 15th October 1898, they submitted to Government a report of the action taken, with a recommendation that what had been done should be approved *ex post facto, i. e.*, that the rents accepted should be allowed to stand, that the zamindar should receive the full raiyati allowances on them, that the Chandbali *jagir* should be created a separate estate, and that the Deogaon and Masora *jagirs* should be treated as tenures with rents fixed for the term of settlement.

In their letter No.6705 J., dated the 27th December 1898, Government decided that the original orders of Sir Alexander Mackenzie, so far as they presented half rents for the lifetime of the holders, should be given effect to, but accepted the other recommendations of the Board.

* See paragraph 332.

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Notices were accordingly issued to all *khandaits* to appear on fixed dates at the nearest Thana and have their *khatians* corrected, the same correction being made in the original record of rights and in the copies issued to zamindrs. The assets and revenue of all estates were similarly corrected, only half the rents originally settled on the *khandaits' jagir* being entered as payable during the lifetime of present holders, and it was provided that the benefit of any increase in the rental of these lands during the term of settlement should be left with the zamindar.

The total area of *khandait* and *paik jagirs* resumed *rahbars* and *nahabars* classed as *khandaits*, is 6,910 acres, and the half rent assessed Rs. 5,090, an average of annas 12 per acre.

As to the proposal to retain certain *paiks* for patrolling after the resumption of their *jagirs*, in paragraphs 4 to 6 of his letter No. 437 J., of the 25th July, to the Chief Secretary to the Government of Bengal, Mr. Commissioner Stevenson recommended that all their *jagirs* should in any case be resumed leaving their pay to be fixed thereafter by Government; and in Government Order No. 513J. D., dated 25th May 1899, it was finally decided that it was unnecessary to retain the services of any of the *paiks* or *khandaits*.

Resumption of *patwari jagirs*.

472. *Patwaris* or village accountants were under the Hindu and Mahommedan and probably in the early days of the British rule to be found in every considerable village, but they gradually lapsed into the position of mere servants of the zamindar and at the last settlement their *jagirs* were, except in the largest estates, resumed and assessed at full rates.

The services of the *patwaris* then retained have been little utilised except in the Puri district, and an attempt made in 1873 to resuscitate them proved a failure.

The question of the maintenance of the record having been discussed in the early stages of this settlement it was generally agreed that paid agency must be substituted for that at present in existence, and in Government letter No. 2604 of 10th May 1894 it was decided that the service lands of *patwaris* should be resumed and assessed at full rates. In accordance with these orders 3,950 acres of *patwari jagir* have been resumed and assessed at Rs. 6,760, and the amount included in the mufassal assets of the estates.

Jagirs of village servants.

473. In paragraphs 40 to 42 of his note on the assessment of the Kotdes Pargana Mr. Nathan proposed that the *jagirs* granted to blacksmiths, carpenters, barbers, washermen, and other village servants should be confirmed except where the holder was proved not to perform the service for which the land was granted. This proposal was accepted by Government in their order No. 2604 of the 10th May 1894, paragraph 6, and accordingly 8,560 acres of *jagir* land have been confirmed and 1,600 acres resumed and assessed at Rs. 4,800. These figures are for the temporarily-settled area only.

Reserved lands.

474. Since the year 1883 the question of the establishment of fuel and fodder * reserves had engaged the attention of Government, and in a circular No. 6 of August, 1891, the Board of Revenue pointed out that it may often happen that a Settlement Officer will, in the course of survey and settlement operations, be in a position, either of himself or in conjuction with the managing or village authorities, to effect improvements in regard to sanitation by reserving tanks for drinking purposes, by the assignment of defined places for necessary uses, and for excavation of earth for building.

With these two objects in view, the establishment of fuel and fodder reserves, and the setting apart of specific places for sanitary purposes, the Settlement Officer caused all waste lands and tanks to the use of which the villagers appeared to have a customary right to be recorded as the property of the community *Sarba Sadharan*. Such lands were found in most villages though the right was by no means always admitted by the zamindars and was indeed strenuously opposed by the members of the Balasore National Society. The fact appears to have been that, to quote Mr. Stirling, the resident raiyats of each village were entitled

* See also paragraph 263.

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each to a share of the firewood, thatching grass, &c., sufficient for their own consumption, and to graze their own cattle without paying to anybody; they could not however dispose of any produce or admit strange cattle. Where land and fuel is abundant I have generally found this to be still the case, but in some parts the proprietors have kept all the grazing land in their own hands and made a charge for village and strange cattle alike.

The subject was discussed in Mr. Nathan's report on Kotdes, but no final orders were passed. In the Rules of 1896 provision was made for the reservation of lands for cremation and for grazing grounds with the consent of the zamindar. The Assistant Settlement Officers were directed to select in each village a few large fields, not more than 15 to 20 acres in an average village of 400 acres, suitable for grazing and to enter them in a separate *khatian* to which they were required to get the signatures of some of the leading raiyats and of the zamindar or sub-proprietors, or his agent.

A note was then made in the *khatian* that the village community were entitled to graze their cattle without charge on this land, and that it was on this ground exempted from assessment. Similarly, plots actually used as, or suitable for, cremation grounds were to be set apart, a note being made in the *khatian* of the right of tenants to their use.

Tanks used for drinking purposes were added to the list, but there was some difficulty in reserving these without interfering with the proprietor's right of fishery.

On the whole the measure has met with remarkable success, being extremely popular with the raiyats and not much opposed by the zamindars.

To safeguard these lands against subsequent encroachment a clause has been inserted in the form of *kabuliyat* to be executed by all zamindars and sub-proprietors entering into engagements for the payment of revenue, binding them to preserve as grazing grounds, cremation grounds, and reserved tanks, the plots specified in the schedule which is annexed to the *kabuliyat*, to take no rent or grazing charge, and to take action in the courts to eject tresspassers if required by the Collector to do so.

This clause was objected to by the Balasore Zamindars' Association, but their objection was overruled by Government. *

The clause will however become a dead letter unless from time to time attention of Collectors is called to it. Zamindars will be very loth to prosecute for cultivation of reserved lands when they can share in the profits by taking rent. An annual report as to the state of the reserved lands in his *chakla* should be called for from each *kanungo*. Inspections should also be made by District and Local Board officers. Of course, if the Maintenance of Records Establishment is introduced, the reserved lands would be looked after.

The total area reserved in the province under the above rules is 1,15,000 acres, as follows † :—

District.		Total area.	Area of grazing grounds.	Area of cremation grounds.	Area of other reserved Lands.
Cuttack	....	55,300	48,800	6,200	300
Puri	....	22,200	21,400	....	800
Balasore	....	37,500	36,000	1,300	200
Total	....	1,15,000	1,06,200	7,500	1,300

Notices and attendance.

475. By Rule 24 (*2*) of the Government Rules under the Bengal Tenancy Act, Chapter VI, it was incumbent on the officer settling rents in connection with a settlement of revenue to serve by proclamation and posting up in the village a copy of his proceeding setting forth the date on which and the place where he proposed to settle rents.

This notice was invariably given a week or more before the appointed date, and not only was a copy of the proceeding posted in the village, but copies were, as far as possible, served personally on the principal zamindars.

* No. 873 T. R. of 26th October, 1898.

† See Appendix L.

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Further, whenever the Revenue Officer proposed to alter an existing rent and the tenant had not appeared in compliance with the general notice mentioned above, he was served with a special notice informing him of the proposed alteration in his rent.

After the very first commencement there was little difficulty in procuring the attendance of raiyats, and the returns show that in the last two and a half years only 15,298 or 1 per cent. of the tenants dealt with failed to appear, and of these only 9,221 had their rents altered. For the first year's work no return of absentees was made, but the figures would not be very different, and the contrast with the stages of *khanapuri* and attestation when the indifference of the people was perhaps the greatest difficulty with which we had to contend, is very striking.

Term for which rents are settled.

476. Under section 113 of the Bengal Tenancy Act rent fixed under section 104 of the Act, cannot, except on the ground of a landlord's improvement or of an alteration in the area of the tenure or holding, be altered.

(i) In the case of a tenure or, occupancy holding or the holding of an under-raiyat having occupancy rights, for 15 years.

(ii) In the case of a non-occupancy holding or the holding of an under-raiyat not having occupancy rights, for five years.

The privilege of fixation of rent was only extended to under-raiyats by Act III. (B. C.) of 1898, and it is not clear that it applies to the rents settled pevious to the 1st November, 1898.

By Government order No. 20 T. R., dated the 24th April, 1895, the privileges of transfer and of fixity of rent for the term of Settlement enjoyed by the bazyaftidars were ordered to be maintained to them by an entry in the Settlement record. This has been done, and the same order has further been held to cover the rents of *kharida-jamabandi* tenure-holders and *tankidars* having rights equal or similar to those of *bazyaftidars*.

The rents of *thani* and *chandina* raiyats have been fixed for the term of Settlement by an entry in the record of rights, made in accordance with the opinion given by the Superintendent and Remembrancer of Legal Affairs in his letter No. 1243 of the 13th February, 1893, to the Secretary to the Board of Revenue.*

* See Director to Board No. 14 T. A., dated 3rd January, 1893.

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CHAPTER XIX

ASSESSMENT TO REVENUE.

Assessment to revenue.

477. A sketch is here given of the procedure in connection with settlement of revenue. The results are given in paragraph 554, etc.

The work began in the recess of 1897. In order to appreciate the labour involved, it is perhaps necessary to say that in the temporarily-settled area there are nearly 6,400 estates situated in 11,000 villages, that some villages contain portions of 60 estates and that some estates are situated in more than 100 villages.

Compilation.

478. In the course of the fair rent work Assistant Settlement Officers had been directed to fill up certain compilation registers (*vide* Part III of the rules in Appendix C.)

These registers showed—(1) Comparison of assessed areas at the last settlement and now. Where the estate had been partitioned at the last settlement, or during the course of the present settlement, special care was taken to bring together for purposes of comparison all the figures for parent and partitioned or new estates. (2) Comparison of areas and assets. (3) Detailed registers of assets showing for each class of tenants their number, area, existing and settled rent and the difference between the existing and settled rents. Separate figures were given in the register for the tenants of each village in which any portion of the estate was situated.

The next stage was to reduce the information compiled into forms which could be easily dealt with. During the course of this work the Assistant Settlement Officers made totals of the assets and served on each set of zamindars the so-called *special* notice according to the following rules :—

"*Rule* 6.—As soon as the total of the settled assets of the estate has been compiled, the Assistant Settlement Officers should issue on each zamindar a special notice in the following form calculating the revenue at 55 per cent. of the settled assets (unless he has already decided to give some other percentage), on this notice should be shown all the persons recorded for the share in which the person notified is interested, the revenue of that share and the revenue of the whole estate."

"SPECIAL NOTICE.

Mehal Tauzi No.

To _____ zamindar / proprietary tenure-holder residing at mauza , Pargana , Zilla

WHEREAS the assessment of the estate , Tauzi No. , of which you are recorded as a _____ proprietor / proprietary tenure-holder. _____ is completed and the new Government revenue has been proposed at you are hereby required to appear before me, , Assistant Settlement Officer. a , on the , to here your _____ *mahalwar* / tenure-holder's _____ *khewat* read.

"Any objections that you may wish to make must be preferred orally or by petition on that day. The assessment papers will be open for your inspection from (date) to (date) at (camp).

"The returns of the above notice must be carefully preserved. When persons appear in answer to these notices, every effort should be made to correct and complete the list of names of proprietors as supplied by the Collector."

Assessment reports.

479. The next and most important part of the work was the preparation by the Assistant Settlement Officers of a report for each estate.

The general principle which has been followed is for an Assistant Settlement Officer to submit a general or block report containing an account of the general conditions, physical and fiscal, of a Pargana or other homogeneous tract. This general report gives cover to special reports for each estate, and saves a great deal of repetition. Where *batwara* has taken place since the last settlement, one special report deals with the original as well as with the new estates. I quote from my No. 1117 of 26th May, 1897, the instructions given for arrangement of the reports and the matters which they should contain .—

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"Estate in Orissa vary so much in size and situation that I propose to leave it to Assistant Settlement officers incharge to direct the Officers making completion reports as to the manner in which they should treat the estates, *e. g.*, there are one or two estates which comprise nearly the entire area of two or three Parganas, and there are many estates which comprise nearly the entire area of one porgana. Generally, however a few estates make up the area of a block of villages. Thus, though the unit of the report must necessarily be the estate, it is possible to economise much time and labour, and to save much useless repetition by sending up covering reports which may refer to a block of villages, or to a Pargana, or to two or three Parganas.

"I would also remind you that an arrangement of this kind will assist the confirming authority by showing him how estates situated in the same locality with (presumably) the same natural advantages and disadvantages are being treated."

I have endeavoured to model the particular estate reports according to the headings given in forms 11 and 12 of Appendix N of the Manual so far as matters of particular interest to the estate may apply, but I have also endeavoured to avoid repetition by prescribing references to matters general in the covering reports.

Instructions for the General Report.

"1. Boundaries and situation of the block.

"2. Physical features and class of soil; any special features of climate or rainfall.

"3. An account of the crops grown and results of crop experiments within the area (refer to the Settlement Officer if necessary), methods of agriculture (if peculiar).

"4. Communications (railway and roads); specially note if any improvements have been made since the last Settlement.

"5. Irrigation, if any; its effect on rent rates.

"6. Liability to inundation or drought, or protection by embankments, &c.

"7. Towns and markets.

"8. Prices of common rice actually recorded at *hats* about the time of submission of the reports (note whether it is a year of scarcity or not).

"9. An analysis of rates for estates or villages. Reasons why (if so) *pahi* rates are still less than *thani* rates.

"10. General condition of the people; whether imigration is common.

"11. Principal products and trades.

"12. Payment of village officials and other customs.

"13. See Part III, Chapter 15, Survey and Settlement Manual, pages 106-107. Any other matters of general interest (the completion report of the last Settlement should be consulted.)"

"Instructions for the Special Report.

[N. B.—The Special Report should be as succinct as possible, and no details given in the statements should be repeated.]

"A brief history of changes in proprietorship; whether the estate has been sold for arrears of revenue, and why; information, if obtainable, as required in II (*a*) (5), page 107, Survey and Settlement Manual, any matter which requires explanation; if the estate has been partitioned a brief history of the *batwara*; the desirability of making a *batwara* or of amalgamation of the estate with another; where there is a proprietary tenure-holder some account sould be given of the nature of the tenure and the changes in the proprietorship.

"(2) Detail of the unassessed area and an account of the extension in cultivation since the last Settlement; prospects of further extension, whether through reclamation of waste or improved communications, railway or otherwise.

"(3) A brief comparison of existing with settled rents; reasons for supposing that rents are too high or too low, analysis of the rates of new settled rents and a comparison with the rates of estates in the neighbourhood; if *pahi* rates have not risen up to *thani* rates, some explanation should be given or a reference made to the paragraph of the General Report which deals with the matter; whether the settled rents are realisable or not, and if not, why not, *i. e.*, on account of liability of the lands to drought or inundation; whether rents were previously collected in full or not; whether any prospective difficulty in realising rents is apprehended; any information regarding *abwabs*; whether the estate is scattered or compact.

"(4) A short account of the *mufasal jama* of the last settlement, of existing assets and of settled assets, a short account of the grounds of enhancement, and any facts worthy of comment regarding the amount of enhancements of the rents of any class.

"(5) A list of embankments in the estate classified according to Mr. Odling's note (for inclusion in the *kabuliyat*).

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"(6) General effect on the income of the proprietor or proprietary tenure-holder of the proposed assessment; an account of the valuation for revenue of all amounts which have been now entered as cash for the first time in the assets, and an account of rents payable for the first time.

"(7) Any special *sairat* collections, *e. g.*, income from quarry, jungle-cutting. &c.

"(8) Particulars of lands reserved for grazing, &c., or as rent free for the benefit of the tenants.

"(9) A brief *resume* of the facts which led the Assistant Settlement Officer to fix the amount of allowance proposed.

"(*a*) For the proprietary tenure-holders.

"(*b*) For the proprietor.

"(10) Any facts of special interest not recorded in the report.
N. B.—The last Settlement completion report should be consulted.)

"(11) The returns of the notices served on the proprietors and their objections, in half margin, with the Assistant Settlement Officer's answers in the other half."

I give below the forms which accompany each special report. The forms have been remodelled by the ingenuity of Mr. H D. Carey, but they contain the information hitherto given in the forms actually submitted for approval to the Director of Land Records, as well as the information required by the Survey and Settlement Manual :—

[I]

Estate, *Tauzi No.,* *Pargana.*

Name of proprietors.	Father's name.	Residence.	Share.
1	2	3	4

[II]

Estate, *Tauzi No.*

NAME OF VILLAGE.		AREA.						Difference.
		AT LAST SETTLEMENT.			AT PRESENT SETTLEMENT.			
At last Settlement	At present Settlement.	Assessed	Unassessed.	Total	Assessed.	Unassessed.	Total	+or−
1	2	3	4	5	6	7	8	9

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[III]

CLASS OF TENANCY	Number of holding.	AREA.		RENTS OR VALUATION.					INCIDENCE PER ACRE.		
		At last settlement.	At present Settlement.	At last Settlement.	AT PRESENT SETTLEMENT.		DIFFERENCE +OR−		At last Settlement	AT PRESENT SETTLEMENT.	
					Existing	Settled	Past existing.	Existing settled		Existing	Settled.
1	2	3	4	5	6	7	8	9	10	11	12
Kharida jamabandi Kamil bazyafti ...											
Nisfi bazyafti ...											
Thani ...											
Thani pahi mixed ...											
Settled and occupancy ...											
Non-occupancy ...											
Chandina ...											
Chaukidari jagir resumed ...											
Other *jagirs* resumed Tenancies newly assessed ...											
Tenancies valued for revenue ...											
Lands in the possession of proprietors Sairat ...											
Total ...											

[IV]

PROPOSED BY.	*MUFASAL JAMA.*			*SADAR JAMA.*					PROPRIETOR'S INCOME.			
	Past.	Existing.	Settled.	AT LAST SETTLEMENT.		PROPOSED.		DIFFERENCE.	Present.	Proposed	Variation percent.	Amount due to the *Chaukidari* Fund.
				Percentage.	Amount	Percentage	Amount.	+or—				
1	2	3	4	5	6	7	8	9	10	11	12	13
Assistant Settlement Officer ...												
Assistant Settlement Officer in charge ...												
Settlement Officer ...												
Finally sanctioned ...												

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These headings were filled up in accordance with the following instructions:-

The first heading is filled up from the list supplied by the Collector, as amended by the Assistant Settlement Officer after service of notices. This heading should not be finally filled up till the day before the report is submitted.

The second heading is copied direct from *Mahal* Progress Register A.

The third heading.—The 1st, 3rd, 5th, 6th, and 7th columns are copied from the totals of the detailed register of *mahal* assets; the 2nd and 4th from the *raidads*, and the rest are calculated from these.

The fourth heading.—The *mufassal jama* is the same as the total assets less any concessions given on valuations for revenue; the *sadar jama* has to be calculated; the proprietor's present income is his existing assets minus the revenue he now pays, and his proposed income is his settled assets minus the proposed revenue.

The amount that will become due to the *Chaukidari* Fund when the *Chaukidari* Act is introduced will be 85 per cent. of the settled rents for resumed *chaukidari jagir*, and this has always to be included in the revenue; thus, if 55 per cent. is the percentage of revenue proposed, the *sadar jama* will be 55 per cent. of the total settled assets plus 30 per cent. of the settled rent for *chaukidari jagirs* resumed, and the amount due to the *chaukidari* Fund will be (always) 85 per cent of the rent settled for *chaukidari jagir* resumed.

Besides this form an English copy of the detailed register of *mahal* assets will be sent in with each report. If a number of reports are sent in together these forms should be cut in half and bound in a volume.

If an estate is situated in one village only, this copy need not be sent in, as it will be the same as the figures in the third heading of the form.

It is to be noticed also that a schedule of embankments and a schedule of grazing and cremation grounds were submitted with each report for inclusion in the *kabuliyat* (*vide* Chap. XVIII, paragraph 474.)

For two months—August and September, 1897-Mr. W. C. Macpherson, Director of Land Records, was placed on special duty in Cuttack. All the earliest reports were submitted to him and he revised and improved them.

Rules.

480. Rules for assessment to revenue (*vide* Part IV, Appendix C) were drawn up in consultation with Mr. Toynbee, Senior Member of the Board of Revenue. The so-called Government share of the assets (50 to 55 per cent.) was laid down, on the suggestion of Sir Alexander Mackenzie, by the Government of India in their letter of 13th October, 1897 and was subsequently approved by the Secretary of State. The latter also directed that the term of the new settlement should be for 30 years as against the recommendation of the Governments of Bengal and India in favour of 20 years.

Application of Rules.

481. In order to show the manner in which the assessment to revenue was carried out I propose to quote my remarks recorded in the anual report of 1897-98.

Proposals for revenue have been made in accordance with Part IV of the Rules (see Appendix C). The orders of the Government of India are to be found in their letter No.192 of 13th October, 1897. In every case the special report of the estate has been written by an Assistant Settlement Officer and his report and proposals have been sent up to me under cover of the remarks and proposals of one of the covenanted Assistant Settlement Officers in charge.

I have made my remarks and passed orders on every estate, however small. The reports were then submitted to the Commissioner in the following cases:—

(1) Where the new revenue exceeds Rs. 100.

(2) In all estates where proposals for taking less than 50 per cent. or more than 55 per cent. have been made.

Estates not included in (1) and (2) above are considered to be finally confirmed. In a very large number of estates I have under the powers given me by clause 9 of the *kabuliyat*, taken *kabuliyats* from zamindars in anticipation of sanction and subject to confirmation. Amended *kabuliyats* are taken on receipt of orders of the Commissioner or of the Board revising my orders.

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I may say that the unexpectedly liberal terms offered by the Government of India and the Secretary of State, as well as the term fixed for the settlement and the powers given me to make *rasadi* proposals up to 10 years, if necessary, have removed all serious objections. I do not think the most sanguine zamindar expected better allowances than 45 per cent. in flooded areas and 40 per cent. in ordinary areas.

To complete the account of the procedure I set forth in greater detail the principles which I have endeavoured to follow in making proposals for revenue. I would preface my remarks by saying that the particular circumstances of zamindars have so far as possible received careful consideration.

(1) In flooded areas, or in estates specially exposed to flood, and in estates composed of scattered portions, proposals were generally made at 50 per cent. Also in other cases (*e. g.*, estates liable to drought) where there is difficulty (through no fault of the proprietor) in realizing assets.

(2) In the following cases *rasadi* proposals have generally been made, provided that the new revenue exceeds Rs. 15.

(*i*) Where revenue is enhanced by over 100 per cent. or if the estate is large by over 50 per cent.

(*ii*) Where the proprietor's income is diminished by more than 20 per cent. if the amount is large : or more than 25 per cent. if the amount is a small one.

(*iii*) Where though the loss of income may not (on paper) be excessive, a large proportion of the new assets is to be collected from *kharida, bazyafti* and resumed *jagir*.

Unless the estate is large or the enhancement of revenue enormous (as in the case of some *bazyaftimahals)* the *rasdi* period is not generally extended over five years.

In one, or perhaps two, cases I have had to propose 25 per cent. as initial revenue and 40 per cent. as ultimate revenue. As a rule the *rasadi* proposals are for five years, and start with 5 per cent. or 10 per cent. less than what is ultimately to be taken according to the nature of the estate, the increase of revenue, the circumstances of each proprietor, or the effect of the proposals on his income.

(3) Sixty per cent. has been proposed as revenue when some of the following conditions apply :—

(i) By taking less than 60 per cent. revenue is reduced without any cause, such as reduction of assets.

(ii) By proposals at 60 per cent. the proprietor's income is raised, and Government does not get a fair share of the rise in assets.

(iii) Where there has been fraud or wilful concealment of assets, and Government does not get a fair share by taking less than 60 per cent.

(iv) When, though protection and irrigation have been extended to the estate, the proprietor does not do his duty by it, and proposals at 60 per cent. do not affect his income or do not severely reduce it.

(4) Sixty-five per cent. has only been proposed where there has been no reduction of assets and there is no ground for reduction of revenue.

(5) Proposals are generally less severe when there are a large number of small cultivating proprietors, because enhancement of revenue is to them tantamount to enhancement of rent. On the other hand, zamindars who have obtained by fraud, or who are unaccountably in possession of large areas of *nijchas*, are generally treated, more severely.

In the majority of estates proposals have been sent up by the officers who assessed the rents, and who have local knowledge. It is to be understood, however, that it has not been possible to do so in all cases, but to remedy this we have served preliminary notices in all cases on zamindars stating the *jamas* which the Assistant Settlement Officers proposed to fix, the dates on which the papers will be open to inspection, and the place at which these objections will be heard. These objections have been heard locally as far as possible. I firmly believe

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that this work has been carried out conscientiously by the Assistant Settlement Officers, and I may be permitted to add that the local knowledge gained by the covenanted Assistant Settlement Officers in charge and by myself, in the course of our work, has been applied, so far as possible, to each proposal.

The results of these proceedings are shown in Chapter XXII, paragraph 554, etc. It is only necessary to mention the fact here that new revenue has been introduced for 6351 * estates, the demand being increased from Rs. 13,84,000 to Rs. 21,03,000, or by more than 52 per cent.

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* Including 5 *Killajat* estates, see paragraph 510.

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CHAPTER XX.

THE SETTLEMENT RECORD-ITS COMPLETION, CLASSIFICATION, ARRANGEMENT, AND MAINTENANCE.

482. I now propose to describe the records made over to the Collector, to explain how the draft made in camp was finished from the time of draft publication onward, how it was copied, published, and arranged.

Lastly, I propose to give some account of the schemes for its maintenance and the arguments for and against.

483. The usual procedure for the completion of the record was as follows :—

Completion of record of rights.

Rents having been settled as described in the last chapter and all miscellaneous corrections and orders given effect to, the *khatian* and *khewat* were, under Section 105 (*l*) of Act VIII of 1885, read out in the village by a *kanungo* who at the same time pointed out to the tenants the lands reserved for grazing or other purposes.

After being thus published the draft record remained for a month in charge of the camp record keeper, and during that period any interested party was allowed to see it, and could prefer a summary objection under Section 105 or bring a suit under Section 106 for the correction of any entry.

When all objections had been disposed of, that is, about two months after the date of settlement of rents, and all corrections checked and necessary figures abstracted for the completion reports, the record was put up to the Assistant Settlement officer, who, after satisfying himself that it was complete, ordered it to be sent to head-quarters for copying.

At the head-quarters the record keeper received the records thus sent in and handed them on as required to the copying department, where one complete copy was prepared for final publication, another less full to serve as the zamindar's rent-roll, and for each tenant a copy of the draft *khatian* of his lands.

After being copied and compared and checked, the final record, consisting of *khewat*, *khatians*, schedule totals, and schedules, was made over to a *kanungo* who read out the *khatians* and *khewats* in the village, signed and dated the seal on them, distributed to the tenants, or such as came, their copies, and returned the record and undistributed *khatians* with a certificate of final publication to the head office.

Then, after any suits still pending under Section 106 had been disposed of and the *khatians* concerned corrected and published, the records were re-arranged, unimportant papers being set aside those to be preserved arranged in A and B files as explained below.

The records were then numbered and arranged by Thanas, and the *khewat* finally revised at the time of taking *kabuliyats* having been included, were ready to be made over to the Collector.

This is a very summary sketch of the general history of a record, and the only differences in the stages here described intorduced by Act III (B. C.) of 1898 were (1) that the record was published before rents were settled, (2) that formal suits could not be brought in respect of temporarily-settled revenue-paying lands, but could be brought even after final publication in respect of permanently settled lands.

484. Draft publication was very simple work. Notice having been duly published seven days in advance, the *kanungo* went to the village and there read out to such of the villagers as attended the entries in the *khatians* and *khewats* and informed them that at any time during the next month they could see the records in the camp.

Draft publication.

A *kanungo*, a *muharrir* and two peons were attached to each camp for this work, but there was rarely enough to keep them fully employed; the *muharrir*

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was drafted to general duty and the *kanungo* combined with publication local enquiries of various kinds. For a *kanungo* doing no other work 25,000 to 30,000 plots a month was a good outturn, and we may take it that the cost was not more than Rs. 30 for 20,000 plots, or Rs. 12,000 for the Province.

Correction of records.

485. The final rule for the correction of records as it stood in 1895 was that every order must be given effect to in every part of the record, alterations in the *khatian* and *khewat* being initialled by the Assistant Settlement Officer himself; those in *khasra, terijes* and statements by the head *muharrirs*.

The first exception made to this rule was in 1895, when the final attestation of comparative statements of *jagir bazyafti* and *nijjot* lands being stopped, they ceased to be corrected.

The next was in March 1896, when at the conference held at Bhadrak it was decided to discontinue the correction of boundaries.

With these two exceptions, all orders passed by Assistant Settlement Officers in camp have, before the records were returned to head-quarters as complete, been given effect to in the *khewat, khatian, khasra, lakhiraj bahal* statements, schedules, *terij* schedule totals, *tahsilalahida* statement and village trace.

The *milan khasra* was not usually corrected in detail, but the totals of the *khasra* were checked and compared with the total of the *khatians*.

Correction of *khasra*.

486. In the two districts of Cuttack and Balasore the *khasra* has been, or at least has been supposed to be, corrected in accordance with all orders passed before or after attestation; but in the Puri district in an inspection of December 1896 Mr. McPherson found that a great deal of time was being spent on correcting the *khasra* in accordance with alterations already made in the *khatian*; and inasmuch as the *khasra* was not a part of the record of rights, he considered the work unnecessary, and ordered it to be discontinued.

The result is that the *khatian* and *khasara* will not always agree, the latter being often incorrect. In a small number of villages the discrepancies were reconciled at the time of correction of boundaries as described in the next paragraph.

Hitherto nothing has been done towards supplying a fair copy of the *khasra* to the Collectors, but it is made over as it is, full of erasures and sometimes incorrect.

I have in my report on the Bill of 1897 for the amendment of the Tenancy Act recommended that an abstract of the *khasra* should be prepared as in index to the village map and should form part of the record of rights. It would contain only the number, area, *touzi* numbers of estate, name of tenant, and *khatian* number. Such an index might still be prepared from the *khatians* at a cost of not more than Rs. 30,000, and I strongly recommend that it should be made and attached to the map, unless indeed completely new *khasras* are written as proposed in the scheme for maintenance of the land records submitted with my letter No. 1040, dated the 16th May 1899.

Boundaries.

487. Under section 102 (*c*) of Bengal Tenancy Act the boundaries of a tenant's land were required to be shown in the record of rights, and accordingly the names of the tenants holding on the four sides of each field were entered in *khasra* and *khatian* by the *khanapuri amin* except in the case of houses and unoccupied lands.

In the case of tenure-holders, or raiyats with under-raiyats, the boundaries were usually entered in the tenant's or under-raiyat's *khatian* only for the lands which they occupied, and full details were only given in the landlords' *khatians* for the lands in their own possession.

After *khanapuri* the correction of the name of a tenant of any one field would usually involve the correction of the boundaries of the four surrounding fields in both *khasara* and *khatian*.

This, though very laborious, continued to be the rule down to 1896, when, at the Bhadrak conference of the 25th March, it was decided to discontinue the

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correction of boundaries, on the ground that the expenditure and delay were quite disproportionate to the value of the corrections.

When the fair copying of the *khatians* was begun the question of omitting boundaries was again mooted, but for some time no decision was arrived at, and the boundaries as they stood were copied and published in the final record.

I expressed my disapproval of this procedure in my report on the amendment of the Tenancy Act; and in a letter No. 187 T. S., dated 25th May 1897, Mr. W. C. Macpherson, the Director of Land Records, expressed his strong disapproval of the publication of incorrect records.

Immediate steps were taken to secure that for the future two out of the four boundaries of every field should be corrected, and those two only entered on the final record.

The procedure adopted was first to correct column 7 (name of tenant) in the *khasra* by comparing with the *khatian*, then from the map and *khasra* to correct the north and south boundaries of every plot in the village, and lastly to correct from the *khasra* the boundaries in the *khatian*.

I estimate that for considerably more than half the province the boundaries have been thus corrected. Some of the work was done by paid men, and where temporary men were employed the rate was from 6 to 8 annas per 100 plots for a pair of *muharrirs* who did some 200 fields a day.

The work must at this rate have cost of Rs. 20,000, but it had the advantage of serving as a check on the *khasra* and of saving time in copying by allowing the omission of two boundaries.

The (preparation of fair copies) *khatians*..

488. The draft *khatians* were bulky and full of corrections, and it was obviously out of the question that they should be filed in original in the Collector's office, and in June 1896 it was finally decided to copy them in a continuous form with a slip heading adopted from that given as No. 7, Appendix G, to the Survey and Settlement Manual of 1895.

The form was as follows :—

UPPER PORTION

Khatian No. *Mauza No.* *Pargana* *Thana* *Volume No.*

Serial Number of Tenancy.	Name, father's name, and caste of tenant.	Khasra number.	Boundaries	Description	Area.	Existing rent and cess ascertained by Revenue Officer (omit) when column 8 is filled up.	Rent settled by Revenue Officer (if any) and cess.	Status and, in case of nonoccupancy tenancy, length of possession, special conditions and incidents if any, including progressive rents.	REMARK (Note e. g., entries which have been the subject of a case under section 106 Bengal Tenancy Act.)
1	2	3	4	5	6	7	8	9	10

LOWER PORTION

Mahal *Tauzi No.* *Name of zamindar.* *Khewat No.*

1	2	3	4	5	6	7	8	9	10

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This form was to be used both for the final record and for the copy to be given to the proprietors. For the tenants the form of the working *khatian* was preserved, viz :—

Serial No. *Warija of Pargana* *Son of District* *Holding land as the proprietary right of* *In Mahal Proprietors according to Khewat.* *Mauza*

No.

1	2	3	4	5			6	7		8									9		10
Name of land-rd	Serial number of raiyat.	Name of raiyt, his father's name caste, resid-ence	Name of under raiyats his father's name caste, resi-dence and number of the warija	KHASRA NUMBER AND BOUNDARY OF EACH PLOT.			Class.	AREA.		TOTAL RENT OF THE HOLDING. ACCORDING TO LANDLORD (a).			ACCORDING TO RAYAT (b).			ASCERTAINED BY SETTLEMENT OFFICER			FAIR RENT FIXED BY SETTLEMENT OFFICERS.		Particulars of Tenancy and Remarks.
				Khasra number	Boun-daries,	Num-ber of kitas		A	D	Rent.	Cesses.	Total.	Rent.	Cesses.	Total.	Rent.	Cesses.	Total.	Rent per acre (a)	Rent of holding (b)	

For the preparation of these copies rules were first drawn up in August 1896 and passed by the Director in September of that year.

The copying was to be done at local centres to which the records would be sent in from camp. At each centre would be a supervisor, under him one or two squads of 30 *muharrirs*, of whom 4 to 8 would be employed on comparing.

Centres were eventually formed at Cuttack, Jajpur, and Kendrapara in the Cuttack District; at Balasore and Bhadrak in the Balasore District; and at Pipli in the Puri District.

At each centre were one or two squads consisting each of —

	Rs.
1 Supervisor on	30 to 35
2 *Munsarims* on	20 each
2 Assistant *munsarims* on ...	16 „
2 Supervisors' *muharrirs* on ...	12 „
2 Peons on ...	5 „
1 Sealer	6 „
1 *Daftari*	6 „
75 Copyists	...
36 Comparers	...

Work was at first slow and rates high, viz., for the final records 8 annas per 100 plots, for the raiyat's copy 7 annas per 100 plots, and for the zamindari copy 5 annas per 100 plots.

Comparing was paid for at 12 annas per 1,000 numbers, the head comparer being paid a fixed salary.

In March 1897 the rates had been reduced to 7 annas for the final record, 6 annas for the raiyats, and 3 annas for the zamindari copy. These rates were at the close of the year again reduced to 6 annas, 5 annas, 4 pie, and 3 annas, respectively, and the comparers were paid fixed salaries of from Rs. 12 to Rs. 15. Even so, the muharrirs worked so much faster that their earnings were larger at the reduced than at the former higher rates.

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The total expenditure on copying these records is as follows :—

DISTRICT.	NUMBER OF FIELDS COPIED INTO			Cost of copying	Cost of comparing, supervision, &c.	Total.
	Final record.	Raiyat's copy.	Zamindars' copy.			
1	2	3	4	5	6	7
				Rs.	Rs.	Rs.
Cuttack...	4,142,939	3,295,370	3,573,421	58,570	9,055	67,625
Puri ...	1,721,337	1,211,077	1,258,556	23,327	3,648	26,975
Balasore...	2,584,901	2,028,439	2,024,902	30,415	7,312	37,727
Total	8,449,177	6,534,886	6,856,879	1,12,312	20,015	1,32,327

Arrangement of record.

489. The copy of the *khatians* prepared for the final record was at first an exact *replica* of the entries in the draft, omitting only the former rent where a new one had been settled.

The order of the entries was as follows :—

1.	Government lands	For the whole village.
2.	Tenants of Government	
3.	Revenue-free lands	
4.	Tenants of revenue-free lands	
5.	*Kharida jamabandi*	For the first estate in the village.
6.	*Bazyafti* tenure holders	
7.	Do raiyats	
8.	*Thani* ,, ...	
9.	*Thani-pahi*	
10.	*Pahi* settled and occupancy raiyats	
11.	Non-occupancy raiyats	
12.	*Chandina* ,, ...	
13.	Resumed *jagirs* and rent-free grants.	
14.	Proprietor's private lands	
15.	Invalid grants assessed for revenue	
16.	Confirmed *jagirs*	
17.	Waste lands	
18.	Under-raiyats	
19.	Raiyats of proprietor's private lands, of *jagir*, &c. ...	

And then the same for the next estate, and so on.

The numbering of classes 1 to 4 was the same as that of the *terij* of Government and revenue-free lands, and from 5 onwards the numbers of the *khatians* followed the schedule.

The first important alteration was in May 1897 when in accordance with the views expressed by the Director, Mr. Macpherson, in his letter No. 187 T. S., dated the 25th June 1897, only the north and south boundaries were entered in the *khatians*.

A little later another change was made chiefly with a view to shortening the record, and full details of their lands ceased to be entered in the *khatians* of tenure-holders, *lakhirajdars*, or departments of Government having tenants under them.

For lands in the immediate possession of the tenure-holders, &c., details of the plots, their area, class and boundaries continued to be shown, but in the case of lands held by tenants, only the name of tenant, number of plots, their total area, and the rent payable by the tenant with a reference to the number of his *khatian* in which the details might be found, were given.

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The following example of a *kharida jamabandi* tenure-holder's *khatian* will explain what is meant, and to show the difference in treatment, a copy of the continuous *khatian* of a *thani* raiyat with under-raiyats is also given :—

Serial No.	Name of occupant.	Plot No.	Boundaries.	Class of crop.	Area.	Existing rent	Settled rent.	Status.	REMARKS
1	2	3	4	5	6	7	8	9	10
				KHARIDA JAMABANDI TENURE-HOLDERS					
3	Lakhan Panda, son of Rameshar Panda residing at Bohugram, Pargana Paenda, Thana Salepur.	15	N. Gopal Malik S. Ram Sethi	*Sarad Ekfasal 2 Kitas*	A. D. 1. 25	...	R. A. 4 4	*Khrida jamabandi* tenure-holder.	This rent is fixed for the term of settlement.
		23	N. himself S. Fakir Das	*Biali Birhi 1 Kita*	.75				
4	Total *nij dakhal* held by raiyats.	2	...	*3 Kitas*	2.0				
	Ram Das Nos. 101 / 2	4	...	5 „	·80	...	2 0	Occupancy.	
	Lakhan Sahu, Nos. 103 / 4	1	...	3 „	·70	...	*Dhuli bhag*	Non-occupancy.	
	Total	7	...	11	3·50	...	...		
				THANI RAIYATS.					
4 / 1	Fakir Das and Kali Das, sons of Ramu Das, residing in the village.	12	N. Gopi Sahu S. Asthan.	*Sarad Ekfasal 3 Kitas*	1·20	...	8·2	*Thani* settled raiyat.	Ditto
		17	N. Ram Das S. Balu Lenka	*Biali, Kulthi 1 Kita*	·75	...	...	...	Under raiyat Ram Das Nos. 104 / 1 rent *dhulibhag*.
	Minha	35	...	*House 1 Kita*	·15				
	Total ...	3	...	5	2·10				

490. For the zamindars and proprietary tenure holders one copy of the entries for each estate and tenure in the village was prepared in the continuous form, boundaries being omitted as well as all mention of under-raiyats and under-tenants.

Copies of record of rights.

The class of crop was entered only in the *khatians* of lands in the immediate possession of the proprietors. At first the zamindars of the principal estate received also copies of the entries regarding revenue-free and Government lands in the village, but from May 1897 this practice was discontinued. The zamindari copies were made over to the proprietors executing *kabuliyats* as will be explained when dealing with that part of the work.

The raiyats' copies were prepared from the original working *khatian*, and though in a somewhat different from the continuous *khatian* reproduced the indentical entries.

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Such copies were prepared and issued free of cost to all tenants in temporarily-settled estates, but not for Government and revenue-free lands, nor for lands in the immediate possession of the proprietors. At first, indeed, copies were made and given to *lakhirajdars* and their tenants, but in July 1897 the question of the recovery of some part of the cost from the holders of revenue-free lands was mooted and the further distribution of the *khatians* stopped.

It was finally decided that copies of the *khatians* of tenants holding under revenue-free proprietors should be given on payment of one pice per plot, the minimum charge for one *khatian* being, by a subsequent order of December, 1898, four annas. *Lakhiraj bahaldars* have been given copies of their own *khatians* on the same terms.

Case-work after draft publication.

491. The case-work after the preparation of the draft record fell under two main heads :—

(1) Objections filed under Section 105 (1) of Act VIII of 1885.

(2) Disputes under Section 106 of that Act. Objections under Section 105 (1) could only be filed within the period, usually one month, of publication of the draft record, and could be presented on plain paper or on the printed forms modelled on the form given in Appendix A to the Survey and Settlement Manual of 1895 and sold at one pice each. When draft publication began these petitions were required to be stamped, but it was very shortly pointed out that under Section 19 (IX) of the Court-Fees. Act of 1890 no fee was chargeable, and the practice was discontinued.

Process fees were levied at the discretion of the Assistant Settlement Officer in cases that he thought frivolous or unduly delayed.

Notice having been served on the opposite party, the objections were summarily decided by the Assistant Settlement Officer who recorded a brief finding and an abstract of his grounds, but rarely any evidence except in hotly contested cases.

The number of such objections disposed of is 63,518, as shown in the following table :—

	Cases under Section 105 disposed of including those under section 103 of the Amending Act.				Total
	1895-96.	1896-97.	1897-98.	1998-99	
Cuttack	380	13,791	14,377	3,572	32,120
Balasore	251	9,162	7,368	2,870	19,651
Puri (excluding Khurda)	17	8,943	1,747	1,040	11,747
Total —	648	31,896	23,492	7,482	63,518

Doing no other work, an Assistant Settlement Officer could dispose of about 1,000 such objections in a month, so that the time spent on their decision may be taken at six years' work of one officer and the expenditure at Rs. 20,000, besides as much more for the correction of the record.

The large number is due to many questions originally decided at attestation being again revived, and also to a tendency to put off bringing cases to the last moment.

Though the disposal of these objections and the necessary corrections took up so much time, yet, as there was but limited period for filing them, they did not very seriously retard the completion of the record.

Cases—Section 106.

492. It was otherwise with the disputes under Section 106. These were rarely brought until all other means had been exhausted, though in a few cases disputes arising at a late stage of the proceedings came up for the first time in this form.

They did not as a rule take very long to try, but time was spent on summoning witnesses and giving adjournments on various pretexts; and as the people freely availed themselves of their rights of instituting such suits

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immediately before the final publication of the record under Section 105 (2), Act VIII of 1885, they proved very troublesome.

They were worst in Balasore, where the people appear to have been more litigious; but both there and in the other districts arrangements had to be made for finally publishing *khatians* unaffected by pending suits without waiting for the conclusion of all case-work in a village.

When the cases had been disposed of and the corrections, if any, in the *khatian* made, the records were again sent to the village and the *khatians* previously reserved from publication read out.

This difficulty was removed by Act III (B. C.) of 1898, which put a limit to the time for objections in respect of revenue-paying lands and allowed formal suits in respect of revenue-free and permanently-settled lands to be brought after final publication.

The total number of suits under Section 108 in the province has been 9,502 besides a few cases tried in 1894-95 before the draft publication of the records. Of these a very large number were compromised or struck off on technical grounds, but the residue represented a large amount of work.

I have estimated* the expenditure on their trial at Rs. 11,283 for the year 1897-98, and the total may be taken at Rs.12,000, to Rs. 13,000 without taking into account the value of my own time and that of my covenanted assistant.

Details of cases disposed of are given in the following table:—

	Cases under Section 106 disposed of in the year				Cases under Section 106 of the old Act disposed of under the Amending Act. †
	1895-96.	1896-97.	1897-98.	1898-99.	1898-99
Cuttack....	....	373	3,666	‡1,319	393
Balasore....	33	509	2,796	42	1,376
Puri (xcluding Khurda)	8	385	314	57	....
Total....	41	1,267	6,776	1,418	1,769

† Under Sections 103 and 104.
‡ 1,128 cases under the old Act and 191 under the new Act.

Final Publication.

493. Publication of the finally revised *khatian* and *khewat* under section 105 (2) of Act VIII of 1885 was the last stage in the preparation of the record; after it no change could be made save on the ground of fraud or clerical error.

It was held that the document actually published constituted the record of rights, and therefore the *kanungo* took with him to the village the final copy of the *khatian* bound up with *khewat* and schedules, as well as the copies prepared for raiyats.

The *khatians* had already been sealed (without signature or date) at the head office, and the *kanungo* commenced by reading out the final record while his muharrir distributed the raiyats' copies and took their receipts in a book kept for the purpose. As each *khatian* was read out or distributed the *kanungo* signed and dated the seal.

In this way a *kanungo* and one muharrir could get through about 25,000 fields a month or more and the pay of the establishment, a *kanungo* and muharrir and two peons came to Rs. 50, so that Rs. 2 per 1,000 fields, or Rs. 16,000 for the Province, was the original estimate; but as matter of fact a lot of time was spent in travelling and the cost has certainly not been less than Rs. 20,000 for the initial publication alone; and besides this many village records have been partly published a second time as explained in the last paragraph.

At first the *kanungo* published the *khewats* at the same time as the *khatian*, but in 1897 this was stopped, and the *khewats* were not published until after they had been finally revised at the time of taking *kabuliyats*. They were then sent out to the mufssal in batches, and after being published in the villages were pasted into the record in place of the discarded drafts, but this matter will be treated of under the head of *khewats*.

* Letter No. 1310, dated 3rd July 1899, to the Commissioner of the Division.

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Act III (B. C.) of 1898 made a great difference in respect to final publication in revenue-free and permanently settled areas, as it became only precedent to the institution of suits for enhancements of rents (section 105) or correction of the record (section 106).

Though at the time of final publication the record was nominally complete, there were almost always, under either procedure, corrections to be made in it. Clerical and artithmetical errors were discovered during the extraction and compilation of figures, decisions were reversed on appeal and the original clean copy was often much corrected before it was ready to be made over to the Collector.

This was in no small measure the fault of the law, which made final publication the only limit of correction and at the same time made it necessary to publish the fair copy in original.

The present law [Act III (B. C.) of 1898] has removed this difficulty in the case of temporarily-settled areas, and to a great extent in permanently-settled tracts also.

It is now possible to reserve from both draft and final publication disputed entries.

The *Khewats*.

494. The village *khewats*, part I as prepared at attestation were in various forms, containing sometimes a list of proprietary interests in the whole estate, sometimes those in the particular village, sometimes both, in varying degrees of correctness.

Besides these village *khewats* a complete set of *mahalwar khewats* showing the lands and the proprietors of each estate was supposed to have been prepared, but was only complete for a few circles when fair rent work began.

At the fair rent stage zamindars were again sent for, the village *khewats* corrected, and the *mahalwar khewats* brought up-to-date. *Khewats* thus corrected were published in draft and finally bound up in the record of rights.

At the close of the year 1897, when figures having been compiled, notices were served on the zamindars informing them of the proposals for the assessment of the new revenue, they began to put in objections to the entries as to their interests, and a large number of alterations were made in the *mahalwar khewats* which thus differed from the *khewats* in the village records.

The question of the reconcilation of the two records having been discussed in a conference with the Director, orders were issued (Circular No. 149 of 28th December, 1897), stopping the final publication of the draft *mauzawar khewats* and directing Assistant Settlement Officers to finally correct the *khewats* after the assessment of all estates in a village had been sanctioned, and to publish them at the time of issue of notices to the proprietors for re-engagement.

In the case of incorrect *khewats* already finally published, an extract from the *mahalwar khewat* was to be published in the same manner and bound into the record of rights immediately above the *mauzawar khewat*, and a note made on the latter that it was incorrect and superseded by the extract.

These orders were further modified in March 1898, and it was decided to finally revise the *mahalwar khewats* at the time of taking *kabuliyats* for the payment of the new revenue, from these *mahalwar khewats* to prepare *mauzawar khewats* and to finally publish and include these in the record of rights.

Under these orders in the Cuttack and Balasore districts correct *khewats* showing the shares in the estate, with a note of separate possession in the village where recognised, have been prepared for every estate and for every Proprietary tenure, the only difference being that in Balasore the *khewats* were published in the presence of the assembled zamindars and sub-proprietors, and in Cuttack they were sent for publication to each individual village.

In Puri, as a rule, new *khewats* were not prepared, but the old ones were corrected where necessary and then published ; but the tenure-holders' *khewats* have been carefully re-written in the new form and finally published.

It may safely be said that no possible means of securing a correct record of proprietary interests has been neglected.

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The Collector's general register as corrected by his register of intermediate mutations has formed the basis of the record; it has been brought up to date during attestation and a note of the share recorded in his name served on every co-sharer at the time of proposal of revenue, and finally all proprietors have been invited to appear for the execution of their *kabuliyats* and even at that stage allowed to prefer objections.

Notation of *Khewats*.

495. The notation used to express share is one of which the unit is a rupee, divided generally in one of two ways, the former being generally known as the Cuttack and the latter as the Balasore system;—

(1) Cuttack system.—

16 *pans* = 1 rupee,
20 *gandas* = 1 *pan*,
4 *karas* = 1 *ganda*,
3 *krants* = 1 *kara*,
16 *biswas* = 1 *krant*,
20 *gandas* = 1 *biswa*,
4 *karas* = 1 *ganda*,

and so on to biswas recurring again from *gandas*.

(2) Balasore system.—

16 annas = 1 rupee,
12 pies = 1 anna,
20 *krants* = 1 pie,
16 *biswas* = 1 *krant*,
20 *gandas* = 1 *biswa*,

Under orders of the Director of Land Records and Agriculture the Balasore system, prescribed by the Board in 1892, has now been introduced everywhere.

The *terij*.

496. The *terij* serves at once as an index to and an abstract of the *khatians*.

It was originally prepared by the Survey Department, a separate sheet being attached to each group of *khatians*, and was often very incomplete.

In the season of 1893-94 this work was transferred to the Settlement Department and new rules for the arrangement of entries were drawn up.

Beginning with an abstract for the village, subsequent detailed entries were to be arranged in exactly the same order as the *khatians*; that is, first for the whole village revenue-free proprietors, then their raiyats, and their raiyats, under-raiyats. Next Government lands with raiyats of Government, and after them their under-raiyats. Next the first estate in the village, beginning with the waste lands; then the rent-free, then the quit-rent, and after them the several classes of rent-paying tenants, the entries for the under-tenants of each class immediately following the last entry for the class.

Down to 1895 the form in use was as follows:—

Terij of village. Pargana. Zamindar.

Serial number.	Name of tenant.	Nature of tenancy.	Number of fields.	CROPPED AREA				UNCROPPED AREA.		Total area	Rent as ascertained by Revenue Officer.	REMARKS.
				Other than *bari* or orchards and bamboo groves.	*Bari*	Orchads. and bamboo groves.	Total cropped area.	*Ghar*	Other kinds.			
1	2	3	4	5	6	7	8	9	10	11	12	13

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In that year the Director, Mr. W. C. Macpherson, prescribed a new form which might serve at once for the totalling of assets and give details of cultivated and uncultivated, of occupied and unoccupied, and of assessed and unassessed areas.

The form, which was as follows, came into use in 1895-96 and was generally filled up for records attested in that season.

Terij of Estate. Village. Pargana.

Serial No.	Name of tenant and nature of tenure or holding.	No. of fields.	AREA: CASH RENT PAYING. Cultivated, i.e., cropped. Gharbari current fallow.	AREA: CASH RENT PAYING. Uncultivated area.	AREA: RENT-FREE. Produce rent paying area.	AREA: RENT-FREE. Cultivated.	AREA: RENT-FREE. Uncultivated.	Total area of tenancy.	Existing rent (cash)	Rate of cash rent per acre.	Settled rent.	REMARKS.
1	2	3	4	5	6	7	8	9	10	11	12	13
			A. D.	A. D.	A. D.	A. D.	A. D.	A. D	Rs. A. P.	Rs. A. P.	Rs. A. P.	

Copy of schedules at headquarters.

In June 1896 the preparation of comparative schedules of areas and recorded rents was begun at the central stations of Cuttack, Bhadrak and Pipli with a view to lessening the work in camp, as it was then found that in very many villages no completion *terij* existed.

It was decided not to prepare a fresh *terij* but to let the schedule of rents take its place, and supplement this with a *terij* of revenue-free and Government lands showing only the division into cultivated and uncultivated. In the re-attested areas the schedule also showed cultivated and uncultivated separately, but it does not do so in areas where an old *terij* was found in the records.

The arrangement of schedules and of the new *terij* of Government and revenue-free lands differed from the previous one in that the main division of revenue-paying lands was into (1) Tenants paying rent to the proprietor direct; (2) Lands assessed for revenue only, rent free tenures and waste lands; (3) Tenants of tenants.

In detail the order was—

A. *Terij* of revenue and Government lands—
(1) Government. | (3) Revenue free.
(2) Tenants of Government. | (4) Tenants of revenue-free lands.

B. Schedule of first estate—

(1) *Kharida jamabandi* tenure-holder.
(2) Ordinary tenure-holder.
(3) *Nisfi bazyafti* tenure-holder.
(4) *Kamilbazyafti* tenure-holder.
(5) *Nisbazyafti* raiyat.
(6) *Kamil bazyafti* raiyat.
(7) *Thani* raiyat.
(8) *Thani pahi* raiyat.
(9) *Pahi* occupancy raiyat.
(10) *Pahi* non-occupancy
(11) *Chandina* raiyat.
(12) Resumed rent-free lands.
(13) Proprietor's *nijjot*.
(14) Ditoo *nijchas*.
(15) Rent-free grants assessed for revenue
(16) Confirmed *jagir*.
(17) Waste land.
(18) Raiyats of class (1) to (4).
(19) Under raiyat's class (5) to (12) and of (15) and (16).
(20) Raiyats of class (13)
(21) Under raiyats of class (18).

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The form of the scheduled eventually adopted was as follows :—

Tauzi No. *In village* *Pargana* *District* *Village Note*

Serial o.	Name of tenant.	No. of fields.	OLD AREA.	NEW AREA.			Existing rent.	Proposed rent.	Whether accepted or not.	Settled rent.	Whether accepted or not.	REMARKS.
			A.	Cultivated.	Uncultivated.	Total.						(Here note reference to judgement in case of non-acceptances.)
1	2	3	4	5	6	7	8	9	10	11	12	13

Columns (1), (6), (8) and (11) were totalled by classes in a statement referred to as the A form, which was bound up with the records.

***Milan khasra* and crop statement.**

497. The *milan khasra* is a total of the *khasra* pages showing the different classes of land into which the total area of the village is divided. The crop settlement also prepared from the *khasra*, shows the acreage under every kind of crop in the village.

These two statements were compiled by the Survey Department and filled with the *khasra* and were to some extent revised and completed during the attestation.

The crop statement of Puri was completed and compiled in 1894 by Babu Prasan Kumar Banerji, but even in 1897 the figures for the Province were found to be very incomplete.

Such as were available were then compiled, but in 1898 the forms were revised as being too clumsy, and all the figures were again checked by a special staff at the head-quarters stations, the village totals being copied into Thana volumes in the revised form.

Statements of cattle and agricultural implements.

498. Statements of cattle and of agriculture implements were prepared by the survey *amins*, but so few of these are now to be found in the records that they have not been compiled, but, where found, are bound with the village notes.

Classification of papers.

499. The settlement papers were, when complete, divided into three parts :—

A. Papers to be preserved for ever.

B. Papers to be preserved for twelve years.

C. Papers to be destroyed, and statistical papers.

Similarly the case records were divided under the High Court Rules into A, C, and D papers.

The classification was based upon that in Appendix K of the Survey and Settlement Manual of 1895, but with several important alterations.

Among the A papers were —

(1) The volume of record rights, consisting of—

The *khewats*.
The *khatians*.
The *terij* of Government and Revenue-free lands.
The schedule, which served as an index to the *khatians* of revenue paying lands.
The schedule totals or A forms.

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The *tahsilalahida* statement or statement of total area in the village.

All these bound up with an index and certificate in red *kharwa* cloth.

(2) The *khasra* bound in plain brown paper.

(3) The A *misl* consisting of the village rate form, village judgment, *sairat* statement, *taufir* statement, soil or rate map.

(4) The village trace.

The B papers contained all petitions not summarily rejected and the orders thereon; records of disputes instituted otherwise than by petition and orders thereon; records of objections under section 105.

These five groups of papers with the A; C papers of case records were set a part in one boundle.

All other village papers except the village notes and the lists of agricultural stock were set aside to be destroyed after extraction of the necessary figure.

The Thanawar arrangement.

500. Throughout the settlement as well as the survey operations the Pargana had been accepted as the territorial and fiscal subdivision of the district. Circles were arranged, returns submitted, and reports prepared by Parganas.

It was, however, pointed out by Mr. Lyon, the Director, that the Pargana was often a conglomeration of scattered villages, and was most inconvenient as a geographical unit, while for executive work both Magistrate and Collector would find an arrangement by Thanas more useful. He accordingly proposed to number all villages within each Thana with consecutive serial numbers beginning at the north-west corner and to arrange all village records in the same order.

He claimed for this arrangement that it would enable the number alone to indicate the position of a village so that on reading in a report the number of a village the head of the District would realise the nature of the locality or could at least place his finger on it in the map while the numbers being arranged geographically, it would be possible to split up the Thana into police or census circles by merely assigning so many numbers to each.

On the other hand it was contended that the Pargana was the recognised unit, that geographically it as a rule coincided with a definite physical division, and that it formed the limit of a group of estates held more or less by one set of proprietors.

The *pros* and *cons* having been carefully discussed it was agreed that the advantages of the Thana arrangement far outweighed any possible disadvantages, and it was resolved to adopt it for all village records, those relating only to estates being still grouped by Parganas.

In accordance with this decision the registers of village totals of *milan khasras* and crop statements, the register of records, the registers of number of houses, of Government and reserved lands, and the village notes, have been arranged in the order of the Thana numbers.

An alphabetical list of villages in each Thana has been prepared an made over to the Collector, and in each revenue survey volume has been bound an index to the Pargana giving references to the Thana number, the old survey number and the number in the *mauzawar* C register.

The Pargana arrangement has been followed in the case of completion reports* which are arranged alphabatically within the Pargana according to the name of the estate, on, in the case of partition, of the parent estate.

Following the same order a register has been prepared showing village by village the assets and details of each class of tenant and of the area of each estate.

Khewats of estates have also been bound by Parganas and will be handed over to the Collector for the re-writing of their register of revenue-paying estates.

It is intended that the register of revenue-free lands should also be arranged Thanawar, but the draft has been made by Parganas and has been handed over in that order to the Collectors as no final orders have yet been received from the Board of Revenue.

* See Chapter XIX,, Paragraph 479.

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501. A report embodying my final views on this subject was submitted to the Director together with a draft Bill for the imposition of a *patwari* cess and rules for the conduct of the maintenance scheme (see Appendix A (22). My conclusions are as follows:—

Maintenance of records.

A yearly maintenance is most desirable for the raiyats if facilities for record of transfers are given ; such transfers are however, contrary to custom and will not be acceptable to the zamindars, and may not be accepted by the Courts.

For the protection of raiyats yearly maintenance is not required; the provisions of Section 113 and the large proportion of rents fixed for the term of Settlement are sufficient protection. It is however, desirable to have a periodical revision, *i. e.*, in 1911 to 1913 after fifteen years to recognise *de facto* transfers and to adjust the records of mutations and status. For the Zamindars a yearly maintenance is desirable, because the majority have no notion how to keep up their rent-roll, but the papers they have now received are sufficient for fifteen years. Thus a periodical revision after fifteen years is desirable. After giving effect to all transfers and adjusting the records, zamindars will be allowed to apply for settlement of fair rents and such settlement will be made on payment of cost.

For Government a yearly maintenance is not necessary. In the present proceedings an enormous mass of statistics has been supplied. The total cost of a yearly maintenance and complete revision in 1925 will be 48 lakhs, as against 24 lakhs the cost of a revision after fifteen years plus the cost of revision in 1925 and as against 20 lakhs the cost of revision in 1925 only. In my opinion the expenditure for yearly maintenance is unnecessary ; the *patwari* system is quite foreign to Orissa, and there is no one in Orissa who can afford to pay for it. I submit that, for the benefit of all concerned-the raiyat, the zamindar, and Government- a revision in 1911-13 (rents were fixed in 1896-98) followed by the revision in 1925-26 is most desirable. The cost of the two revisions should not, I submit, be more than 24 lakhs and should not exceed by 4 lakhs the cost of single revision in 1925-26.

502. Mr. Lyon, the Director, in his No. 1443 of 4th August 1899 puts the case as follows:—

The Bill has been carefully drafted on the lines indicated in paragraph 11 of letter No. 228 T.-R., dated 12th May, 1897, from the Government of Bengal to the Government of India, and the rules have been adopted with but slight modifications from those previously submitted by Mr. W. C. Macpherson. It has not been found possible, however, to adopt in its entirety the suggestion made by the Government of India in their letter No. 2397, dated 13th October 1897, that provisions should be made for a legal presumption of truth being attached to the record so soon as the local Government declares by notification that it is satisfied that the record is maintained with sufficient accuracy to justify such action. With the very inferior agency available for the work of registering mutations in Orissa, it has not seemed to us feasible to attach any value to the new entries in the records until each one has been duly attested by a Revenue Officer of a grade superior to a kanungo, and provision has accordingly been made in the Act to give a certain authority to the alterations in the records after, and not before, such attestation has been made. The provisions of the Bill were discussed by me in detail with Mr. Maddox in April last, and I have at present no modifications to suggest in them. I propose to deal further with the question of the cost of carrying through the scheme in a later paragraph of this letter.

The question which is now submitted for the final decision of Government, is whether it is necessary or advisable to introduce any such scheme as the present one for the maintenance of the records in vew either of the prospects of its success, the actual advantages that will be obtained from it, or the very great cost that it will entail. Although a pronouncement on this question has been already made by the Government of India, that Government speaks in its letter of October 1898 referred to above of the improvement of the patwari establishment of Orissa, and does not appear to have gathered from the correspondence that there are for practical purposes no patwaris at all in most parts of Orissa, and that a patwari staff will have to be created for the purposes of the proposed scheme. It is again subsequent to the pronouncement of the Government of India that the Secretary of State has expressed a strong opinion as to the limitation of the assessment of Revenue to 55 per cent. of the assets, and that definite instructions have been received from the Governments of India and Bengal that the incidence of the proposed patwari cess is not to be considered in assessing revenue in the course of the present Settlement, with the result that, where less than 55 per cent. of the assets has been taken by Government and in many cases where that limit has been reached, the proprietor and proprietary tenureholders have been already fully assessed to revenue. I would also note that His Honour Sir Alexander Mackenzie expressed his approval of the scheme in very guarded terms, declaring at the Cuttack Conference of January 1898, that he thought it would be worth the expense if it

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could be satisfactorily worked, and reporting to the Government of India that while he was disposed to think that the advantages of keeping the records, corrected from year to year, would more that counterbalance the expenses, he desired to bring prominently to the notice of that Government the doubts existing on the subject among competent and experienced officers in Bengal. At the same time the other chief supporter of the proposals, the Hon'ble Mr. George Toynebee, has more than once laid stress on the financial aspect of the question, and in a note dated 29th December 1896, wrote :—

"Before anything else is done, however, I think it should be made quite clear that the proposed patwari establishments will be at least as cheap as the revision establishment, which would have to be entertained (if they are not) when the term of the coming new settlement expires.

"The papers which record the previous discussions of this subject show that the introduction of a local agency for the maintenance of the records has been condemned by almost all the officers who have considered the question, including Sir Charles Stevens, three Commissioners of Orissa—Messrs. Stevenson, Cooke and Dutt—of whom Mr. Stevenson was also for several years Collector of Cuttack, and by all the Collectors who have been consulted on the subject.

"Of the advantages accruing from the existence of an intelligent and trustworthy local agency there can of course be no doubt, and when the village accountant is a permanent institution in every village, sanctioned by immemorial custom, with duties and powers extent and limitations of which are understood by all, and with ties of association and interest which induce loyalty to his work, he can be of much value to the Government and to the community at large, as a source of information in times of distress, as the unit of the organisation of famine relief, to check oppression on the part of the landlord, and to obviate the necessity for heavy expenditure on future Settlements. But the creation of such an agency in a country in which its working is not understood is a very different matter, and it is now nearly three years since I laid before the Board my reasons for believing that we cannot get the work we want done properly performed by such an agency in Orissa, and that we shall cause serious harrassment to the people in our attempts to establish a patwari system with the powers necessary for the maintenance of the record. Moreover. as regards the information actually required from a local agency, I would suggest that the bulk of it can be obtained with the help of our records without any patwari establishment, and that Mr. Maddox's remarks on this point are worthy of attention. By the geographical arrangement of all our records by thanas, by the publication of special thana maps and of thana registers of statistics sufficient to show the agricultural and economic circumstances of each village in each thana, we have afforded in a convenient form for District officers a mass of information that was previously unattainable without elaborate local enquiries, while in the assessment reports prepared for each paragana and for each group of estates within it full information as to the physical features of the lands of each estate, their liability to flood or drought, the severity of their assessment and the material condition of the tenants occupying them has been provided. By the Settlement of rents of the vast majority of the tenants under the Bengal Tenancy Act for fifteen years, we have stopped that progress in the enhancement of rents which it has been held to be the duty of the patwaris to watch and to check, and there are reasons to believe that there will be very few landlords in Orissa who will be able or will try to break down the rents now settled by us within the period for which they have been settled.

"On the subject of the cost to be incurred upon the scheme I may say at once that I consider that, if the patwaris are to carry out all the duties laid down for them, and if any authority whatsoever is to be given to the entries made by them, the expenditure, both initial and annual, will have to be raised. It will be noted that the original estimates were cut down by my predecessor under some pressure, and that in his final plans he included no procedure for the verification of collections of rent. While this has been now incorporated in the rules, I do not for other reasons, some of which are noted below, consider that the reductions made in the estimates can be accepted, and I anticipate that the actual cost is likely to amount to at least Rs. 1,50,000 initial and Rs. 1,50,000 annually.

"In considering the annual expenditure I think it should be remembered that the cost of carrying out the verification of collections has never been faced by the local officers, and I would suggest further that the serious difficulties we shall find in procuring returns from the zamindar appear to have been insufficiently weighed. Mr. Macpherson considered that the task of verifying individual collections was altogether too big for Government to undertake, and although the Government of Bengal would not cut these duties out of the scheme, it has not yet been indicated in what manner and at what expense they are to be carried out. The local officers who attended the preliminary conference held at Cuttack on 24th January 1898, were clearly of opinion that if the record of collections was to be included, they are of a patwari's circle would have to be reduced below eight square miles and they also recommended that there should be one kanungo to every ten patwaris, instead of one to every twelve or more as in the present scheme. While I refrain from modifying the present the strength of the proposed staff, which has already been approved by higher authorities, I desire to indicate the doubts I feel as to its adequacy for the work proposed. In the matter of supervision also, I agree with Mr. Maddox in deprecating the light estimate made in the Government of India's letter of the work that the Superintendents of Land

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Records will have to do, and I anticipate that unlike their brethren in Upper India, where the population is less dense and the land is more sparsely cultivated, they will have their time fully occupied in the inspection and other work laid down for them in the present scheme. I would also call attention to the estimate submitted by Mr. Maddox for three Superintendents of Land Records and their establishments (to be paid for out of general revenues) that he proposes to add to the Collector's staff to complete the scheme. It is not quite clear what duties are to be entrusted to these officers, but I have no doubt Mr. Maddox recognised the value of such officers as those referred to by the Government of India as the Revenue Deputy Collectors and Tahsildars of Northern India, and realising the impossibility of the Superintendents of Land Records provided in the scheme ever carrying out the duties performed by the officers elsewhere. provided three extra supervising officers for the purpose. Apart however, from these general indications of the directions in which the present estimates of costs are likely to be exceeded. I would suggest that some definite addition must be made to the establishment of the Superintendents of Land Records to enable them to keep their copies of the records up to date and to the establishment of the kanungos to enable them to obtain and check the returns of rent collections to be called for from landlords. In view of the above considerations, and omitting the proposed charge for three superior officers as Superintendents of Land Records at the headquarters of each district, and making allowance for the low pay to be drawn by patwaries and kanungoes on their first appointment, I am doubtful whether it will be found possible to reduce the annual expenditure, as its lowest estimate, below Rs. 1,50,000.

"The total expenditure on the patwari scheme may thus be estimated at Rs. 1,50,000 for initial expenditure and (Rs. 1,50,000 X 25) 37,50,000 for recurring expenditure, allowance being made for some delay in introducing the scheme and for its temporary suspension for two or three years at the end of the term of Settlement, during the operations preparatory to the new Settlement. With the addition of 7 ½ lakhs to meet the cost of a revision of the records and reassessment of the revenue at the expiration of the current settlement, we get a total of 46 ½ lakhs, and I may add that the cost here estimated for resettlement, assumes the complete success of the maintenance work. Against this total we may set Mr. Maddox's rough estimates, which are, I believe, more than adequate, for revision of the records after fifteen years, and again at the time of re-settlement, and for a re-settlement after thirty years without any previous revision. He gives 24 lakhs as the probable cost of the double revision, and 20 lakhs as the cost of single revision at the time of re-settlement, and these estimates include all the operations necessary for a re-settlement of the revenue. It will be seen, therefore, that the additional cost involved in the introduction of the patwari scheme amounts to some 22 ½ lakhs, even if we adopt the proposal for the complete revision of records after fifteen years, a plan that I would commend for the favourable consideration of Government.

"I hope that, in the circumstances, I have detailed above, the project for the imposition of a patwari cess may be reconsidered, and that such orders may be passed as will secure the revision of records after fifteen years, all attempts to maintain them in the meanwhile being dropped. I believe that the information that has been compiled in the course of the present settlement is sufficient for the present purposes of Government and that the advantages to be gained by the creation of a local agency to assist in the general administration of the Province are far outweighed by the serious harassment that this would cause to the people. I suggest that the main object with which the scheme has been prepared—the efficient maintenance of the land records—would not be attained by the means proposed, and I would strongly support Mr. Maddox's contention that the people of the country, whether landlords or tenants, cannot afford to pay for it. Finally, I would emphasise the fact that we have only now completed lengthy and elaborate settlement proceedings which have unavoidably caused much trouble and inconvenience to the people, and which have brought with them a general increase in rent and an enhancement of revenue by 50 per cent. and would urge on Government that if these circumstances we "should be chary of imposing fresh burdens on the people, and of introducing a scheme which will involve them in large additional responsibilities and considerable expense, and the success of which is, at the best, problematical."

I have nothing further to add to the arguments adduced by the Director. The matter is still under the inquiry of Government. I may only mention the fact here that so far from existing in every village there are (or were) only 488 patwaris in Orissa. These were at the last Settlement attached to certain large estates, the revenue of which exceeded Rs. 500. There were 323 patwaris in Puri, while in Cuttack there were 100 and in Balasore 65. In 1891 92, 328 obtained certificates at the Survey School, but since 1897 they have all been relieved from public duties and pay rent for their jagir lands which have been resumed and settled with them (see also paragraph 404 and 405 and the correspondence between the Director of Land Records and the Board of Revenue in January and February, 1900).

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Part V.

CHAPTER XXI.

AREAS.

Survey and settlement areas.

503. In the foregoing Chapters, especially in the second, third and fourth, something has been said as to the areas of the districts of Orissa; in this Chapter I propose to discuss at greater length the figures of area found in the Settlement records.

From the statements supplied by the Surveyor-General I abstract the following :—

DISTRICT.	Total area in square miles.	CADASTRALLY SURVEYED. Scale 64″	Scale 32″	Scale 16″	TOPOGRAPHICALLY SURVEYED. Scale 4″	Scale 2″
Cuttack.	3,522	6	364	2,412	8	660
Balasore.	2,088	0	7	1,858	19	33
Puri.	2,475	0	993	1,026	0	456
Total....	8,085	6	1,364	5,296	270	1,149

In the present settlement, figures have been complied for a portion only of the Province, but deducting the areas of Banki, Kujang and Kanika which have been separately cadastrally surveyed, and of the topographically surveyed Parganas, also of 57 square miles in Killa Darpan and part of the *jagir* mahals of Malud cadastrally surveyed but subsequently excluded from the present settlement, the figures should agree with the village totals shown in the *milan khasras*.

Area in square miles.	Cuttack.	Balasore.	Puri.
Total by Survey	3,522	2,088	2,475
Deduct—Topographical Survey. ...	740	223	456
Deduct—Cadastrally Surveyed areas—Kujang, Kanika and Banki	496	141	...
Deduct—Darpan, Andhari and Manikpatna ...	57	..	48
Nett areas as per survey ...	2,229	1,724	1,971
Area by *milan khasra*	2,194	1,712	1,991
Difference	35	12	20

In Cuttack there has been an obvious error in the survey figures, for Kanika has, according to the completion report, an area of 265 square miles, of which 151 are cadastrally surveyed, while in making up his total of 3,522 square miles the Surveyor-General has taken the total area as 219 square miles, of which only 139 are shown as cadastrally surveyed. Again, in the case of Kujang, he has omitted an area of 142 square miles surveyed on the scale of 4″=1 mile. This, however, is far from accounting for the discrepancy in the figures, and indeed raises the difference to 47 square miles. I can only suggest that in the survey figures some areas have been shown twice. The correct area of Cuttack is, according, to the settlement returns, 3,663 square miles, of which 2,747 have been cadastrally surveyed and 2,194 are dealt with in this report.

In Balasore also the Surveyor-General's area of Kanika appears to be wrong, but the discrepancy cannot be reconciled.

The correct area of the district appears to be 2,075 square miles, of which 1,935 have been cadastrally surveyed and 1,712 are dealt with in this report.

In Puri there has been some confusion as to the Bengal and Madras boundary, and the correction of this line has probably altered the survey areas.

The correct area appears to be 2,499 square miles, out of which 1,528 only are in the Sadar Subdivision, and out of these, 310 square miles of the Chilka and 194 square miles of permanently-settled estates are excluded from settlement, leaving a balance of only 1,024 square miles, including 42 square miles belonging to the Khurda killa.

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Settlement areas.

504. In this settlement figures have been compiled from two sources; in the *milan khasras* we have the totals of the *khasras* village by village, and from the completion reports the totals of the areas of the temporarily-settled estates have been obtained.

From these latter are excluded lands permanently settled and revenue-free, as well as lands held by Government for public purposes; and some further adjustment is necessary owing to estates having lands in districts other than that to which they pay revenue, *i e.*, both Puri and Balasore estates have lands in Cuttack, and some Cuttack estates have lands in Puri and Balasore.

In the following statement, I have endeavoured to reconcile the two sets of figures :—

Areas in square mile.	Cuttack.	Balasore.	Puri.
Total milan *khasra*	2,194	1,712	1,024*
Deduct			
Area permanently settled.	135	Nil	10 †
Area revenue free	209	170	145
Area of Khurda and *ekhrajat* lands in the Sadar Subdivision of Puri	...	...	42
Lands held by Government for public purposes	36	21	6
Lands transferred to estates of other districts	17	33	5
Nett balance of temporarily settled estates	1,797	1,488	816
Add lands lying in adjoining district ...	38	12	5
Total	1,835	1,500	821
Area of estate as shown in Completion Report	1,833	1,499	818

It is almost impossible to account for this discrepancy (·014 per cent.) without a complete re-totalling of the areas of every village. Some mistakes are certain to have occurred in totalling *khatians* and *khasras* and in spite of the care taken to reconcile the two sets of figures it was impossible to prevent muharrirs from fudging, with the inevitable result that the error came out when the figures were re-totalled in another form for the whole Province. I do not think that there are any areas, at least in Cuttack and Balasore, which have escaped assessment; but it is possible that some of the river beds in Cuttack and of the sandy wastes along the shore of Puri may have been omitted. Another possible source of error is the area of the revenue-free lands. It was found after the reconciliation of the total areas was begun, that several large revenue-free villages had been omitted from the Puri registers, and it may be that even now the areas entered in the register do not always agree with the areas in the *khasra*. On the whole, though, I am of opinion that the discrepancies are most probably due to errors in totalling the *milan khasras*. In Balasore the discrepancy curiously coincides with the difference between the areas of the lands transferred from that district to Cuttack and *vice versa*, as now ascertained and the areas at first reported, and it appears probable that some lands actually situated in Cuttack but belonging to Balasore villages have been erroneously included in the *milan khasras* of that district.

Extension of cultivation.

505. The most natural comparison to make in order to ascertain the extension of cultivation since the last settlement would be that of the past and present cultivated area of the villages of the temporarily-settled Parganas, but unfortunately complete figures for the cultivated area at the last settlement are only to be had from the survey records and do not appear to be very trustworthy. Furthermore we have only got them for the Balasore and Puri districts and not for the whole of Cuttack.

Another method of finding out the extension of cultivation is to compare the cultivated or assessed areas of the temporarily settled estates only, and for this purpose we have complete and reliable figures for the whole Province.

There is also statement of the cultivated and uncultivated areas of the temporarily-settled estates in the Appendix to Mr. Commissioner Gouldsbury's

* Sadar Subdivision only. † Included in *tauzi* No. 251.

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Completion Report of the last settlement, * but I do not think the figures are quite trustworthy. Comparing them with the areas assessed and unassessed at last settlement shown in our Completion Reports we get the following results :—

DISTRICT.	AREA IN ACRES ACCORDING TO MR. GOULDSBURY'S STATEMENT.		AREA IN ACRES ACCORDING TO COMPLETION REPORT OF THE PRESENT SETTLEMENT.	
	Cultivated	Uncultivated.	Assessed	Unassessed.
Cuttack	584,015	540,731	621,000	553,900
Puri	448,497	468,532	302,400	196,700
Balasore	464,763	107,943	493,600	449,200

The figures for Puri probably include Khurda, but in the other districts it is clear that the areas are incomplete, and I do not think they can form a basis for any sound inference.

That the proportion of area assessed represents approximately the proportion of area of the whole Pargana cultivated is evident from the following statement taken for a few Parganas at random :—

District.	Parganas.	Percentage of area cultivated as shown in *milan khasra*.	Percentage of area assessed as shown in completion report.
Cuttack.	Abyas	80	81
	Jajpur	74	78
	Katya	80	84
	Sungra	80	82
	Asureshwar	81	82
	Balubisi	69	69
	Hariharpur	78	80
	Kate.	69	61
	Total of District.	69	70
Puri	Kotdes	79	79
	Chaubiskud	58	55
	Kotrahang	82	83
	Purabduai	79	75
	Oldhar	46	37
	Total of District.	71	71
Balasore	Bisalkhand	82	97
	Sunhat	70	75
	Kamardachaur	83	85
	Dasmalang	31	29
	Sahabandar	51	68
	Rautara	58	61
	Total of District.	71	72

By adding to the assessed area the figures for *jagir* and *minha* and deducting to uncultivated lands, if any, within the assessed tenures we should get the cultivated area of the estates more exactly ; but the assessed area on the whole represents with sufficient accuracy the proportion under cultivation in the Pargana. In Balasore Mr. Kingsford adjusting the figures in this way, found the cultivated area of the temporarily-settled estates to be 531,300 acres, or 55 per cent. of the whole; while the assessed area was only 493,600 acres, or 52 per cent. The former figure does not, however, allow for uncultivated homesteads and small plots of fallow in raiyati holdings, so that 52 per cent. is probably more nearly correct.

* Printed at page Clxil of Mr. Toynbee's History of Orissa.

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Taking the totals for the three districts we find the change in the percentages of the areas assessed and cultivated to be as follows :—

DISTRICT.	LAST SETTLEMENT. Percentage of total area shown in the revenue survey statements as cultivated.	LAST SETTLEMENT. Percentage of temporarily settled area assessed.	PRESENT SETTLEMENT. Percentage of total area cultivated as per Milan khasra.	PRESENT SETTLEMENT. Percentage of temporarily settled area assessed.	DIFFERENCE Columns 3 & 4.	DIFFERENCE Columns 3 & 5.
Cuttack	....	53	69	70	....	17
Puri	55	60	71	71	16	11
Balasore	53	52	71	72	18	20

The variation in the percentage of area under cultivation at last settlement as shown in the revenue survey statements is very remarkable, the proportion ranging in Puri from 7 per cent. (Oldhar) to 74 per cent. (Banchas), while the settlement figures give a maximum variation in the proportion of assessed to total area between 32 per cent. in West Athaisi and Matkatpatna, and 74 per cent. in Kotrahang. Again, comparing the revenue survey statements with the *milan kaasras* we find the increase in cultivated area during the term of settlement to vary from 3 per cent. in Astrang to 550 per cent. in Oldhar; while, according to the settlement figures, the increase in area assessed varies from 13 per cent. in Rahang to 38 per cent. in Kodhar. I think therefore that the revenue survey figures of Puri are untrustworthy, and that our conclusions must be based on the figures showing assessed area.

In Balasore also the variation in the survey figures is very great, and I think settlement figures give a safer basis for our conclusions, but the difference is not so great as in Puri.

Taking then the settlement figures, the approximate increase in assessed and cultivated area is as follows :—

DISTRICT.	ASSESSED AREA OF ESTATE-ACRES Last Settlement	Present Settlement.	Increase percent.	CULTIVATED AREA OF TEMPORARILY SETTLED PARGAFAS-ACRES. Last Settlement.	Present Settlement.	Increase percent.
Cuttack	621,000	822,500	32	697,000	920,000	32
Puri	302,400	373,300	23	377,000	464,000	23
Balasore	493,200	692,200	40	554,000	776,000	40
Total	1,416,600	1,888,000	33⅓	1,628,000	2,160,000	33⅓

The comparatively small increase in Puri is due to the smaller area of culturable land available, while in Balasore, on the other hand, a large area had, at the beginning of the last settlement, been thrown out of cultivation owing to the disastrous cyclones of 1831-32, and has naturally been again cultivated as the country has recovered.

The proportion of the total area now under cultivation is the same in Balasore and Puri and rather more in either than in Cuttack; but this is due chiefly to the larger area of rivers and sand in Cuttack and Puri, the population being sparser and cultivation less advanced in Balasore than in the other two districts.

The accompanying maps VI, VII and VIII will show at a glance which are the most highly cultivated portions of the districts.

Extension of cultivation in the future.

506. The culturable area in acres in the three districts as shown in the *Milan khasras* consists of the following :—

DISTRICT.	New fallow.	Old fallow.	Thatching grass.	Jungle.	Percentage on total area.
Cuttack	31,326	24,384	1,894	10,745	4·86
Puri	9,792	14,302	399	9,196	4·85
Balasore	18,758	55,036	1,007	6,978	7·46
Total	59,876	93,722	3,300	26,919	5·86

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Not all of this, however, is at present available. Some part of the jungle and fallow has been set apart for grazing, and the thatching grass is a necessity.

On the other hand, there can be no doubt that some of the waste lands, of which there are nearly 215,000 acres in Cuttack, 164,000 in Balasore and 10,0004 in Puri, could, a certain expenditure, be reclaimed with and the amount thus made available will more than balance any area within the so called culturable lands which cannot be broken up,

At present cultivation is extending most rapidly in Balasore and in north-east Cuttack. A large area is available for cultivation in south-west Cuttack, but the soil is very poor.

In Puri there is but little extension of cultivation, the lands still unreclaimed being for the most part inferior, or so liable to inundation as not to repay the risk of loss of crops.

507. The following statement shows : Thana by Thana the numbers of villages for which figures are available and their average area in acres :—

Size of village.

NUMBER OF VILLAGES IN *Milan Khasra*

DISTRICT.	Thana.	For which area is given.	For which area is not given	Area by *Milan Khasra*.	Average area of village.
Cuttack.....	Dharamsala ...	720	586	213,792	297
	Cuttack ...	416	23	170,752	411
	Jagatsingpur ...	794	...	235,731	297
	Tirtol ...	490	326	106,658	218
	Salepur ...	699	...	193,213	276
	Kendrapara ...	541	120	149,539	276
	Patamundai ...	225	169	85,178	379
	Aul ...	77	476	38,946	506
	Jajpur ...	703	...	209,824	298
	Total ...	4,665	1,700	1,403,633	301
Balasore.	Bhadrak ...	546	...	184,688	338
	Dhamanagar ...	433	...	147,785	341
	Basudebpur ...	247	...	121,018	489
	Chandbali ...	67	...	26,244	391
	Soro ...	884	291	295,624	289
	Balasore ...	563	...	145,534	260
	Basta ...	386	...	98,390	254
	Baliapal ...	465	392	115,028	247
	Jaleswar ...	16		1,467	91
	Total ...	3,607	683	1,095,778	304
Puri.....	Puri ...	677	125	260,428	386
	Pipli ...	704	...	212,246	270
	Gope ...	555	59	183,103	330
	Total ...	2,026	189	1,655,777	324

Size of holding.

508. The average area of a holding in each of the three districts is shown in the following table—

AVERAGE AREA OF A HOLDING IN ACRES

	Orissa.	Cuttack	Puri	Balasore.
1. *Kharida jamabandi*	1.76	1.33	2·36	4.41
2. *Kamilbazyafti*	1.09	0.79	1.21	1.60
3. *Nisfi bazyafti* ...	1.27	0.96	1.63	1.62
4. *Thani* ...	1.61	1.62	1.57	1.75
5. *Thani pahi* ...	4.25	4.17	3.89	4 56
6. *Occupancy* ...	1.02	1.21	1.38	1.61
7. *Non-occupancy* ...	1.07	0.80	1.04	1.34
8. *Chandina* ...	.22	0.21	0.14	0.27
9. *Chaukidari jagir* ...	1467	1.39	1.22	2.88
10. *Other jagir* ...	0.27	1.90	3.28	3.56
11. *Nijchas* ...	3.47	3.20	3.27	4.40

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These figures must not be taken to represent the average area on which a family depend for their support, but as showing the average area of one class of tenure held by one tenant in one village under one landlord.

The figures bring out, as might be expected, two facts of interest. The first, that holdings average largest in Balasore where land is plentiful and rents light, and are smallest in Cuttack where rents are high and where there is much valuable irrigated and protected land. The difference is also due to the much larger number of petty estates in Cuttack than in the other districts holdings being smallest of all in north Cuttack where partition has been carried to absurd lengths. In Puri, land, at least good land, is as scarce as in Cuttack, but there are fewer estates in each village, and the soil is generally inferior and crops more precarious. The second fact of interest is that the *thani-pahi* class embrace the well-to-do raiyats with large holdings, and that after them the *kharida jamabandi* trenureholders often the same persons as the *thani* raiyats-hold the next largest areas. This result agrees with the general experience of Assistant Settlement Officers, who found the *thani-pahi* holdings to contain, as a rule, the best lands in the village and to be held by substantial raiyats.

Diminution in size of holdings.

509. Accurate statistics to show the size of holdings at the last settlement could be compiled from the *bhians* and *warijas* rent rolls and *khatians* of the last settlement, but it would hardly repay the expense and labour involved. For the resumed tenures and for *thani* and *chandina* raiyats, figures, more or less accurate, are to be found in the accounts of Orissa tenures, from which I abstract the following comparative statements —

CLASS OF TENURE	AVERAGE AREA IN ACRES IN— CUTTACK		PURI		BALASORE*	
	Last Settlement.	Present settlement.	Last settlement.	Present settlement.	Last settlement.	Present settlement
Kharida jamabandi	2.6	1.3	6.7	2.9	12.3	4.4
Bazyafti	1.3	0.9	Not available	1.6	2.7	1.7
Thani	4.3	2.7‡	Ditto	2.5‡	3.2	3.9
Chandina	0.3	0.2	Ditto	0.1	0.8	0.3
Total	1.3		1.1 †	1.8	2.4	1 8

It is clear that there has been much subdivision of holdings, and think it would probably be safe to say that the average size was at the last settlement between half as much again and twice what it now is.

Size of fields.

510. Within the holding the next small unit is the field, that is all the land of one class held under a single tenure and contained within one continuous boundary. The average area of such fields, including fields of waste lands and excluding *thani* is shown in the following statement Thana by Thana :—

DISTRICT AND THANA	AREA, (ACRES) Cultivated.	Uncultivated.	Number of fields.	AVERAGE AREA OF FIELD (ACRES) Including waste.	Cultivated fields only.
Cuttack					
Dharmasala	1,33,599	80,452	5,10,554	·42	·26
Cuttack	74,772	96,026	3,62,915	·47	·26
Jagatsingpur	1,75,737	60,072	8,67,111	·27	·20
Tirtol	74,160	32·521	2,42,916	·44	·30
Salepur	1,41,374	51,838	7,10,829	·29	·19
Kendrapara	1,18,859	30,645	4,38,168	·34	·27
Patamundai	68,033	17,143	1,56,768	·54	·43
Aul	27,958	10,994	71,852	·54	·39
Jajpur	1 61,306	48,518	7,31,946	·29	·22
Total	9,75,598	4,28,209	40,93,059	·34	·23

* Appendix U to Mr. Kingsford's Report on Balasore,
† Paragraph 18 of Babu Nandakishore Das' Report on the Puri Tenures. The estimated number of holdings 280, 089 must be too large, as it exceeds the present number.
‡ Average of *thani* and *thani-pahi*.

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DISTRICT AND THANA,	AREA, (ACRE)			AVERAGE AREA OF FIELD (Acres)	
	Cultivated	Uncultivated.	Number of fields.	Including waste.	Cultivated fields only.
Balasore					
Bhadrak	2,24,638	70,503	7,09,233	·41	·31
Basudebpur	83,156	39,134	2,06,722	·58	·42
Basta	59,338	39,457	1,63,723	·63	·36
Jaleswar	733	268	2,732	·36	·26
Chandbali	33,546	11,934	93,866	·48	·35
Balasore	79,405	54,425	2,36,904	·56	·33
Dhamnagar	33,569	10,024	1,20,833	·36	·28
Soro	1,88,141	50,677	4,74,278	·51	·39
Baliapal	74,455	33,379	2,22,649	·48	·33
Total	7,76,981	3,09,801	22,30,940	·48	.34
Puri					
Puri .... Pipli .... Gope	4,63,802	1,87 490	22,11,812	·29	·20

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CHAPTER XXII.

RENT AND REVENUE.

511. I now come to what is the most essential part of a settlement report, the discussion on the rents settled on holdings and tenures, and of the revenue imposed on estates. The chapter really consists of two parts. In the first part there is a general discussion of the figures for assessment of rent, some account of its effect on different classes of tenants, and of its effect in local areas in each District. In the second part the effects of the revenue settlement are dealt with. After some review of early revenue settlements, the effect of the present proceedings on proprietor's and proprietary tenure-holder's incomes is set forth, together with a summary of the objections to assessment and brief accounts of recusancy and of the arrangements for the payment of the new revenue.

Part I.

I have already given a full account of the several classes of tenants and proprietors and of the principles on which rents and revenue have been fixed, and it remains to discuss the incidence and variations of the present assessment.

Rents, their increase and incidence.

512. The figures upon which I base my remarks are here abstracted for convenience of reference; further details by local areas are to be found in the Appendices to this report.

CLASS OF TENANCY	Number of holdings at present Settlement.	AREA IN ACRES. At last Settlement.	AREA IN ACRES. At Present Settlement.	RENTS OR VALUATIONS Rs. At last Settlement.	AT PRESENT SETTLEMENT, Existing.	AT PRESENT SETTLEMENT, Settled.	DIFFERENCE + OR − Past ~ Existing.	DIFFERENCE + OR − Existing ~ settled.	INCIDENCE IN ACRE. At last settlement,	INCIDENCE IN ACRE. AT PRESENT SETTLEMENT. Existing	INCIDENCE IN ACRE. AT PRESENT SETTLEMENT. Settled
1	2	3	4	5	6	7	8	9	10	11	12
					Rs.	Rs.			Rs. A.	Rs. A.	Rs. A.
Tanki Bahal ...	1,800	28,600	28,600	13,700	13,500	13,500	− 200		0 13	0 8	0 8
Kharida Jamabandi	27,000	45,400	47,400	43,800	41,400	65,800	−2,400	+24,400	0 15	0 14	1 6
Other Tenure-holder ..	400	300	3,800	200	2,800	5,200	+ 2,600	+of 400	0 11	0 12	1 6
Kamil Bazyafti...	49,600	80,600	54,200	68,800	40,300	61,600	−28,500	+12,200	0 14	0 12	1 5
Nisfi Bazyafti ...	183,500	221,300	232,400	94,600	91,700	2,38,500	−2,900	+146,800	0 7	0 6	1 0
Thani	54,900	337,700	88,600	765,300	1,98,400	2,11,400	-566,900	- 13,000	2 4	2 3	2 6
Thani Pahi mixed Settled and occupancy	60,900	....	259,000	....	5,10,900	5,39,900	+ 510,900	+28,000	....	2 0	2 1
	679,000	570,900	904,700	895,700	19,83,500	21,07,800	+1,087,800	+124,300	1 9	2 3	2 5
Non-Occupancy ...	21,600	....	23,100	....	33,200	45,100	+33,200	+11,900	....	1 7	1 15
Chandina ...	41,800	26,900	9,100	78,000	41,000	41,700	−37,000	+700	2 14	4 7	4 3
Chaukidari Jagir resumed	12,100	....	20,200	....	....	43,000	....	+43,000	....	 2	2
Other *Jagirs* resumed	4,500	....	12,500	....	....	16,700	....	+16,700	....	 1	5
Tenancies newly assessed ..	8,500	500	8,200	600	1,700	12,800	+4 100	+ 8,100	1 0	0 10	1 9
Tenancies valued for Revenue ...	29,800	200	23,700	200	29,700	46,200	+29,500	+16,500	1 0	1 4	1 15
Lands in the possession of proprietors ...	49,700	88,700	172,500	147,300	3,84,500	3,84,500	+237,200	....	1 11	2 4	2 4
Beradaran Tanki	...	2,400	....	1,000	...	....	-1,000	....	0 6	....	....
Chakran Tanhi ...	...	800	....	400	....	....	- 100	....	0 8	....	....
Culturable ...	...	12,300	20	5,200	....	100	−5,200	+200	0 7	 5	0
Sairat ...	...	....	....	23,400	34,000	34,000	1 · 0,600	....	....	....	....
Total ...	1,225,000	1,417,000	1,883,000	2,136,000	34,10,000	38,68,000	+1,272,000	+458,000	1 8	1 13	2 1

[For facility of calculation I have reduced the figures to whole hundreds and the total to whole thousands.]

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We find that an assessed area of 1,417,000 has increased to 1,888,000 acres, *i. e.*, on the whole by 33 per cent., but varying from 40 per cent. In Balasore to 32 per cent. in Cuttack and 23 per cent. in Puri. Assets had, before re-settlement, arisen on the whole from Rs. 21,38,000 to Rs. 34,10,000, or by 59 per cent. and have now been settled at Rs. 38,68,000 the increase (settled assets) since the last settlement being 80 per cent., and in the present proceedings (settled assets over existing) 13⅔ per cent.

The variation in the Districts is remarkable; the rise in assets during the currency of the settlement in Balasore being 72 per cent., and being now raised by 16 per cent., whereas in Cuttack the increase is 65 per cent., and is now raised by 12 per cent., and in Puri 30 per cent., now raised by 12 per cent.

As regards incidences we find that the increase in Cuttack since the last settlement is 33 per cent., in Balasore 46 per cent., and in Puri 18 per cent.

The same explanation is applicable to all the figures. At the last settlement Balasore was most backward and has made most progress. In Puri the best land were already taken up, mostly by priviledged holders paying, as compared with the rest of the Province (for privileged holders), high rents. Thus in Puri there has been the smallest rise.

In Cuttack, although the increase in cultivation is 32 per cent,. the increase in general incidence is only 33 per cent, but at the last settlement the incidence was very high, *i. e.*, Re. 1-14-0 per acre, and it is now Rs. 2-8-0 per acre. In Balasore, with an increase of cultivation amounting to 4o per cent., the general incidence has risen by 46 per cent., *i. e.*, it is now Re. 1-10-7 as against Re. 1-2-8 at the last settlement. In Puri, again, the increase of cultivation is 23 per cent., and the increase of incidence 18 per cent. This, as has already been said, is mainly due to the fact that a smaller increase was obtained from the priviledged holders (in possession of the bulk of the assessed area) because they were already paying high rents.

Briefly, while the area assessed has increased by 33 per cent., the total assets had been raised by the proprietors from Rs. 21,38,000 to Rs. 34, 10,000 or by 59 per cent., during the currency of the settlement, and are now raised to Rs. 38,68,000, or by 80 per cent., while the incidence per assessed acre had a risen from Re. 1-8-0 to Re. 1-13-0, and is now raised to Rs. 2-1-0.

Cause of increase in assets.

513. Of the total increase, 12¾th lakhs are due to the extension of cultivation and increase of rents previous to the commencement of present operations, and 4½ lakhs to the enhancement of rents during settlement, *i. e.*, by 13·4 per cent.

Now a reference to Chapter VII on the history of prices will show that in the decinnial period in which the last assessment was made the price of rice averaged 43¼ seers to the rupee, whereas in the last 10 years it has been little more than 18 seers to the rupee. It is an accepted principle of economics that the rent varies approximately as the price of agricultural produce, and if, following the Tenancy Act, we assume ⅔rds of the difference in prices to be a fair measure of the equitable increase of rent, we find that rent rates should have increased by 93 per cent , instead of by 37½ per cent. It would therefore appear that the present assessment is much lighter than that made at the last settlement, in that a smaller proportion of the produce of the land is taken as rent, and it remains to be considered whether the former assessment was too high or the present is too low.

Rent fixed for the term of settlement.

514. Before proceeding to discuss the case of each class of tenants, it is necessary to take into consideration the fact that out of the last settlement assets (Rs. 21,38,000) Rs. 6,82,000 * consisted of rents which survived intact up to the present day, having been fixed for the term of settlement.

Deducting this sum, Rs. 6,82,000, from the last settlement assets and the existing assets, we obtain balances of Rs. 14,56,000 and 27,28,000, respectively.

The above sum of Rs. 6,82,000 has been raised to Rs. 9,02,000 or by 32 per cent., in the present proceedings, the bulk of the increase being derived from enhancements of *bazyafti* and *kharida* tenures.

* Includes an estimated half of the *thanhi-Pahi* assets.

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Deducting Rs. 9,02,000 from the new assets, we have a balance of Rs. 29,66 000.

Now the assessed area has increased on the whole by one third, but, deducting 590,000 acres in which rents were fixed for the term of settlement, we have balance of 827,000 acres in the assessed area at the last settlement, and in the present assessed area a balance of 1,298,000, the increase being 57 per cent.

On these areas assets have risen from Rs. 14,56,000 to Rs. 29,66,000, *i. e.*, by 103 per cent. At the same time the incidence of rents has risen from Rs. 1·77 to Rs. 2·28, or by a little more than 30 per cent. Thus by an analysis of the figures in which it was possible to secure an increase, we find a very substantial addition; and we must also take into consideration the fact that cultivation has generally extended over inferior lands. An increase of assets amounting to 103 per cent. attended by extension of cultivated area amounting to 57 per cent. and rise in incidence of 30 per cent. is not disappointing. On the whole we may say that, though the assessment is more lenient than that of the last settlement, a fairer distribution of its burdens has been made.

Tanki-bahal.

515. I now consider the case of each class of tenants in the statement given in paragraph 512. As to the *tanki bahaldars*, who hold at fixed rates, it is clear that they are better off than formerly, and a rent of eight annas per acre is so light that it detracts but little from the value of the property.

Kharida jamabandi.

516. *Kharida jamabandi* tenures are in theory waste lands reclaimed by the exertions of the tenureholders and are often of inferior quality; they were nominally allowed at the last settlement a deduction of 20 to 30 per cent. off the full rent, so that their lands were valued at an average of about Re. 1-3-0 per acre as against Re. 1-9-0 the average for *pahi* land. The list of incidences in paragraph 512 shows a fall of 1 anna per acre during the term of settlement, which is due, not to the reduction of rents, but to the fact that the last settlement area figures are often exclusive of the waste lands within the tenures, which in the present settlement are included in the rent-paying area, though no rent has been assessed on such part of them as is still unoccupied. Even so, as compared with the valuation of over one rupee per acre at the last settlement, the present rent of Re. 1-6 per acre is very moderate. It represents an average valuation of the land at Re. 1-12 per acre (30 to 20 per cent. having been remitted) against Rs. 2-5, the average rent of the occupancy holdings.

Kamil bazyafti.

517. *Kamil bazyafti* lands were nominally assessed at the last settlement at full rates, but a glance at the statement will show that in practice this was very far from being the case. The rent of 14 annas per acre was a little more than a third of the average rate paid by *thani* raiyats, and just over half of that paid by *pahi*. Curiously enough, it was higher by four annas in Puri than in Cuttack, though the general level of rents was higher in the latter district. It appears that in Cuttack, the *bazyaftidars* were let off more easily than in the other parts of the Province; but it remains certain that in all three districts *kamil bazyafti* lands were assessed far below their real value.

The diminution in area and fall in the incidence of rent during the term of settlement are due in part at least to the lapse into *pahi* of the resumed *jagirs* and other highly assessed lands and partly also to the tendency to have such lands entered as *nisfi bazyafti*. In the present settlement the rents have been enhanced by 53 per cent. and the settled rents average only Re. 1-5 per acre, or little over half the incidence of *thani* and *pahi* rents

There is no reason to suppose the quality of these lands to be much below the average, and the assessment is obviously very moderate. At the same time *kamil bazyafti* is regarded as a valuable property, and to suddenly raise the rents further would have created poverty and hardship.

Nisfi bazyafti.

518. *Nisfi bazyafti* tenures were, at the settlement, not only allowed the privilege of holding at half rents, but the rates of valuation were very far below those for raiyati lands enjoying the same natural avantages.

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The incidence of the assessment came to only 6 annas per acre on the whole area; or 7 annas if the waste unassessed lands (*nalaek mauq jama*) are excluded, *i. e*, the valuation was made at about half rates, and the rents are therefore one-fourth of those for similar raiyati lands.

In this settlement the rental has been enhanced by Rs. 1,46,800, or by 160 per cent.

It might at first sight appear that this is more than would be justified by the increase in prices, but it must be borne in mind that the right to sit at half rates expired with the last settlement, so that even had there been no development in the price of agricultural produce and no extension of cultivation, the rents might have been doubled. Therefore, out of Rs. 1,46,800, Rs. 91,700 may be put down to this cause, and the enhancement on other grounds reduced to 30 per cent. *

The incidence of the settled rents is only one rupee per acre, and this is obviously not more than half the competition rent for the land, so that despite the large enhancement now made the *bazyaftidars* continue to practically enjoy the benefit of half rates. Comparing the incidence of the rents settled for *bazyaftidars* with those paid by their under-tenants we find † that the latter pay about Re.1-12 per acre in Balasore and Rs. 2-11 to Rs. 3-2 per acre in Cuttack, and we may safely assume the average for the Province at not less than Rs.2-4 per acre or two and quarter times the enhanced rents paid by the *bazyaftidars*. Produce rents are even more remunerative.

Thani and *thani-pahi*.

519. The most striking point about the assessment of *thani* is that the rents now settled are practically no higher than those of the last settlement. It is obvious that either these lands were over-assessed at the last settlement or that their rents are now too low.

Of the rents as they existed before the last settlement we have very little knowledge, but we learn from the old correspondence ‡ that all increments of revenue were levied primarily from the *thani* raiyat, and as the Province was notoriously over-assessed during the first third of this century, it is natural that the *thani* rents should have been too high. Indeed Mr. Commissioner Mills in his Note of 1847 on the completion of the settlement proceedings wrote:—

"There was no difficulty in ascertaining the actual rent paid by the *thanis* as it was notorious that they were almost invariably assessed at the rate infinitely higher than the produce of their lands or other concomitant anvantages of residence could enable them to pay".

We hear frequently of *thani* rents being payable only because the *thani* raiyats also cultivated the lands of *lakhirajdars* at favourable rates ; or, as in the case of *taluk Kaida*, Balasore, *thani* raiyats earned wages as labourers in Churaman Port, or as coolies in salt manufacture. In the earlier settlement an attempt was made to regulate rents in accordance with the productive powers of the soil, and in his report on *taluk* Bisnabar Mr. Mills gives an interesting calculation of the rent for six *bighas* of land, one-third of which is first, one-third second and one-third third class. The value of the produce is taken at Rs. 33, the rent at half of that, or Rs.16-8. Expenses of cultivation are taken, excluding the man's own labour at Rs.9-12, leaving a total profit of only Rs. 7-4 or less than one-fourth of the produce. Mr. Mills, however, expressed his opinion that the assessment was too high, and states that he would have preferred to have taken as rent a moiety of the produce after deducting expenses of cultivation and an allowance for risk. Later on Mr. Commissioner Ricketts § laid it down as a principle for settlement of rents that actual payments should be made the basis of assessment to be altered only when the rents paid by individual raiyats should appear to be lower than those paid by others from favour, caprice, or other unsuitable cause satisfactorily demonstrable.

This principle was accepted by the Board with the reservation that enquiries into the productive power of the land and into the rates paid for similar

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* Calculated on the full or doubled rent.

† See paragraph 341.

‡ See Stirling's Minute, paragraph 64 also letter No.2776, dated 31st December, 1897 printed as Appendix A (No.13) to this report.

§ No. 1434, dated 23rd. September, 1836.

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lands elsewhere in the neighbourhood were necessary as a check on fraud and collusion. *

The tendency of these orders was to keep *thani* rents at a very high level at which they stood, but, by rejecting zamindar's papers as fraudulent, and by substituting collections for demands, the Deputy Collectors commonly managed to reduce very glaring inequalities.

In some cases also summary reductions were made by the Collector or Commissioner, as in Chaudakulat, where the assessment on *thani* land was reduced from Rs. 5-4 to Rs. 4 per acre and the *pattas* corrected accordingly, and in Kuhunda Jaipur, where the *thani* rents were reduced from Rs. 6,544 to Rs. 5,034.

Even with all these reductions the rents were still so high that Mr. Mills and Mr. Repton were driven to the conclusion that the rents were paid not out of the profits only of the *thani* lands, but out of those of the *lakhiraj* lands, which the *thani* raiyat enjoyed the privilege of cultivating at a low rent.

The result of this high assessment may be seen in the lapse of *thani* holdings, of which the area has decreased from 337,700 to 196,400 acres. †

The most highly assessed lands were naturally the first to lapse, and the result is a fall in the incidence by an anna per acre, and the enhancement of these rents by 6½ per cent. in the present settlement has only just raised the incidence to Rs. 2-6 per acre, or two annas above the figure at which it stood 60 years ago. This is an anna per acre more than the incidence of rents of ordinary occupancy raiyats, and its fairness will be considered in treating of the latter.

Thani-Pahi.

520. Of the nature and origin of *thani-pahi* holdings an account will be found in paragraphs 323 and 462 *Supra*. These holdings paid an average rent of Rs. 2 per acre raised by the present enhancements to Rs. 2-1 per acre. The rents are generally Pargana by Pargana little lower than those of pure *thani* and *pahi* raiyats, and the lighter incidence for the Province as a whole is due to the comparatively large area in the lightly assessed Parganas. In this settlement they have been enhanced on the whole by only 5½ per cent. made partly for excess area found in the *pahi* portion of the holdings and partly by the enhancements of the rent of the *thani* lands under the rules for enhancement of *thani*.

These holdings are mostly in the possession of well-to-do raiyats and represnt the best lands of the village, and must be considered leniently assessed. That the rents have not been more largely raised by the zamindars I attribute to the greater power of such tenants to resist enhancement. Of course the *pahi* lands taken up subsequently are generally inferior to the *thani* lands, and for this reason there is a general tendency of the incidence to fall.

Pahi rents. ‡

521. Raiyats, occupancy and non-occupancy, whose rents had not been fixed at last settlement, paid nearly two-thirds of the entire assessment of the Province, and the settlement of their rents was the most difficult task with which we were confronted. I have described § how, after much deliberation, it was decided to abandon all attempts to readjust rents according to the quality of the soil and to work on the basis of the existing rents, adopting in fact the selfsame principle as was enunciated by Mr. Commissioner Ricketts in his letter on the settlement of *thani* rents quoted above.

At the last settlement a lump assessment was made on the *pahi* lands, village by village and estate by estate, and the zamindar was left to make his own arrangements with his tenants.

The assessment was based on the zamindar's rent roll, but it was found that the "zamindar's accounts invairably understated the rents, and it was the practice to assume the *pahi* average at four annas in the rupee lower than the rates actually assessed on *thani* lands" ¶. So writes Mr. Mills, who, as Assistant, as Collector, and as Commissioner, had seen the commencement and the end of the

* Board's letter No. 45 of 30th October, 1836. See Paragraph 461, *Supra*.

† See Para 322.

‡ See Appendix A, No. 13, letter No. 2776 of December, 1897.

§ In Paras 440 to 447.

¶ Mr. Commissioner Mill's completion report of 1847.

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settlement. A glance at Appendices EA, EB, EC, etc., will show that the understated the difference in the assessment of the two classes, as the incidence of the *pahi* assessment is only Re. 1-9 per acre or eleven annas less than that on *thani*; the difference in the rents per acre being in Cuttack fourteen annas, in Balasore nearly nine annas, and in Puri over nine annas per acre.

Probably Mr. Mills meant that for lands of the same quality a difference of four annas per acre between *thani* and *pahi* was made; and as at that time the better lands were generally the *thani*, this would be approximately correct. There were, however, one or two Parganas in which the best lands were *pahi* and paid an even higher rent than the *thani*, as in Dihi Arakhpur; and it is common to find that the Collector or Commissioner who confirmed the proceedings at the last settlement altering by a stroke of the pen the *pahi* assessment either on the whole estate or village by village.

Rents as attested.

522. There was nothing, at least during the first half of the currency of the present settlement, to prevent zamindars from enhancing *pahi* rents to the full limit fixed by competition, and in spite of the great increase of cultivation, necessarily involving the assessment of much land that was inferior, the incidence had risen to Rs. 2-3 per acre at the time when rents were attested.

These were the rents recorded in our papers, and the question will naturally be asked whether there is any certainty that they are the rents actually paid, or whether the same difficulty was found in obtaining a correct record as at the last settlement. When in charge of Balasore I found it very difficult to obtain an accurate statement of rents from the zamindars, and the same difficulty was met with in parts of Puri and Cuttack. Sometimes therewere disputes between zamindars and tentants as to the rent payable sometimes they were in collusion to have rents understated, and sometimes neither party had any very clear idea of the rent payable. Indeed, I found many tenants unable to state their rents correctly, and the receipts granted were in such a form that it was almost impossible by an examination of them to find out what rent had been paid. Collusion was combated as far as possible by compelling the zamindars to file their original papers, and occasionally disputes were decided by compromises or by striking a mean between the statements of the parties. *

These troubles were, however, by no means universal even in Balasore, and far less common in Cuttack and Puri, and I think we may confidently claim that the rents finally attested represent very nearly those which were generally being paid. In a few areas only this is perhaps not the case, and I shall revert to the subject when treating in detail of those portions of the Province.

Enhancements in this settlement.

523. In this settlement raiyati rents have been further enhanced by nearly 6·2 per cent. chiefly on account of the excess area not yet assessed by landlords. Part, however, of the addition is due to the enhancement of collusively understated rents and of low rents allowed to retainers and kinsmen of the proprietors. The rents so settled are Rs. 2-5 per acre on an average, viz., in Cuttack Rs. 2-14-0, in Balasore Rs. 1-13-6, and in Puri Re. 1-15-5.

Comparison of rents with those in other districts.

524. Comparing these figures with those for other areas for which such statistics are available, we find the incidences of rents of raiyats per cultivated acre to be as follows :—

HIGHER

Name of place.	Incidence. Rs.	A.	P.
Muzaffarpur ...	3	15	9
Saran ...	3	14	6
Tikari estate ...	4	4	4

LOWER

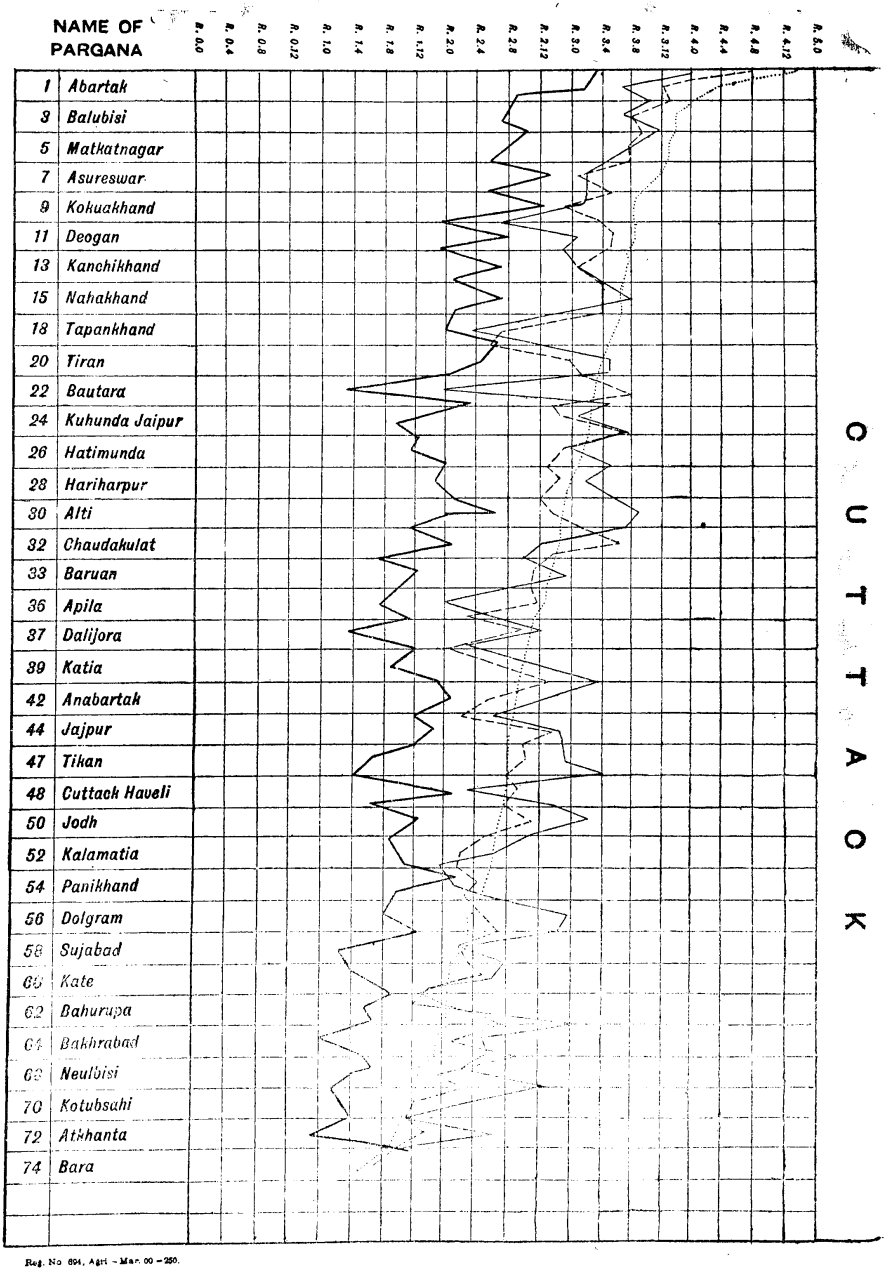
Name of place.	Incidence. Rs.	A.	P.
Champaran ...	2	0	3
Sambalpur ...	0	5	5
Bilaspur	0	9	8
Raipur	0	10	6
Kanika estate ...	1	3	0
Kujang estate ...	1	14	10

Considering the denser population and more thorough cultivation in Bihar it is natural that the incidence of rents there should be higher, while Orissa

* See also Para, 346.

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COMPARATIVE INCIDENCES OF THANI AND PAHI RENTS AND OF THE RENTS OF SETTLED AND OCCUPANCY RAIYATS AS SETTLED AT THE LAST AND AT THE PRESENT SETTLEMENT.



Reg. No 894, Agri – Mar. 00 – 250.

REFERENCES.

Thani rents at last settlement

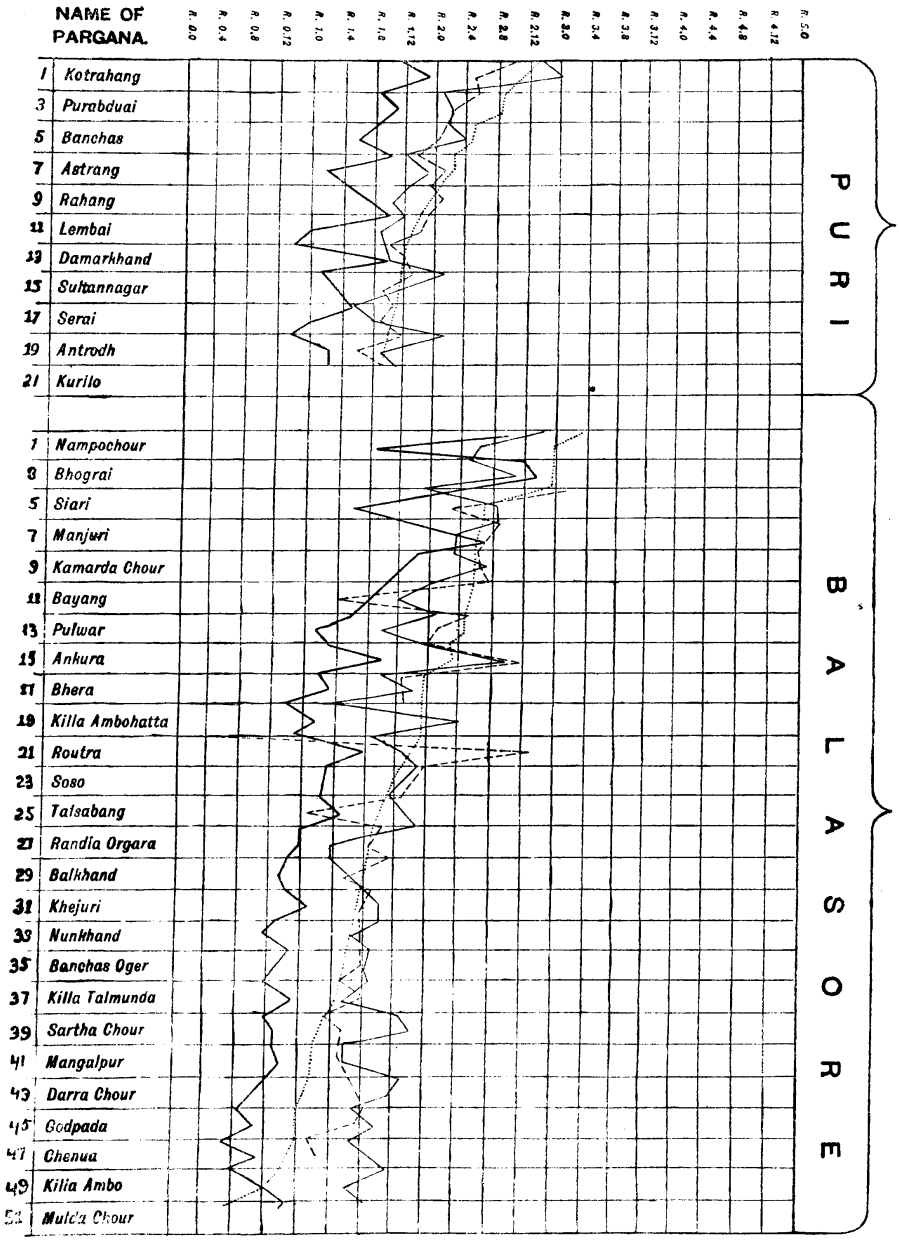
Thani rents as now settled

Pahi rents at last settlement

Rents of settled and occupancy raiyats as now settled

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COMPARATIVE INCIDENCES OF THANI AND PAHI RENTS AND OF THE RENTS OF SETTLED AND OCCUPANCY RAIYATS AS SETTLED AT THE LAST AND AT THE PRESENT SETTLEMENT.



Lithe. S. L. O., Odissa.

REFERENCES.

Thani rents at last settlement .....
Thani rents as now settled .....
Pahi rents at last settlement .....
Rents of settled and occupancy raiyats as now settled .....

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rents are above those of the sparsely populated district of Champaran and the comparative by backward tracts of the Central Provinces.

Comparison of rents with those of under raiyats and tenants of Government.

525. A more useful comparison may be made of the rents of occupancy raiyats with those paid by under-raiyats * and by tenants holding under Government, which may be taken to be for the most part strictly competition rents.

Under-raiyats pay on an average Rs. 3-1-7 per acre in Cuttack and Re. 1-15-8 per acre in Balasore; this is, as it should be, a little, but not very much, higher than the incidence of raiyati rents in the two districts.

Tenants holding under Government pay in Cuttack Rs. 4,049 for 933 acres, an average of Rs. 4-5-6 per acre. but the area is small and a good deal of valuable *chati* land is included. By *chati* land is meant land occupied by lodging houses on the Trunk Road. It is not easy to compare the rents with actual produce. I have estimated * that the average outturn of an acre of rice land is in ordinary years 12 maunds of rice worth about Rs. 27, and to this we may add Rs. 3 for straw and bye-products, making a total of Rs. 30. At this rate the rent would average less than one-thirteenth of the total produce. The rates of rent are, however, not economically adjusted to the value of the land. Rates are generally fixed at so much per gunth ($\frac{1}{20}$ of a *man*), and in the highly rented parts of the Province the commonest rates are Rs. 6-4 to Rs. 4-11 per acre for the best class of land, Rs. 3-2 for second class *sarad* or first class *biali* and Re. 1-9 or Rs. 2-5-6 for third class lands.

The rents are thus more or less proportional to the total outturn, and consequently, leave, after deducting expenses of cultivation, a very much larger profit on good than on poor lands.

Comparison of *thani* and *pahi* rents.

526. In the two diagrams annexed I have endeavoured to show in a graphic form the variation between *thani* and *pahi* rents at the last settlement and those now settled, Pargana by Pargana, arranged in a descending scale according to the incidence of *thani* rents at the last settlement.

It will be seen that the tendency has been to an equalisation of rent rates. In the Parganas where *thani* rents were highest at the last settlement, *pahi* rents have not risen up to them even after 60 years, but in the areas formerly most backward *pahi* rents are generally above *thani*. The same tendency is observable in the case of the surviving pure *thani* holdings, the most heavily assessed holdings having lapsed into *pahi* or *thani-pahi*. Almost everywhere, rents of *pahi* raiyats as now settled are higher than at the last settlement, the difference being fairly constant except in Balasore District which shows a much greater development in the low rented than in the high rented areas. Complete figures for incidences will be found in Appendices EA, EB, and EC, and I have only a few remarks to make on the peculiar variations brought out by the diagram.

Beginning with Cuttack we find that in the 18th Pargana, Tapankhand, there has been a great fall in the *thani* incidence, and settled *pahi* rents are only Rs. 2-2-4 per acre against Rs. 2-0-2 at the last settlement.

Half of this Pargana consists of a swamp, and much of it is high with a laterite soil, and its physical disabilities joined to the great increase in cultivation account for the small increase in incidence. In the next Pargana-Olas-*thani* raiyats at the last settlement refused to accept *pattas*, and all the highly assessed lands have been merged in *pahi*, which is a sufficient explanation of the falling off in *thani* rents. In Bautara, the 22nd Pargana, much of the *pahi* land, especially that recently brought under cultivation grows only *dalua* paddy and pays very light rents, so that the average incidence of the settled rents of *pahi* raiyats is only Re. 1-11-10 per acre as against Rs. 3-2-11 for *thani* at the last settlement. The *thani* incidence has not fallen, the lands being to a great extent in the hands of *Gours* (*Goalas*), who make money as personal servants. In Bargaon No. 53, and Panikhand No. 54, the fall is due to heavy floods and a deposit of sand. Instances of a large increase are in Bardiala, No. 63, where *pahi* rents have risen from Re. 1-6-2 to Rs. 3-0-5 per acre, owing principally to good management; Tikan, No. 47, where, owing to protection and the improved

* See Para, 341.

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communications, *pahi* rents have risen from Re. 1-4-5 to Rs. 3-4-0 per acre, and Utikan, where they have risen from Re. 1-5-9 to Rs. 2-12-11 per acre.

Turning to Puri we find the variations smaller, but the general increase in *pahi* rents less.

In two Parganas, Serai and Matkatpatna, the incidence of *pahi* rents is a fraction below that at the last settlement; in two others, Lembai and Astrang, the increase is very small. In the first two the falling off is accounted for by the prevalence of disastrous floods; the same is the case in Astrang in a less degree, but in Lembai (Delang taluk) it is largely due to mismanagement.

In Balasore we find the greatest variations in the rents of *thani* as now settled. A very great deal of the *thani* land has lapsed and the small areas surviving show great variations. In Nampachaur, Sahabander, Matkatbad and Jalang all the *thani* has disappeared. In Bhograi, Sahabunder, Manjuri, and Katisahi, all very small areas, the former assessment was probably too high and the incidence has fallen; elsewhere there has been a steady but not very remarkable increase.

Non-occupancy raiyats.

527. Raiyats without rights of occupancy represent but a very small fraction of the whole number, and hold only some 23,000 acres; much of the land shown under this heading had been only recently taken up and had not yet been assessed to rent, consequently the average incidence of the existing rents was low, only Re. 1-7 per acre, and the enhancements made come to nearly 36 per cent.

Rents are below the general average of the Province, partly because some of the land is very inferior, and partly because easy terms were generally allowed to persons breaking up lands for the first time.

Chandina.

528. Some 27,000 acres of homestead lands were at the last settlement assessed as *chandina* at an average of Rs. 2-14 per acre, the incidence being as high as Rs. 5-4-7 per acre in Puri and as low as Rs. 2 in Balasore. Looking to the very much larger *chandina* area in Balasore than in the other two districts combined, it appears that the low assessment must have been due to the inclusion in *chandina* of a larger area of inferior land outside the actual village site. This explanation is borne out by the fact that in Balasore it is not uncommon to find tenants described as *chandinadar* in the last settlement papers, but having *pattas* of the nature of *thani pattas* for agricultural lands (*chandinadar kudelu patta*).

Though *chandina* tenants had their rents fixed for the term of settlement most of the holdings have now become merged in the *pahi*, and only the more valuable sites are still assessed as *chandina*. This accounts for the great rise there has been in the incidence of the surviving holding. In the present settlement a few enhancements have been made in the rents of town lands, but generally speaking *chandina* rents in agricultural villages have been left alone.

The enhancements come on the whole to only Rs. 700, or 1.7 per cent, and the incidence of the settled rents is Rs. 4-8 per acre.

The rates now recognised by zamindars for homestead land are from 4 annas to 8 annas per *gunth* or say from Rs. 6-4, to Rs. 12-8 per acre, so the *chandina* raiyats may be held to have got off lightly. The above rates would of course apply to town and semi-urban areas and to the more populous Parganas of Cuttack and Puri; the incidences of *chandina* rents in villages off the Trunk Road rarely rise above Rs. 3-2 per acre.

Chaukidari jagir resumed.

529. *Choukidars* have been nominally assessed at full rates, but in practice it was found expedient to allow small deductions. The 20,200 acres resumed were therefore assessed at Rs. 43,000, or Rs. 2-2 per acre, being on an average three annas per acre less than ordinary raiyati land.

As a rule the *jagir* lands are of the same class with *thani*, and are certainly not below the general average of the lands of the village.

Other jagirs resumed.

530. This includes 6,900 acres of *paik* and *hhandait jagir* assessed at Rs. 5,100, an average of twelve annas per acre, *i. e.* at half rates during the lifetime of the present holders.

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The remainder is *patwari* and *chakran jagir* assessed at full rates. The *jagirs* of *khandaits* and *paiks* were of course resumed by consent, and it was necessary in certain areas to carry the resumption through by certain concessions. Government have permitted the present holders to sit at half rates for their life time.

Tenanins newly assessed and funanins valued for revenue.

531. These two headings apply to the various grants made by zamindars at a low rent, or more often free of rent, to servants, kinsmen and retainers; the difference being that while the holdings shown as "newly assessed" have been resumed and assessed to rent, the others have only been valued, leaving the zamindar to make his own terms with the incumbents. In both cases the assessment is below the average incidence of *pahi* rents, chiefly because a large portion of these lands lies in the *killajat* estates where rents are low, and partly also because some leniency was naturally shown to persons assessed for the first time.

Lands in the possession of proprietors.

532. One hundred and seventy two thousand and five hundred acres, or about one-eleventh of the whole assessed area, is cultivated by the proprietors and proprietary tenureholders, or sublet by them as their private (*nij-jot*) land. This has generally been valued at the village rate, and on the whole the assessment comes to Rs.2-4 per acre, which is one anna less than the average incidence of occupancy raiyats' rents. It is not, however, a fact that such lands are as highly assessed as *pahi*, and there is in most villages a difference of a couple of annas in the incidence. That, on the whole, the incidence is so nearly equal is due to the larger proportion of such land in the more highly assessed District of Cuttack, where it forms more than one-tenth of the assessed area.

There is no reason to suppose that the average letting value of these lands differs much from that of the raiyati land; for while they comprise a certain number of inferior fields thrown on the landlord's hands it is equally certain that petty proprietors and sub-proprietors generally hold the best lands of the village in their own possession.

The actual profit derived by the proprietor from his *nijchas*, whether he cultivates by his own servants or sublets on a produce rent, is of course greater than the valuation, which represents only the sum he could obtain by letting to an occupancy raiyat at a cash rent.

At first it was proposed to undervalue all lands in the direct cultivation of proprietors, and hopes of concessions not exceeding one-fourth of the total were held out to the proprietors, but when the settlement of revenue began, the Commissioner and the Board took exception to such deductions as obscuring assets, and it is only where good proofs of inferiority of land or liability to loss of crops has been given that the final assessment of the *nijchas* has been made at less than the village rate.*

In the tobacco growing country, where the best lands were held by the proprietors and collusion was suspected, an assessment at more than the village rate has been made. The same has also been the case where proprietors were found to have dispossessed *thani* raiyats, or by other such means to have got the most valuable lands into their possession.

Produce rents. †

533. So far I have been discussing only cash rents, but a good deal of land still pays a rent in kind. Practically there are but three forms of produce rent known in Orissa : the commonest is *dhulibhag*, in which landlord and tenant share equally in all the produce of the land; the most prevalent after this is *sanja*, meaning a payment of a fixed *quantity* of agricultural produce; the third form is *panidhan*, in which a portion of a rent fixed in cash is payable in grain at the current market rate. We also find (very rarely) *dekhamona*, a form of *sanja* or fixed proportion of the produce if the outturn is normal, but if the crop is scanty remissions are given. I will consider those these classes in order.

Dhulibhag.

534. *Dhulibhag* means literally a "sharing of the dust," and implies an equal division of the grain as well as of all bye-products. Under this system the entire cost of

* Appendix A (17) and Appendix C, Part I.

† Settlement Officer to Director of Land Records and Agriculture, No. 1239 of 5th May, 1893.

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cultivation is borne by the tenants, and when it comes to maturity, the crop is reaped in the presence of the landlord's agent and carried by the tenant to the threshing floor, where an equal division is made in the presence of both parties.

The tenant thus gets as his share a bare half of the produce less all expenses, the only contributions made by the landlord being the payment of half the water rate, if any, and the giving of advances of seed, to be recovered in addition to his ordinary half share of the crop.

In the case of ordinary rice land the landlord's share may be put at over 8 maunds of paddy, worth at harvest time Re. 1 to Re. 1-4 per maund, so that the rent is equivalent to Rs.8 to Rs.10 in cash. When to this high rent is added the popular idea that a produce-paying raiyat is a mere tenantat-will, incapable of acquiring occupancy rights, it is not surprising that the tenants have been as eager to prove payment of cash rents as the proprietors have been to claim produce rents. It is impossible to say to what extent produce rents prevail, as in very many cases tenants holding on such terms have allowed the land to be recorded as the *nijchas* of their landlord. Sometimes, instead of actually taking half the product, the crop is appraised on the ground and half the estimated value taken in cash; this is known as the *kuta* system,

It is common enough for raiyats to pay produce rent on a small portion of the holding, and where such rent has been recorded in the case of a tenant paying directly to the zamindars or sub-proprietors the value has for the purpose of calculating the revenue been taken at the village rate. Separate figures showing the area for which such valuations have been made are not available, but I do not think it can exceed 2 per cent. of the total rent-paying land. *Dhulibhag* is, however, commonest in the case of under-raiyats and tenants of *lakharajdars*.

The area on which it is paid by these classes of tenants in Balasore is 16,500 acres.

In Cuttack, in the 450 villages for which figures have been compiled, 4,563 acres or 1.7 per cent. of the area pays *dhulibhag*, and this would give 20,500 acres for the whole district.

Phal bhag.

535. ***Phal bhag*** or ***rajbag***, meaning a division of the fruits or grain only, the straws or other bye-products being left with the cultivator, is a less common form of produce rent. The figures for it are included in those for *dhulibhag*.

Sanja.

536. ***Sanja*** means a contract, and is used of a rent in kind fixed at a certain quantity, payable good season or bad. It is very rare in both Cuttack and Balasore, but common throughout the Puri district. In Balasore non-mahal tenants pay *sanja* for about 500 acres, and I think the total *sanja*-paying area within the temporarily-settled estates of these two districts is less than 2,000 acres. The *sanja* is fixed at so many *gaunis* or *pautis* of paddy, *kulthi* or other grain per *gunt* with in many places some molasses or tobacco leaves. In Balasore Mr. Kingsford, taking the price of paddy at Re. 1-2 per maund, finds the money value of the *sanja* to vary from Rs. 3 per acre in the case of under-tenants to Rs. 4-8 per acre in the case of tenants of *lakhirajdars*. In Cuttack and Puri the *sanja* varies from 1 to 2½ *gaunis* per *gunt*, or say from three maunds to eight maunds per acre. The average is about six maunds to the acre, worth in a good year Rs. 6 and in bad about Rs. 9. It thus presses most heavily on the raiyat just when he is least able to afford it.

Decamona.

537. ***Dekamona**** has been already explained. I have only found it in the Puri district. It is probably due to the interference of Mr. Wilkinson, who did so much for the raiyats of all kinds in the way of providing remissions.

Panidhan.

538. ***Panidhan*** or ***katdhan*** † is an arrangement whereby a part of a cash rent is payable in kind, *e. g.*, a tenant with a nominal rent of Rs. 4 may have to pay Rs. 3 in cash and give also one rupee's worth of grain. The landlord fixes the rate, so that the tenant generally has to pay something more than he could sell for the same money in the open market,

* The Special Judge has in a recent appeal ruled that such a form of rent is not recognised by any law.

† Locally known also as *reshi* and *sahan*.

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Commutation.

589. Though Section 40 of the Bengal Tenancy Act has been extended to Orissa, very few applications have been received for the commutation of produce rents. Landlords as a body preferred produce rents, and tenants were slow to avail themselves of their new privilege. Indeed, in the case of *dhulibhag*, the cash equivalent of the rent was so high as to effectually deter applicants who would have found a fixed rent of eight or ten rupees more difficult to pay than half the produce.

In one instance a produce rent was converted to a cash rent of Rs. 9-6 per acre, and the landlord was still dissatisfied and wanted more.

Comparison of three districts—rents and incidences.

540. There is a very marked difference between the three districts, which is summarised in the following statements :—

DISTRICT.	Increase percent. of existing over last settlement assets.	Increase percent. of settled over existing assets.	LAST SETTLEMENT INCIDENCE.				PRESENT SETTLEMENT INCIDENCE.			
			Muffasil jama.	*Thani rents.*	*Pahi rents.*	*Nijjot.*	*Muffasil jama.*	*Thani*	Occupancy raiyats	Proprietors lands.
1	2	3	4	5	6		8	9	10	11
Cuttack	65	12	1·13	2·13	1·15	1·12	2·8	2·14	2·14	2·10
Puri	30	12	1·7	2·1	1·8	1·13	1·12	1·15	1·15	2·6
Balasore	72	16	1·3	1·11	1·3	1·4	1·11	1·13	1·13	1·12

DISTRICT.	Number of holdings at present settlement excluding under raiyats and tenure holders raiyats.	AREA ASSESSED.		ASSETS.					INCIDENCE OF RENTS PER ACRE.		
		At last settlement.	At present settlement.	At last settlement.	At present settlement.		Difference between assets.		At last settlement.	At present settlement.	
					Existing.	Settled.	Past and existing.	Existing and settled		Existing.	Settled.
1	2	3	4	5	6	7	8	9	10	11	12
		Acres.	Acres	Rs.	Rs.	Rs.	Rs.	Rs.	Rs. A. P.	Rs. A. P.	Rs. A. P.
Cuttack...	650,600	621,000	822,500	11,21,600	18,47,400	20,72,900	+7,26,900	+2,25,500	1 14 0	2 4 0	2 8 0
Balasore..	370,290	493,200	692,200	5,75,600	9,88,800	11,51,400	+4,13,200	+1,62,600	1 2 8	1 6 10	1 10 7
Puri (without Khurda)	204,400	302,400	373,300	4,41,600	5,73,400	6,43,400	+1,31,800	+70,000	1 7 4	1 8 7	1 11 7
Total.	1,225,290	1,416,600	1,888,000	21,38,200	34,09,600	38,67,700	+12,71,900	+4,58,100	1 8 0	1 13 0	2 1 0

It is thus apparent that while the incidence of the assessment of Puri was at the last settlement higher than that of Balasore, not only has there been a far greater extension of cultivation in the latter district, but rent rates have been nearly equalised in the two.

In Cuttack, on the other hand, the former assessment was much higher than in the other districts, yet rent rates have risen during the term of settlement to a greater extent than in Puri.

In Balasore the comparatively low assessment appears to have been due in part to the disastrous floods of 1831 which had thrown much land out of cultivation, and partly to the scantier population. Even now, after 60 years of development, the population, according to the last census returns is only 481 to the square mile in Balasore against 533 to the square mile in Cuttack. Some difference is also to be put down to the larger area in Cuttack which is twice cropped, and to the greater amount of protection from flood and drought. In Balasore for the most part the cultivated area consists of *sarad dhan*, and grows only one crop. Lastly, in Cuttack, zamindars, managers and *gumasthas* are better educated and better skilled than in most parts of Balasore. Even with all these allowances it still appears that Balasore is more lightly assessed than Cuttack. The reason for the lower rents at the last settlement in Puri than in Cuttack is, I think, to be traced to the greater liability of many parts of the district to flood and drought, particularly to the latter. The returns of 38 years show that the average annual rainfall in Puri is 58·85 inches against 60·87 in Cuttack and 66·34 in Balasore, and the fall is very unequal in different localities.

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Something also may be put down in Puri to the personality of the Settlement officer, Mr. Wilkinson, whose assessments were most marked by moderation.

The rise in rents during the settlement now expired has been far less in Puri than in the other districts. Cuttack no doubt has enjoyed greater advantages in the matter of protection and irrigation, but, as I shall shortly show, the increase in rents is by no means confined to those favoured tracts, * and the incidence of the *pahi* rents in the inundated Parganas borrdering on Puri has risen from Re. 1-15 to Rs. 2-7 per acre.

On the other hand, in Puri the incidence of raiyati (*pahi*) rents has risen only from Re. 1-8 to Re. 1-15 per acre, and this small increase is to be accounted for by the liability of the district to damage by floods and by salt from the Chilka Lake. Again, in Puri the privileged tenants, especially *bazyafiidars*, were assessed at the last settlement to much higher rents than elsewhere, the average being nearly As. 10 per acre against As. 6 per acre in Cuttack; also in more than 25 per cent. of the assessed area rents fixed for the term of settlement have survived.

It is probable, I conclude, that for the most part this difference in incidence and development of rents represents a real superiority in the soil of Cuttack, but it is also certain that in parts of Puri petty proprietors and tenureholders holding large areas in their immediate possession have found it to their interest to understate rents, while some estates, such as Delang, are so mismanaged that the proprietors have no proper rent roll. In fact, the proprietor of Delang (the Puri Raja) has, I understand, appointed a succession of *gumasthas* who have been successively dismissed after plundering the raiyats and without rendering any accounts.

Enhancements in this settlement.

541. The enhancements made in this settlement are equal in Cuttack and Puri (*i. e.*, 12 per cent.) and one-third more in Balasore, the difference being chiefly in the larger amount of excess area in the last district. It is possible that the enhancements for excess area would have been larger in Puri and Cuttack, but attestation had to some extent to be made twice over, and zamindars filed revised *ekpadias* giving in many cases the areas for their tenants as recorded in the survey papers. Thus there was less excess area. In Balasore no re-attestation was done, and on the whole the papers of the zamindars were even less up-to-date than those of the zamindars elsewhere. In addition to this fact also the progress of extension of cultivation is still very rapid on the east and west of the District.

Alteration of rents.

542. The number of tenants, for whom rents were settled in the Province (excluding Khurda) amounts to 1,501,869, and from this number it is necessary to exclude 49,307 *nijchas* holdings in respect of which valuation revenue has been made.

The balance is 1,452,562, dealt with as follows :—

			Per cent.
Rents increased for excess area	...	188,607 or	13
Rents reduced for loss of area	...	46,699 or	3
Rents newly assessed	...	87,467 or	6
Rents altered on other grounds	...	348,717 or	24
Rents retained	...	781,072 or	54
Total		1,452,562	

We must, however, not lose sight of the fact that out of 15 lakhs of tenants only 1,225,000 are paying direct to the proprietor or proprietary tenureholder, *i e*, nearly three lakhs of under-tenants or tenants of tenureholders are included in the figures. In the large majority of these cases no application was made for settlement of rent, and the existing rent was generally settled unless it was *prima facie* inaccurately recorded. The results of intereference in existing rentals may therefore be expressed as follows :—

		Lakhs.
Total...	...	12·25
Deduct	...	5 *nijchas.*
Balance		11·75

out of which rents were retained in the case of not more than 6 lakhs or about 50 per cent.

* See also Chapter V, *supra*.

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It may be generally stated that the rents of ***pahi*** settled raiyats in a village have not been altered except —

(a) Where a particular raiyat was found to be paying rent the incidence of which was 25 or 33 per cent. less than the general incidence and there was no good reason for payment of the low rent.

(b) Where the area held by the raiyat was found to be less by 10 per cent. or more by 10 per cent. than the area for which he was found to be paying rent to his landlord.

(c) Where the raiyat had hither to paid no rent and could show no valid reason why he should not do so.

(d) Where his landlord specially applied for enhancement.

As regards alteration of rents in 1896-97 the figures of rents retained was 56 per cent. This is due to the fact that a large area of Cuttack was dealt with in which there were many under tenants whose rents were retained and to the fact that Sri A. Mackenzie's amended rules did not take effect till the end of the field season. In 1897-98 and 1898-99 the percentages fell to 51 and 49 partly owing to the large increase of cultivation in Balasore and partly owing to a more thorough working of the amended rules.

The record of the number of raiyats who did not attend and whose rents were either maintained *ex-parte* or enhanced *exparte* after service of special notice was not accurately kept till the last two field seasons. Out of nearly 4½ lakhs of tenants whose rents were settled during these two years the rents of less than 6,100 were maintained and of less than 2,300 were enhanced *ex-parte*. I do not voucher for the strict accuracy of these figures, but they do tend to show that attendance was good and that great pains taken to secure the appearance of absentees. It must also be mentioned that inspecting officers too considerable trouble to ascertain, at the time of local inspection of Assistant Settlement Officers' camps, that raiyats were not being harassed by infringement of the rule to hold camp within three miles of the furthest corner of a village.

I append a statement of appeals, from which it will be seen that raiyats were generally satisfied with the work of Assistant Settlement Officers :—

Total number of appeals	...	295
Dismissed for default	...	17 or 5·75 per cent.
Decisions upheld	...	150 or 50·94 per cent.
Decisions modified	...	8 or 2·71 per cent.
Decisions reversed	...	48 or 16·27 per cent.
Remanded for re-trial	...	72 or 24·40 per cent.

Most of these appeals were against decisions as to possession or title, and but a very small proportion against the rents settled.

Rents in Cuttack.

543. It now remains to compare rents in smaller local areas, and for this purpose figures have been given showing the incidence of rents and developments of assets and cultivation in each Pargana (Appendices DA and EA).

I have further grouped the Parganas of each district into Blocks with more or less homogeneous features, and for each such block a complete statement of assets past and present will be found in the Appendices AB, AC., etc., down to CN.

To begin with Cuttack, I have divided it, starting at the north-west corner into eleven groups, and the figures for these groups are given in the Appendices.

Block A.

The first group consists of the four temporarily settled *killajat* estates of Ragri, Balarampur, Chausathipara and Kantajhar. All four were at the last settlement backward tracts covered with jungle and more akin to the ***garhjats*** than to the settled Parganas of the District.

The assessments were purposely made in a most lenient spirit, especially in the case of the many invalid grants to the kinsmen and retainers.

In this settlement it was found that Kantajhar, which had passed into the hands of the Maharaja of Keonjhar, was in much the same condition as other

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temporarily settled estates, while Ragri and Chausathipara, though still managed under a patriarchal system, were opened up and well cultivated; Balarmpur, however, was still far behind the neighbouring Parganas in development.

Over the whole block, cultivation had extended by more than 60 per cent., and the incidences of raiyats' rents had been trebled. It was found, however, that rents had rarely been collected from the tenures resumed at the last settlement, and it was only after many remonstrances that the *bazyaftidars* consented to have their rents enhanced as in other parts of the District. Their rents were raised eventually from Rs. 617 to Rs. 1,786, and the incidence from As.4 to As. 10 per acre. Nearly all *thani* holdings were found to have lapsed and the *pahi* area to have increased from 2,500 to 7,900 acres, while the average incidence had risen from As.9 to Re. 1-11. Further enhancements were made on account of excess area and rents settled at an average of Re.1-14 per acre. Lands in the possession of the proprietors were often valuable, and have been assessed at an average of Rs.2-3 per acre. More than 8,500 acres were held by kinsmen and hangers-on of the proprietors either rent-free or on quit-rents. Of these over 7,000 were valued for revenue purposes at a total of Rs. 12,089, while another 1,400 acres were, with the consent or on the application of the occupants, assessed to rent at an average of Rs.2 per acre.

By these operations the last settlement *mufassal jama* has been raised from Rs. 5,572 to Rs. 33,998, or by 510 per cent; but of the assets only some Rs 20,782 are recoverable by the proprietors, the rest having been alienated in various ways.

Block B.

Block B comprises the nine Parganas of Shergarh, Jajpur, Dolegram, Katia, Tisania, Matkatabad, Sahebnagar, Manjuria, and Ahyas lying on the south of the Baitarani river. The first of these consists for the most part of a high and comparatively sterile rice plain. The others are for the most part protected and to a considerable extent irrigated, though only one of very recent years. To the east, much of Dolegram, Ahyas, Katia and Tisania is very low and liable to inundation through breaches in the Kharsua embankment and by the back-water of the Baitarani. The low lands have benefited by protection and irrigation, especially the very low *dalua* lands; it is not so certain that the floods were not on the whole beneficial to the higher land.

At the last settlememt the assets of this block were Rs. 1,54,600, and the average incidence per acre Re. 1-7, *thani* rents averaging Rs.2-5 and *pahi* Re-1-10 per acre.

During the term of the settlement there was but a small lapse of privileged tenures, but seven-eighths of the *thani* holdings merged into *pahi* or became combined with it to form *thani-pahi* holdings, with a falling off of an anna per acre in the incidence. *Pahi* rents had on the whole block meanwhile risen above *thani*, though in the flooded Pargana of Ahyas and in the high lands of Sargarah they were still a few annas lower.

In the present settlement raiyati rents were found to be generally high enough and were only enhanced from 5 to 7 per cent., the incidence of the rents as settled being Rs. 2-9 for occupancy raiyats and Rs. 2-6 per acre for *thani* and *thani-pahi*. Probably the latter could have stood some further enhancement, but it was part of the policy of this settlement to treat with leniency the ancient occupiers of the land.

Over 2,100 acres of *jagir* land have been resumed and settled at rather lower rates than raiyats are paying, and 2,430 acres of invalid assignments by zamindars wear either assessed to rent or valued for revenue. More than 19,600 acres, nearly a seventh of the assessed area, was held as private land by proprietors and proprietary tenureholders; it has been valued at an average of Rs. 2-9 per acre, the same as the incidence of the settled rents of raiyats. The assessment may be taken to represent the full letting value of the land.

As the result of these operations the new *mufassal jama* of the block is Rs. 3,18,400, *i. e.*, 1 per cent. above that recorded as existing at the beginning of this settlement and 106 per cent. in excess of that fixed at the last settlement. At the same time the assessed area has increased from 106,800 to 141,900 acres, or by 33 per cent., and the incidence of the *jama* per acre from Re. 1-7 to Rs. 2-4. The increase is therefore above the average, but the incidence of the assessment is

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below the average of the district. This is accounted for by the inferiority of the lands of Sargarh and Ahyas.

Block C. The third block consists of three Parganas at the mouth of the Baitarani and Kharsua-Bautara, Kaima and Barha, all low-lying saline tracts growing chiefly *dalua* and *sarad* rice. The people depend to a considerable extent on fishing and large numbers emigrate to Bengal, where they serve as bearers and *chaprasis*.

The assessment made at the last settlement was low, only Re. 1·11 per acre on *thani* lands and 15 annas on *pahi*.

More than half of the *thani* lapsed completely and some was combined with the *pahi* to form *thani-pahi* holdings, while the incidence came down to Re. 1-8 per acre, and that of *pahi* rose to Re. 1-8 per acre. In the present settlement only very trifling enhancements were made, viz., 6 per cent. on the existing *thani*, 2·3 per cent. on the *thani-pahi* and 5 per cent. on the *pahi* rents.

Privileged tenures had for the most part survived only some 300 acres out of 2,600 having lapsed. Owing to the low rate of raiyati rents the enhancements were less than usual, being only 137 per cent. in the case of *nisfi bazyafti* and 43 and 57 in the case of *kamil bazyafti* and *kharida jamabandi*. The incidences per acre of the rents settled for these three classes were As. 13, As. 14, Re. 1-1 respectively.

House-sites in such an area were valuable and rents of *chandinas* therefore averaged Rs. 5 per acre. Out of 116 acres, however, only 48 acres have survived.

The proprietors' private lands made up over one-fourth of the assessed area and in view of their liability to damage by floods and drought have been assessed at an average of only Re. 1-4.

On the whole the result of this settlement may be summed up as follows:—

Assessed area at last settlement.	...	17,000 acres.
Assessed area at this settlement.	..	20,700 acres.
Increase of assessed area.	...	22 per cent.
Mufassal jama at last settlement.	...	Rs. 17,700
Ditto at this settlement.	..	Rs. 29.500
Increase of *Mufassal jama*	...	Rs 66 per cent.
Incidence at last settlement.	...	Re. 1-1 per acre.
Incidence at this settlement	...	Re. 1-7 per acre.

The low incidence and small increase appears to be fully accounted for by the nature of the country, but it is probable that with the canalisation of spill channals there will in future be a great extension of *dalua* cultivation.

Block D. In the fourth block I include Parganas Jodh, Olas, Baruan, Kalamatia, Hatimunda, Sultanabad, Alti, Baragaon, Kuhunda Jaipur, Dihi Arakhpur, forming the great spill area of central Cuttack enclosed between the Kharsua embankment on the north and the Patamundai canal on the south-west and flooded by the Kharsua, Brahmani, and Birupa and their branches.

Part is of course protected and a little in Alti irrigated, but on the whole these Parganas may be said to be liable to frequent damage by flood and more rarely by drought.

At the last settlement rates were high in this block, *thani* rents averaging Rs. 2-14 and *pahi* Rs. 2-6 per acre and this in spite of considerable reductions in the pre-existing rates. A good deal of the *thani* as in Olas-was not engaged for, and less than a sixth now survives as pure *thani* and about a half as *thani-pahi*. The incidence at the same time fell off, and at the beginning of the present proceedings *thani* rents averaged only Rs. 2-7 and *thani-pahi* Rs. 2-9 per acre. while the incidence of *pahi* rents had risen to Rs. 2-12 per acre. The difference I ascribe not to any superiority in the Puri *pahi* lands, but that *thani-pahi* rents were fixed many years ago and were much more difficult to enhance afterwards than those of the ordinary tenant-at-will.

In this settlement *thani* rents have been raised by 11 per cent, *thani-pahi* by 4 per cent. and *thani* occupancy raiyats' rents by the same amount; the average incidence of the settled rents per acre being for the first two classes Rs. 2-11 and for the third Rs. 2-14. Non-occupancy raiyats' lands, being generally newly reclaimed and inferior, are assessed at only Re. 2-7 per acre. It

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is to be noted that the smallness of the enhancements of *pahi* rents in this block is due to the fact that in some villages of Olas, Baruan, Kalamatia, and Kuhunda Jaipur very considerable reductions had to be made on account of the deposits of sand left by the floods of recent years, culminating in the heavy floods of 1896. In this block there has been very little lapse in the privileged tenures except in the case of resumed jagirs. The *nisfi bazyafti* rents have been enhanced by 156 per cent. and are settled as Re. 1-2 per acre. *Kamil bazyafti* is enhanced by 50, and *kharida jama-bandi* by 78 per cent. *Chandina* rents averaged Rs. 4-5 per acre, and a little over a third survives to this day and pays an average of Rs. 4-10 per acre.

The proprietors and tenure-holders are in possession of only one-twelfth of the assessed area. This small portion is due to the fact that Kalamatia, Alti, Baragaon and Dihi Arakhpur contain large estates for the most part *hastabud* and that some of the principal proprietors are non-resident.

The results of the settlement of this block may be summed up as follows :—

Assessed area at last settlement ...	...	88,100 acres.
Assessed area at the present settlement ...	...	1,27,400 acres.
Increase of assessed area ...	...	44½ per cent.
Mufassal jama at last settlement ...	...	Rs. 1,67, 100
Ditto at this settlement ...	...	Rs. 3,26,400
Increase of *Mufassal jama* ...	...	95 per cent.
Incidence at last settlement ...	...	Re. 1-14-0 per acre.
Incidence at this settlement ...	...	Rs. 2- 9-0 per acre.

Thus both the actual incidence of the assessment and the increase in cultivation in *mufassal jama* and in the incidence of the *mufassal jama* is above the average of the District.

This can only be accounted for by the excellent harvest obtained in good years and the large area twice cropped; in bad years a large part of the rents is irrecoverable, but is generally carried on for realisation in a good year.

Block E.

In Block E, I include the Parganas on either bank of Range No. 1 of the High Level Canal-Kerualkhand, Kanchikhand, Kokuakhand, Tapankhand, Dalijora and Panikhand. Of these the first three are for the most part protected and irrigated. Dalijora is a rather wild and backward tract covered with hills and jungle, while Tapankhand consists partly of a laterite plain and partly of a low-lying swamp at the foot of the Dalijora hills. Panikhand is a small temporarily-settled estate on the boarders of Athgarh and considerably damaged by the floods of the Mahanadi. The *thani* lands of this block were assessed at an average of Rs. 3-3 per acre, and about a third still survives as pure *thani* and a fifth as *thani-pahi*. The high rate was due partly to the fertility of lands in Kokuakhand and Kerualkhand and partly to the inclusion in *thani* of a large area of valuable homestead land. The incidence fell off during the settlement to Rs. 3 for *thani* and Rs. 2-10 for *thani-pahi*

The incidence of *pahi* in the meantime had risen from Rs. 2-2 to Rs. 2-11 per acre. Rents were generally so high that there was no room for further enhancement, and after deducting the amounts reduced in Panikhand and along the banks of the Birupa, where embankments had changed the nature of the land, the enhancements are only 3 per cent. for *thani* and for *pahi*, and 3.6 per cent. for mixed *thani pahi* holdings. It is to be observed that there is great variation in the rates in this block, the incidence of the settled rents of occupancy raiyat, per acre varying from Rs. 3-6-2 in Kerualkhand, Rs. 3-2-2 in Kokuakhand, Rs. 2-8 in Dalijora and Rs. 2-2-2 in Tapankhand and Rs. 2-0-4 in Panikhand. The differences are due to differences in the fertility of the land and in the advantages enjoyed in the matter of protection, irrigation, and communications. The privileged tenures in this block were rather highly assessed, but have nevertheless survived with the loss of about 280 acres of *kamil* and 60 acres of *nisfi bazyafti*. The enhancements made are below the average, viz., 142 per cent. for *nisfi bazyafti*, 46 per cent. for *kamil* and 38 per cent. for *kharida jamabandi*. The incidence of the settled rents is, however, above the average for the District.

Chandina lands were very highly assessed at Rs. 5-14 per acre and two-thirds of the original area still survive and pay Rs. 5 per acre. About one-thirteenth

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only of the area is held by the proprietors, some of whom, as those of Dalijora, are non-residents. The assessment at Rs. 2-9 per acre is probable equal to the letting value of the lands of which some are certainly inferior. The large *sairat* assessments are chiefly for forest produce in Dalijora and Tapankhand and for the extensive fisheries of Panikhand.

The results of the settlement may be summed up as follows :—

Assessed area at last settlement...	... ...	...22,400 acres.
Assessed area at the present settlement	... ...	...28,700 „
Increase of assessed area	... ...	...28 per cent.
Mufassal jama at the last settlement	... ...	...Rs. 48,900.
Ditto at this settlement	... ...	...Rs. 76,000.
Increase of *Mufassal jama* ...	... ...	...Rs, 55 per cent.
Incidence at the last settlement.	... ...	... Rs. 2-3 per acre.
Incidence at this settlement.	... ...	... Rs. 2-10 „

It will be seen that the increase both of cultivation and of assets is below the normal. Very little land is left for reclamation, except in the jungles of Dalijora and the plains (Benapat) of Tapankhand. The assessment of the good lands on the south of the canal was already so high at the last settlement that there was little room for increase, and the general incidence of rents is kept down by the inferiority of the lands west of the canal.

Block F.

Block F contains the principal Parganas protected and irrigated by the Kendrapara Canal system, viz., Swaraswati, Karimul, Padampur, Sungra, Matkatnagar, Asureswar, Chaudakulat, and Nahakhand.

The first and last three were at the last settlement exposed to flood, but the others were for the most part protected and represented the most advanced area in the District.

Thani rents averaged Rs. 3-5 per acre and, even so, more than half has survived as pure *thani* and another sixth is in mixed *thani-pahi* holdings. The incidence fell in the case of pure *thani* to Rs. 3-1 and of *thani-pahi* to Rs. 2-13 per acre. *Pahi* incidence, however, had risen from Rs. 2-2 to Rs. 3-4 per acre. It is reasonable to suppose that part at least of the higher rents of pure *pahi* may be ascribed to enhancements made by the zamindars on account of the advantages conferred by protection and irrigation, but it will be seen from Appendices AG. that in Sungra and Asureswar *pahi* rents are still lower than in the *thani*, and in Matkatnagar, Nahakhand and Chaudakulat the rates are nearly equal.

The enhancements made by the present proceedings were from 3 to 5 per cent. and resulted in the settlement of *thani* rents at Rs. 3-3, of *thani pahi* at Rs. 2-15, and of ordinary occupancy raiyats at Rs. 3-6.

Non-occupancy raiyats are also assessed at Rs. 3-6 per acre, there being no reason to allow more lenient terms for new cultivation in an irrigated area.

Homestead lands are plentiful in this area, and *chandina* rents therefore moderate, the incidence at the last and at the present settlement being Rs. 4-8 per acre.

There being a large population of respectable persons (*Bhadralok*), the former *bazyafti* were out of all proportion to raiyati rents and have been largely enhanced-*nisfi bazyafti* by 232 per cent., *kamil* by 51 per cent, and *kharida jamabandi* by 82 per cent. The incidence of the rents settled for *nisfi bazyafti* is Re. 1-2 per acre, or a third of the full letting value. The apparent increase in the *nisfi bazyafti* area is due in part to the exclusion from the last settlement area of waste lands, and partly to the inclusion of some *kamil* lands in the area at this settlement; about one-fourth of the *kamil bazyafti* has lapsed into *pahi*.

Nijchas lands form rather more than one-eleventh of the assessed area, and are valued at an average of Rs. 3-2 per acre. This represents the minimum letting value. The results of the settlement may be summed up as follows : —

Assessed area at the last settlement	...	... 93,000 acres.
Ditto at this settlement ...	...	... 119,000 „
Increase of assessed area. ...	...	... 28 per cent.
Mufassal jama at the last settlement.	...	... Rs 1,95,700
Ditto at this settlement. ...	...	... Rs. 3,53,700
Iscrease of *Mufassal jama*. ...	...	... 81 per cent.
Incidence at the last settlement. ...	...	... Rs. 2-2 per acre.
Ditto at this settlement. ...	...	... Rs. 2-15 „

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The increase in cultivation and assets is thus rather below the average of the district, and this may be put down to the advanced state of this area at the last settlement. The incidence has increased by thirteen annas is a good deal above the average of the district, and this must at least in part be put down to the benefits conferred by Government by the construction of roads, canals and embankments.

Block G.

Block G consists of the eight Parganas of Utikan, Neulbisi, Atkhanta, Kutabsahi, Utihar, Derabisi, Damarpur and Chhedra.

The first three of these form a low rice plain, encircled by tidal rivers from the waters of which they are partly protected by embankments, having a sightly saline soil and to some extent irrigated from the Gobri Extension canal. The other Parganas consist of temporarily settled lands within permanently settled tracts of a generally similar character.

The whole block has been greatly improved by the construction of the canals and the connected embankments and drainages.

At the last settlement *thani* rents were fixed at Re.1-15 per acre, and only a little above one-tenth as survived as pure *thani*, and a little over one third in the *thani-pahi* mixed.

Pahi rents have risen well above *thani*, and in consequence *thani* rents have been enhanced by 18 per cent. and *thani-pahi* by 13 per cent. Even so, the latter pay 6 annas in acre less than the settled rents of *pahi*, which average Rs.2-12 per acre.

Non-occupancy raiyats pay Rs.3-15 per acre, chiefly for the tobacco-growing *pal* lands in Utikan, in which a sort of utbati system prevails. About one-eleventh of the assessed area is in the immediate possession of the proprietors and has been assessed at Rs.2-15 per acre. This is higher than the average incidence of raiyati rents, the valuation having been raised at the time of settling the revenue, on the ground that the zamindar had by illegal means dispossessed raiyats of their best lands.

In this block *bazyaftidars* were somewhat highly assessed at the last settlement, so that though *kamil bazyafti* rents are enhanced by only 8 per cent. and *nisfi bazyafti* by 175 per cent. the incidence per acre of the settled rents is Re. 1-11 for *kamildars* and Re.1-8 for *nisfi bazyaftidars*. Generally in this block all *bazyafti* rents are fixed at two-thirds of the village rate.

The result of the present settlement is summarised below :—

Assessed area at the last settlement.	...	36,900 acres
Ditto at this settlement.		43,000 ,,
Increase of assessed area.		17 per cent.
Muffasal jama at the last settlement.	...	Rs. 56,500
Ditto at the present settlement.		Rs. 1,09,900
Increase of *muffasal jama*.		94½ per cent.
Incidence at the last settlement.		Re. 1-8 per acre.
Ditto present settlement.		Rs. 2-9 ,,

The increase in cultivation is thus below, and the increase in assets above, the average of the district. There is not much room for further extension of cultivation in this area, and the development must be ascribed to the opening of the country by the canal and the ready means of export of grain from Chandbali, and to the good management of the proprietors of Utikan, who, though themselves non-resident, have employed a very able manager.

The incidence of the assessment is slightly above the average of the district and is certainly not low for such lands.

Block H.

In the block marked H are contained the principal Parganas in the Mahanadi valley, between the Kendrapara canal on the north and the Taldanda canal on the south. These Parganas are all liable to inundation by very high floods, but are more or less secure from damage in ordinary years.

To the west Painda and Subang receive the full rush of the water, and in spite of a few *bandhs* the crops are often washed away.

Kusmandal and the eastern half of Subang are protected, and the southern part of Balubisi is both protected and irrigated.

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The central portion of the block in Balubisi and Suknai is too high to suffer from inundation in ordinary years, but the waters spill over eastern Suknai and parts of Paena, Abartak and Anabartak. This block has received little benefit from protective or irrigation works and is but ill provided with roads, and yet it is one of the richest and most highly assessed in the province.

Thani rents at the last settlement were Rs. 3-8 per acre, the highest figure of all the blocks. About one-fourth has survived as pure *thani* with a fall of annas 7 in the incidence, and as much more survives as *thani-pahi*. The rents being already high have in this settlement been only enhanced by 5 per cent. and now stand at Rs. 3-4 per acre for *thani* Rs. 3-5 per acre for *thani-pahi*.

Pahi rents show a large increase from Rs. 2-5 to Rs. 3-3 per acre, and have in the present settlement been enhanced up to Rs. 3-5 per acre. In most villages the incidence is still less than that of *thani* rents at the last settlement. The small enhancement in this settlement, 4-5 per cent., is due partly to the rents being already too high, and partly to some reductions for damage done by sand in Suhang, Kusmandal and Suknai, which have been set-off against the increase.

One-twelfth of the assessed area is in the hands of the proprietors, and has been valued at Rs. 3-1 per acre. In almost all cases the valuation has been made at the village rate and is a trifle below the full value at which the land would let, but I do not think it is any too lenient considering how many villages are liable to the loss of crops by inundation.

As many respectable and influential persons formerly lived in these parts, *bazyafti* lands were most lightly assessed, the incidence of the rents of *nisfi bazyafti* being only As. 6 per acre, or less than one-sixth of the *pahi* rate.

It was consequently necessary to make very large enhancements in this settlement, and the rents of *nisfi bazyafti* have been raised by 202 per cent. and those of the *kamildars* by 72 per cent., the incidences of the settled rents being respectively Re. 1, and Re. 1-5 per acre. *Kharida jamabandi* rents have also been enhanced by 80 per cent. and settled at an average of Re. 1-10 per acre.

The results of the settlement may be summed up as follows :—

Assessed area at the last settlement.	...	60,400 acres.
Ditto at this settlement.		76,100 ,,
Increase of assessed area.		26 per cent.
Mafasal jama at the last settlemet.	...	Rs. 1,30700
Ditto at this settlement.		Rs. 2,20,400
Increased of *Mafasal jama*.		69 per cent.
Incidence at the last settlement.		Rs. 2-3 per acre.
Ditto this settlement.		Rs. 2-14

The extension of cultivation and increase of assets is below the average of the district, and this may be put down chiefly to the very advanced state of this tract at the last settlement and to the absence of any improvement in its physical condition.

It does not appear, however, to require protection or irrigation, as the richest and most highly assessed villages are in the unprotected parts of Balubisi. Mr. Carey, who was in charge of the assessment of this block, recommended the canalisation of some of the *Jhors* and spill channels and the provision of sluices as the best method of securing the country from floods and drought.

Block I,

Block I consists of Parganas Cuttack Haveli, Bakhrabad, Bahurupa Kodinda and Motri in the immediate neighbourhood of Cuttack town.

They present a very great diversity of physical characteristics. Cuttack Haveli and Bakhrabad contain highly assessed urban and suburban areas, besides large expanses of almost valueless land. Bahurupa and Motri are hilly and more akin to the Khurda Government estate than to the plains of Cuttack.

Half of Kodinda is protected and irrigated, and half is subject to serious damage by inundation. Except in the protected area of Kodinda the agricultural condition is almost the same as at the last settlement; a great deal of the land is inferior, but there is much garden cultivation for the supply of the market of Cuttack.

Thani rents at the last settlement averaged Rs. 2-7 per acre, and the assessment was a high one for the quality of the land: rather more than half of the

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holdings have survived, with a fall of incidence in the case of *thani-pahi*. *Thani* rents are still almost always higher than *pahi*, and the small enhancements made are counterbalanced by reductions of rent on account of damage by sand in the villages of Kodinda and Eastern Bakhrabad due to the bursting of the Mahanadi and Katjuri embankments.

Pahi rents rose from an average of Re. 1-13 to Rs. 2-7 per acre, and have been further enhanced by 4 per cent. chiefly for excess area. The enhancements would have been considerably greater, but, as in the case of *thani*, reductions had to be allowed for damage caused by deposits of sand.

The *chandina* area has increased from 564 to 683 acres, and the incidence per acre from Rs. 3-13 to Rs. 5-11 per acre; the high rate is of course due to rents in the town and its neighbourhood.

About a twelfth of the assessed area is in the hands of the proprietors and has been valued at Rs. 2-10 per acre: that this is higher than the average incidence of raiyati rents is due only to the fact that the lands lie chiefly in the more highly assessed villages.

The culturable area assessed consists of unoccupied houses and sites in the town.

The assessment of *bazyafti* was high, because in these tenures were included many valuable homesteads and house sites, and as there has been a large extension of cultivation and a great increase in the value of house property, the rents have been largely enhanced, *nisfi bazyafti* being raised 205 and *kamil* 107 per cent.

The results of the settlement may be summed up as follows :—

Assessed area at the last settlement.	...	24,800 acres.
Ditto this settlement	...	34,300 ,,
Increase of assessed area.	...	38 per cent.
Mufasal jama at the last settlement.	...	Rs. 46,700
Ditto at this settlement.	...	Rs. 82,400
Increase of *Mafasal jama*.	...	77 per cent.
Incidence at the last settlement.	...	Re. 1-14 per acre.
Ditto at this settlement.	...	Rs. 2-6 ,,

The increase of cultivation is slightly above the average, and there is still a good deal of inferior land that may come under the plough.

The increase in the *mufassal jama* and in its incidence is below the average, and this appears to be due partly to the damage caused by the sand and partly by the success with which some of the tenants had resisted the zamindars enhancements.

I found many *pahi* raiyats holding last settlement *pattas* and others why with only palm leaf leases had managed to hold at an unaltered *jama* for 30 years.

Reductions have been freely allowed for deterioration of soil and the present assessment of this block appears, considering its position, very moderate.

Block J.

Block J contains the Parganas between the Katjuri and Mahanadi rivers, and for the most parts protected and irrigated by the Taldanda-Machgaon canal system, viz., Hariharpur, Sahabad, Kurunia, Gandito, Jhankar, Khandi, Benahar, Tiran, Apila, Jainabad, Sujabad.

These were even at the last settlement partly protected from floods, but except Hariharpur and Jhankar were very difficult of access and in a most backward state. Since then they have been connected with Cuttack by two excellent roads, reaching to Taldanda and Machgaon, and are well supplied with village roads, distributaries, and other means of communication. In the eastern part of Hariharpur and Jhankar irrigation from canals is well established, but in Gandito and Kurunia it has been only recently adopted, and in Benahar, Khandi, Tiran, Apila is too new to have much affected rents.

Thani at the last settlement paid Rs. 3-2 an acre, and two-thirds of it survived as *thani* or *thani pahi* paying a slightly lower rate of rents. The *thani* rents were enhanced by 8 per cent. and their incidence is now Rs. 2-15 per acre; *thani-pahi* have been enhanced by only 3 per cent. up to Rs. 3-1 per acre.

The incidence of *pahi* rents rose from Re. 1-15 to Rs. 3 per acre, and by the present enhancements has been raised to Rs. 3-2 per acre. The zamindars

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had generally enhanced rents sufficiently, so that there was little call for further enhancement at the time of settlement.

Rather less than a twelfth of the whole assessed area is held by the proprietors as their private land and has been assessed at Rs. 2-14 per acre, or four annas less than the average incidence of rents of settled and occupancy holdings. Considering that many of the principal zamindars in these parts are absentees, this assessment appears quite high enough.

The *kharida jamabandi* and *kamil* lands were at the last settlement assessed at Re. 1-4 and Re. 1 per acre, and their rates being high, the enhancements come to only 44 and 51 per cent *Nisfi bazyafti*, on the other hands, having been assessed at only annas 5 per acre, the rents have been enhanced by 208 per cent. and are settled at an average of one rupee per acre. This is only a third of their letting value, and there will be no difficulty in paying the new rents.

The results of the settlement may be summed up as follows :—

Assessed area at the last settlement.	...	101,300 acres
Ditto at this settlement.		120,100 ,,
Increase of assessed area.		19 per cent.
Mafasal jama at the last settlement.	...	Rs. 1,88,200
Ditto at the present settlement.		Rs. 3,16,800
Increase of *Mafassal jama*,		68 per cent.
Incidence at the last settlement		Re. 1-14 per acre.
Ditto the present settlement.		Rs. 2-10 ,,

The extension of cultivation has been small, because there was not much culturable land left. The increase in assets is therefore below the average, though the incidence has risen by twelve annas an acre.

Careful enquiries have failed to prove that any enhancements have been made on account of irrigation, but there can be little doubt that a good deal of the great increase in raiyats' rents is due to the general improvement of the tract by canals, embankments and roads, though zamindars do not seem to have discriminated between irrigated and unirrigated lands.

Block K.

The last Block comprises six Parganas of Bardiala, Kate, Deogaon, Saibir, Sailo, and Sujanagar, forming the southern border of the District.

In all these Parganas a part has been protected from flood, but on the other hand the small embankments that formerly guarded individual villages have, with a few exceptions, been abandoned and a greater amount of water now spills over the country. To the protected area in Saibir, Deogaon, and Kate irrigation has been extended, but too recently to have had any effect on rents. Except Sailo, all these parganas depend to a great extent on the *rabi* crop, and the tobacco of Deogan and Saibir is the finest in the Province.

Thani rents at the last settlement stood at Rs. 3 per acre, and from *thani* or *thani-pahi* about half survived with a fall of 7 or 8 annas per acre in the incidence.

Even so, the rents were above the *pahi*, and the enhancements made are only 4 per cent. The incidence of the settled rents, Rs. 2-10 per acre, is a good deal higher than that for the flooded tracts in Puri, owing to the larger area capable of growing tobacco, *pan* and other valuable crops.

Pahi rents rose during the settlement from Re.1-15 to Rs.2-4 per acre. Great difficulty was found in getting correct statements of rents from the zamindars, and in Sailo and Kate the officers on fair rent work were convinced that the landlords and tenants, acting in collusion, were understating rents. In some cases the production of original papers enabled the rents to be corrected, in others the zamindars filed revised rent rolls showing approximately correct rents. In two villages the original assessment made on the basis of papers filed by local agents had to be subsequently corrected on the application of the landlords.

On the whole I think these measures resulted in a very fair record of rents, but it was impossible to be quite accurate, as the system of annual measurement and summary assessment of the crop was very prevalent.

In Sailo and Saibir the difficulty was that the zamindars, the Chaudhiris of Bhingarpur, had no papers that could be trusted, and were at once fighting with

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one another and being defrauded by their local agents. As a rule, the Assistant Settlement Officers managed to get a fair record of the rents, but in some cases they were compelled to come to a compromise as to rates and calculate rents on a rough crop map.

The comparatively large enhancements of occupancy raiyat's rents by 9 per cent. are due partly to a good deal of enhancement of low rents by compromise, and partly to the great extension of cultivaion in West Sailo. The settled rents of occupancy holdings average Rs.2-7 per acre, and, except in Bardiala and Kate, are generally lower than *thani* rents at last settlement. I do not, however, consider them too low, and the fall in the incidence of *thani* rents renders it probable that the *thani* lands were over-assessed.

The non-occupancy raiyats include a number of residents of other villages who have taken up tobacco lands to cultivate, as well as raiyats who have recently reclaimed lands along the Puri border, and the apparently high enhancement—89 per cent.—is due to the fact that many of these tenants have now for the first time been assessed.

Kharida jamabandi and *kmail* rents were found to be already high and have been enhanced by only 58 and 51 per cent., but *nisfi bazyafti* rents were only annas five per acre, and there had been a considerable increase in the amount of cultivated land contained in these holdings.

They have accordingly been enhanced by 223 per cent, and settled at an average of nearly Re. 1 per acre.

The lands in the possession of the proprietors from nearly a sixth of the assessed area, and have been assessed at Rs. 2-5 per acre The very large extent of *nijchas* is due to most of the zamindars of Deogaon being cultivating Brahmans and to the large number of proprietary tenures, this being the chief *maurasi* area in Cuttack.

The result of the Settlement may be summed up as follows :—

Assessed area at the last settlement.	...	57,300 acres.
Ditto at the present settlement.		90,900 ,,
Increase of assessed area.		59 per cent.
Mafassal jama at the last settlement.	...	Rs. 1,09,500
Ditto at the present settlement.		Rs. 2,05,300
Increase of *Mafassal jama.*		88 per cent.
Incidence at the last settlement.	...	Re. 1-15 per acre
Ditto this settlement.		Rs. 2-4 ,,

Thus the extension of cultivation has been much above the average owing to the greater area left for reclamation, but the rates of rent have risen less than in most parts, owing no doubt to the fact that this area is almost as exposed to flood and as difficult of access as ever.

The increase of *mafassal jama* is slightly above the average on the whole block, and much above it in Sujanagar, Kate and Bardiala.

Enquiries seem to show that the construction of embankments has benefited the protected parts of Saibir and Kate at the expense of the unprotected, but has been of very doubtful advantage in Sailo.

Rents in Balasore.

544. Mr. Kingsford, in Part IV of his report, divides the District into the following local areas :—

Northern Parganas	Block A.
Upper central	,, B.
Lower central	,, C.
South-Eastern	,, D.
South-Western	,, E.

It is well known that the general incidence of rents is far below that of Cuttack, and slightly below that of Puri. An explanantion of this has already been given in paragraph 540.

It is only necessary to say here that the reason is the backward state of the district at the last settlement, that few lands can grow more than one crop of sarad rice, and that the incidence generally has now risen by 42 per cent. as against 33 per cent. in Cuttack and 18 per cent in Puri.

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The rise in assets is 72 per cent. since the last settlement, and by the present proceedings about 16 per cent.

Block A.

Northern Parganas include Bhograi, Kamardachaur, Kismat, Nampachaur, Katsahi, Kismat Katsahi, Satmalang, Nangleswar, Dararachaur, Kamardachaur, Sahabander, Seari and Malidachaur.

In 1832 the storm-wave distroyed an enormous number of lives, and threw very large areas out of cultivation.

The effect of the embankment system and the Coast Canal has been to retain flood for a longer period in the northern portion of the area and to increase the damage to crops.

The Subarnarekha river, too, is known to be most treacherous. It frequently changes its channel, and appears to do the most wanton mischief. On the other hand, we must bear in mind the fact that cultivation has extended to lands liable to flood, and for that reason the damage becomes more noticeable.

As compared with the rest of the district the increase in assets is 74 per cent., and assets have been raised by 21 per cent. in the present proceedings This is mainly due to the rapidity with which cultivation is still extending, the rents of non-occupancy raiyats having been raised from Rs. 4,800 to Rs 11,100, or by 131 per cent. A great deal of this increase was for entirely new cultivation since the record-of-rights was prepared, but a portion appears to have been collected by zamindars' agents without finding its way into the zamindar's pocket. The new incidence is only Re. 1-10-2. The high incidence of *kamil bazyafti* and the consequent lapse of area under that tenure is remarkable. The new incidence as Re. 1-2 per acre as against Re. 1-1-2 at the last settlement, and as against Re. 0-14-10, the new incidence of *kamil* in the whole district.

The new incidence of *pahi* amounts to Re. 1-15-3 as against Re. 1-5-10 at the last settlement, and is above the district average of Re. 1-13-6. This is due to the fact that *pahi* was Re. 0-2-11 per acre higher than the district average at the last settlement. There is a noticeable tendency to high rents near permanently settled areas such as this northern group, but it is also remarkable that lands liable to flood (and silt deposit) to pay higher rents than ordinary rain-fed lands.

The new incidence of *thani* is Re. 1-13-1 as against Re. 1-13-9; but only 1,100 acres survive as pure *thani* and about 3,800 as *thani pahi* mixed, out of 12,700. The best lands are held by large *pahi* cultivators, and are now recorded as *pahi*. *Nijchas* forms a little more than 5 per cent. of the area, and is valued at Re. 1-12-7; it includes some lands exposed to floods.

Block. B.

The upper central Parganas include Dasmalang, Sartha, Phulwar, Garpada, Basta, Talasabang, Sunhat, Rautra, with Armala, Khajuri, Nunkhand, Channa, Kundi Mukhra, Mulgan, Remna and Dehimuhan. This block really consists of two portions, the eastern and the western.

In the eastern portion (Dasmalang, Rautra, Sartha,) great damage was done in 1832 by the stormwave, and the lands are now somewhat liable to flood; in the western portion, the drainage falling naturally towards the east, we find drought in the years when the rain is at all scanty.

Assets generally have increased by nearly 70 per cent. since the last settlement. *Pahi* rents have increased very satisfactorily, the incidence having risen from Re. 0-15-10 to Re. 1-7-7 and now settled at Re. 1-10-3. The incidence of *thani* rents is almost stationery; the higher rented *thani* had lapsed in the course of the settlement, and the present incidence has been raised from Re. 1-6-2 to Re. 1-8-7 per acre. Pure *thani* rents have been raised by 11 per cent.; the increase in *pahi* rentals is also 11 percent., the latter of course include a large area of lapsed *thani*. About 7 percent. of the area is held by zamindars and is valued at Re. 1-9-7 as against the *raiyati* incidence of Re. 1-10-3. It will be seen that the general incidence of rents is below the district average, and this may be expected on account of the high situation of the bulk of the lands in the western portion of the group.

The rents of *bazyaftidars* are low as compared with the district average, the incidence being Re. 0-12-1 and Re. 0-14-2 for *nisfi* and *kamil* as against

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Re. 0-13-11 and Re. 0-14-10; the enhancements are 161 per cent. and 51 per cent. respectively. On the whole the present proceedings have yielded 20 per cent, *i. e.*, rather above the district average on account of large quantities of excess area.

Block C.

The lower central Parganas comprise the group known as Banchas Oger and contain the largest number of proprietary tenures and the three large estates of Mobarakpur, Kaida and Arang.

The general enhancement in the block is only 14 per cent. as compared with the district figure of 16 per cent. The rise in assets since the last settlement amounts to only 65 per cent, but settled assets are 89 per cent. in excess of the assets at the last settlement. It was to be expected that the increase would not be so great here as in other parts of the district; the area suffers no disability as regards flood, but is naturally rather poor and somewhat high, and suffers to some extent from drought.

Practically also only a single rice crop is grown. There has been an increase of cultivation, amounting to only 29 per cent, as against the district average of 40 per cent. On the other hand, the incidence of *pahi* has risen from Re 0-13-11 to Re 1-4-8, and the rents are now quite as high, as in the present state of prices the lands can afford to pay, the enhancement in the present proceedings being 8 per cent

Thani has been considerably enhanced in the present proceedings; it was found that the present incidence of *thani* was only Re. 1-4-11. The last settlement incidence of *thani* was Re. 1-5-5, but we know that this was considered high. because the *thani* raiyats of Kaida were only able to pay their *thani* rents by working as coolies in salt manufacture (see ruidad of that estate). The present enhancement of pure *thani* is 12 per cent. and the new incidence is Re. 1-7-5, or nearly one anna in the rupee below *pahi*. Considering that the best lands are in the *thani pahi* area, I think this is sufficient. *Nisfi* and *kamil* have been enhanced by 162 and 50 per cent. respectively, but the new incidence is only Re. 0-11-10 and Re. 0-14-3, *i. e.*, below the district average in the case of *nisfi*, and nearly equal to it in the case of *kamil*.

Block D.

The south-eastern Parganas comprise Ankura, Bhera, Bayang, Kaima and Kismat Kaima, Senaut, Kodinda, Jalang, and Dhamnagar. The block might well be divided into three: (i) Ankura and Bhera as affected by the floods of the Mutai and the defective drainage caused by the Coast canal, (ii) Bayang, Kaima and Kismat Kaima as affected by the Baitarani embankment, and (iii) Senaut, a very fertile and highly populated and cultivated tract.

(i) Ankura and Bhera are liable to flood, but cultivation has increased very largely. It is, however, to be remembered that while the new revenue is now raised by nearly 100 per cent., it is not much more than 50 per cent. in excess of the revenue in 1831; *i. e.*, before the storm-wave. To bring the Parganas into a more prosperous state it is necessary to investigate the use of the Coast canal and the obstruction of drainage caused by its banks.

(ii) Bayang, Kaima and Kismat Kaima:—A glance at the map will show the confluence of the Baitarani with the Brahmani in the so-called Dhamra river. In 1894 the severest flood known (so far as I know) occurred in the Brahmani. I spent 10 days sailing over these rivers making minute enquiries (as Collector of Balasore) into the damage done by the flood. It was apparent to my unprofessional eyes that the muddy water of the Brahmani thrust back the red waters of the Baitarani into Salandi and into the Mutai, and having no outlets southward on account of the Baitarani embankment, the southern portion of the Balasore District was devastated. I merely state this for what it worth as a personal experience, but I would call attention to the general report on Bayang Pargana, to Mr. Kingsford's remarks, and my own. I quote the following from Mr. Kingsford's report:—

Fiscal circumstances of the south-western group. *

"It may be interesting to attempt to estimate the loss caused in this District by the erection of the Baitarani right embankment. Taking Bayang alone, since the effect here is obvious and

* See Appendices B A to B F.

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ndisputable; the settled gross assets of this Pargana are Rs. 78,540 and had the liability to flood existed to no greater extent than at last settlement, a grant of *malikana* at 50 percent. would have made full allowance for the circumstances. The *Sadar jama* would thus have been Rs. 39,270, and the reduction in proprietors' incomes 14 per cent. *Rasadi* terms would not have been necessary except in isolated cases. As the facts stand, however, the revenue settled for 1899 amounts only to Rs. 30,807 and rises by 1908 to Rs. 36,802. I find by calculation that the difference between revenue at 50 per cent. and the actual *rasadi jamas* fixed for the 9 years between 1899 and 1907 amounts to Rs. 68,531. Of this sum Rs. 60,000 may fairly be taken as *rasadi* necessitated by the bad collections and reduced * rents which are a direct result of the increased liability to flood. For the remaining 20 years of settlement this loss is Rs. 48,950, and the total loss to Government for the period of settlement is therefore Rs. 1,08,950, but this excludes all consideration of the remissions which severe floods will entail. During the 30 years following the last settlement the remissions averaged 10 per cent of the demand throughout the District, and it will be surprising if those which will in future be necessary in Bayang amount to less. The remissions are not therefore likely to be less than a lakh of rupees during the period of settlement, and the total loss to Government will be Rs. 2,08,950.

"It is not so easy to estimate the loss of the zamindars. However, 28,000 acres of cropped lands out of 40,000 acres, which is the total assessed area, are liable to flood, and the amount of the gross assets affected may be taken therefore as $\frac{14}{20}$ of the total, or Rs. 55,000. Instead of realising 80 per cent. of this sum the zamindars will realise 70 per cent. only and their loss will therefore be Rs. 5,500 per annum or over a lakh and a half of rupees during the period of settlement".

"As regards the raiyats no such estimate is possible, but some idea may be gathered of their circumstances from the fact that on the average each raiyat in the flooded tracts is two years in arrears with his rent. The time appears therefore to have come for consideration whether the benefit derived on the Cuttack side of the river counterbalances the serious loss in the District, and failing the abandonment of the Baitarani right embankment it is most desirable that a scheme for embanking the left side should be brought forward. In 1865 the Inundation Committee † stated that the expenditure of a sum of 23 lakhs of rupees was warranted in this District to avoid the necessity for remissions and to secure full crops. Since that date I am not aware of any sum worth mention that has been spent on new protective works with the exception of these necessitated by the construction of canals.

Mr. Kingsford has some what over-estimated the damage, because terms have been given for revenue purposes sufficient to cover great loss, *i. e.*, proposals have been made on assets only 70 percent. of which are believed one year with another to be realisable. I do not expect therefore that any remissions of the revenue now settled will be necessary. It has further been recorded in the *kabuliyat* that if the embankment policy is altered revenue on a higher scale will be levied. Perhaps the loss to Government in revenue may be estimated at one lakh, and to proprietors at half a lakh of rupees for the term of settlement. I have held local enquiries on both sides of the river, and on the south side the Cuttack raiyats complained bitterly of the embankment as depriving them of the benefits of the Benga-Kiya and other water channels. A portion of Dhamnagar in the southwestern block (E) is also affected by this embankment.

(iii) Senaut:—This Pargana is by far the richest and most populous in the District and is the most highly rented. A portion is occupied by the Government estate of Nuanand, parts of which are held *ijmali* with other estates. Government has from time to time made re-settlements and the general incidence is very high (Rs. 2-9) For some strange reasons the rents of *thani* raiyats have been raised during the currency of this settlement in the Government estate.

The general *pahi* raiyati incidence throughout the block is now Rs.2-2 as against Re.1-5-10 at the last settlement, the District incidence being Re.1-13-6 and Re.1-2-11 respectively.

We find that the increase of assessed area is 38 per cent. as against the district average of 40 per cent., but the enhancement of assets since the last settlement naturally falls short (90 per cent.), chiefly because the Senaut Pargana was then in a forward state, and generally inferior lands in that Pargana have since come under cultivation. The rise in incidence all round is from Re. 1-6-10 to Re. 1-15-7, or 38 per cent. Settled raiyats' rents have been enhanced by 9 per cent., and they now pay Rs. 2 2 per acre. The incidence of the block is very high, but in the flooded tracts where a full crop is scarcely expected twice in five years

* Many proprietors have been compelled to reduce the demand since 1894. It was estimated that they would be fortunate in realising on the average 70 per cent. of the settled rents in the flooded tracts.

† See their report, page 25.

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the incidence will not exceed Re 1-9 per acre, whereas in Sunhat it raises to Rs. 2-5. The rent of *nisfi bazyafti* has been raised by 190 per cent., and of *kamil* by 55 per cent., but the incidences in both cases are slightly higher than the district incidence of *bazyafti* tenures, but are low as compared with the raiyati *pahi* incidence of Rs. 2-2 and of *thani* Rs 2-4-11.

Out of 27,500 acres of *thani* at the last settlement 4,200 have survived as pure *thani*, and 16,400 as *thani pahi*, and the new incidence is almost the same as at the last settlement, *i. e.*, Rs. 2-4-11 as against existing incidence of Rs. 2-2-3 and the last settlement incidence of Rs. 2-3-9. The remarkable survival of *thani* is of course due to the accuracy of the *khasmahal* records. and the fact that the incidence did not fall a great deal more during the currency of the settlement is due to the same cause, and also because in Nuanand some enhancement of *thani* was made during the currency of the Settlement. In the present proceedings *thani* rents have been enhanced by 8 per cent., and are now fully as high as tenants can afford to pay.

Proprietors have got off rather easily, but in many cases they are cultivating proprietors and have to face large increases of revenue. The valuation for nearly 9 per cent. of the assessed area is only Re. 1-14-6.

Block E.

This group includes Parganas Randhia Orgara, Soso, Munjuri, Balikhand, Adharupia, portions of Ahyas, Jajpur, Matkatabad, Sahebnagar and Matkatnagar.

We have the largest increase of assets in this block, *i. e.*, from Rs. 1,15,700 to Rs. 2,46,800, the increase by the present proceedings being 18 per cent. *i. e.*, from Rs. 2,08,600 to Rs. 2 46,800 or by Rs. 38,200. Out of this sum *bazyaftidars*, *nisfi* and *kamil*, are responsible for Rs. 15,700 and they have been enhanced 243 per cent., and 84 per cent., respectively. This may appear severe at first sight but the *kamil* incidence is one anna four pies below the district average *i. e.*, Re. 0-13-6 as against Re. 0-14-10, and the *nisfi bazyafti* incidence is only half an anna higher than the district average. The fact is that the tract suffers from no natural disadvantage, and cultivation has extended within the uncultivated area recorded at the last settlement in the *bazyafti* holdings.

In Randhia Orgara and Soso irrigation has been extended by the High Level canal. The inclusion of Ambahata in this block has very considerably reduced the general incidence. Ambahata is high and rather rocky. In Balikhand and Adharupia the lands are also somewhat high and subject to drought. Considerable paper enhancements were made in Balikhand, *i. e.*, it was impossible to discover the real rents on account of the collusively low records, but the rents stated by the zaimindars were considerably enhanced. It is noticeable that in the south of the District close to Cuttack rents are higher than else-where, except in Senaut. This is due partly to natural advantages, but also to the greater pressure of population on the soil and to the fact that the high rents in Cuttack have affected the rents in the boarder. It is noticeable that only in this block *thani* rents are higher than *pahi*, but whereas at the last settlement the incidence was Re 1-10-9, and Re 1-0-11 respectively, it is now Re. 1-14-8 and Re. 1-11. The *pahi* lands are undoubtedly not so good as the *thani*.

Rents in Puri.

545. As we have already seen, the increase of rents and revenue in the Puri District is extremely disappointing. In the first place, assets have increased by only 30 per cent. during the settlement and have now been raised by 12 per cent., while the general incidence of rents has only risen from Re. 1-7-4 to Re. 1-11-7. The principal reason is that nearly one third of the assessed area was held by previleged tenants whose rents were fixed for the term of the settlement, or in perpetuity. Again, from these privileged tenures the increase in the present proceedings is less than elsewhere, because the *bazyaftidars'* rents were very high at the last settlement. The general incidence of *nisfi* and *kamil* was Re. 0-9-10 and Re. 1-2-6 at the last settlement as compared with the Orissa figures of 7 annas and 14 annas respectively, and the incidence of the settled rents of these tenures is now Re. 1-2-2 and Re. 1-4-1 respectively, as against the Orissa figures of Re. 1 and Re. 1-5. Other minor reasons for the small increase are (i) the hopeless mismanagements in Lembai Pargana by the Raja of Puri : (ii) the fact that 28,000 acres are held by *bahal tankidars* whose rents are fixed in perpetuity : (iii) the liability to flood, drought and saline efflorescence of Serai,

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Chaubiskud and Rahang. Perhaps, however, the main reason is that the increase of the assessed area is only 23 per cent. whereas in Cuttack it is 32 per cent., and in Balasore 40 per cent., *i.e.*, Puri was very forward at the last settlement, and there was very little room for extension of cultivation, and cultivation could only extend over inferior soil. Another reason which must not be lost sight of is the fact that out of some 1,700 villages assets in nearly 962 villages are collected by proprietary tenureholders, and that the assets of these villages represent more than $\frac{6}{13}$ ths of the mufassal jama of the District (temporarily settled area). We have found it more difficult to detect fraud and collusion in the areas of these tenureholders than in the ordinary zamindari or *hastabud* areas, and the tenureholders have continued to absorb an enormous amount of *nijchas* without *apparent* increase of rent rates. Lastly, I feel bound to add that, before Mr Maude came, the work in Puri was not done methodically, and the record of rents was not sufficiently scrutinised. The difficulty of detecting collusion is very much increased when once a record of rents has been attested, *i.e.*, it is so much easier to check fraud at the stage of the first attestation or even at *khanapuri* than at a later stage. I must add, however, that in Kotdes and Kotrahang the rents of *thani* raiyats were much too high at the last settlement; both Mr. Nathan and Mr. H. McPherson came to the conclusion that in many cases rents of *thani* raiyats absorbed from one-half to one-third of the value of the produce, and it appears that a few years later nearly the whole produce must have been absorbed.

On the whole it is my opinion that a greater increase of assets should have been derived from Puri, but for the reasons given above no great increase could have been expected. (See also the remarks on Block V. in this paragraph,) At the same time it is to be remembered that the settlement Department had to buy its experience and the cost was mostly borne by the Puri District. The Puri District for the purpose of comparison of areas has been divided into 13 Blocks :—

Block	I.—Kotdes and Antrodh.	Block	VII.—Paschimduai
,,	II.—Kodhar, Astrag Kurilo, and Tappa Kanman.	,,	VIII.—Purubduai-Oldhar.
		,,	IX.—Rahang.
,,	III.—East Athaisi and Damar Khand.	,,	X. Serai,
,,	IV.—West Athaisi and Matkatpatna	,,	XI.—Chaubiskud.
,,	V.—Lembai.	,,	XII.—Banchas.
,,	VI.—Kotrahang.	,,	XIII.—Scattered Estates.

Block I.

Pargana Kotdes is a large fertile tract lying between the channels of the Kushbhadra and Bhargabi. It is partially protected by embankments along the upper reaches of the rivers. It is marked in the north-west by considerable diversity of level. In the south-east it consists of an extensive plain, subject to inundation in years of heavy flood. The north-east grows the lighter varieties of *sarad* rice. The south-west grows chiefly *bara dhan*. There is a long belt of high land along the north-west boundary of the Pargana, separating it from the Cuttack delta and continuing into Pargana Antrodh. Antrodh consists of this high inferior land on the north-east and a fertile central tract lying between the Kushbhadra and the high land, drained by and subject to occasional flood from the Kadua river. At last settlement *thani* rents averaged Rs. 2-7-8; *pahi* rent, Re. 1-10-6. At the present settlement the *thani* area was found to have declined 26 per cent. and *thani* and *pahi* rents stood at a practically uniform level *thani* Rs. 2-0-1 and *pahi* Rs. 2-0-5. The average of settled rents of occupancy holdings is Rs. 2-2-2. The block is more or less conterminous with the Kotdes Mahal, of which more than three-fourths is held by proprietary tenure holders. The zamindari portion has been grossly mismanaged for the last 20 years. The *maurasi* portion includes a very large *nijot* and *nijchas* area cultivated by the numerous descendants of the last settlement *maursidars*. Both these causes zamindari mismanagement and *maurasi* self aggrandizement have doubtless done much to obstruct the upward tendency of *pahi* rents.

Some *nisfi bazyafti* appears in this block to have been classes as *kamil*, and the rents being already high the enhancement of *bazyafti* rents is only 100 per cent.

Nijchas lands, owing to the number of *maurasi* tenures, form more than a fifth of the total area and have been valued at less than Rs 2-2 per acre. The

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increase of assessed area in the block is 25 percent and that of *mufassal jama* from Rs. 1,33,000 to Rs. 1,94,000, or 46 per cent.

Out of the new revenue of Rs. 1,14,000 I regret to say that Rs. 1,04,000 is due by one recusant estate. The reasons for the recusancy of Kotdes have been given else where. It belonged to spendthrift Uriya gentlemen, and passed into the hands of three sets of creditors who were unable to agree upon a *modus operandi* for its management. There is therefore no prospect of effecting settlement. The high-rented *thani* lands lapsed soon after the settlement and again in 1866, and considering the large area held by proprietary tenure-holders I think that generally rents are quite as high as the lands can afford to pay.

Block II-Kodhar Block.

This includes four small Parganas-Kodhar, Kurilo, Astrang and Tappa Kanman, lying in the extreme north-east of the district adjoining Killa Marichpur. They are all subject to inundation from the Debi river, which divides the Cuttack from the Puri district north of Kodhar. The lands are not very superior. There is a considerable admixture of sandy scrub jungle, and towards the sea there is exposure to salt innundation. Rents were below average at last settlement, *thani* incidence being Re.1-12 *Pahi* incidence Re.1-3, and general raiyat incidence Re.1-8. There has been a decline in *thani* area and incidence, and a rise in *pahi* area and incidence. Rents are now more or less uniform, the settled average incidence being Re.1-10 as opposed to a district average of Re.1-15. On the whole the development has been as follows :—

	Last Settlement.	Present Settlement.	Difference per cent.
Assessed area	11 600 acres	15 900 acres.	37
Mufassal jama	Rs. 15,200	Rs. 23,600	55
Incidence of *mufassal jama* per acre.	Rs. 1-5	Rs. 1-8	....

The enhancement made in the present settlement aggregates only Rs·2,000 or 9 per cent. There is only a small area held by privileged tenureholders, and not much scope for enhancement of raiyati rents.

Block III-Athais East and Damarkhand.

This block is some 12 miles long by six miles wide. It is oblong in shapes with one of its shorter sides resting on the sea, having the right bank of the Prachi river on the east side and Parganas Antrodh and Banchas on the west. The Kadua river divides the block in half. In the villages of Athais on the coast the soil is sandy and poor, and in many parts of the block it is brackish. Mr. McPherson in his block reports makes suggestions for opening out roads, and some relief might be obtained by closing the breach in the Panpara embankment and throwing small embankments along the sides of the Kadua river. We find that poorer raiyats and labourers make up one-fourth of the population in this block, and that in time of high prices as in 1896 they suffer very acutely. In Damarkhand generally there is more prosperity than in Athais.

We find that the higher rented *thani* lands have lapsed, the general incidence having fallen from Re. 1-10 to Re. 1-6 and now raised to Re. 1-7 ; settled raiyats, however, show improvement. At the last settlement the general incidence was only 15 annas, and it rose to Re 1-7 in the course of the settlement and is now raised to Re. 1-8. There has also been a large increase of cultivation, *i. e.*, 33 per cent. and an increase of assets amounting to 61 per cent. Thus notwithstanding the fact that 65 per cent was taken as revenue at the last settlement and now only 56 per cent. is taken, the increase of revenue is nearly 38 per cent.

Block IV-West Athais and Matkatpatna

The latter Pargana consists of scattered villages in West Athais, the whole block being 28 square miles in area. It adjoins block III in the east and rests on the Bay of Bengal, adjoining Rahang, Purubduai and Oldhar on the west, being separated by the river Kusbhadra.

The block may be divided into three tracts, the sandy belt by the sea reaching nearly 2½ miles in land, which may only be partially reclaimed by casuarina plantation, the tract near the Kusbhadra which is liable to severe annual inundations, and the area east of this containing high lands and jungle.

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It is to be noticed that the lands lying along the Kusbhadra are the richest but that the constant floods keep rents down. There is not a single road in the block; all the villages paths lead to Nagpur Hat, close to the Puri-Gope road.

It is a matter for consideration whether the mouth of the Kusbhadra now choked with sand and the tides could not be cleared out so as to discharge its flood water and set free submerged cultivation in time to save the crop.

As compared with blocks II and III *pahi* rents were high at the last settlement, the incidence being Re. 1-3-9 per acre. It has now risen to Re. 1-10, and has been raised to Re. 1-10-11. The *thani* incidence has fallen from Re. 1-15 to 1-10-5 and has now been raised to Re. 1-11.

Until some change is made in the Kusbhadra (see remarks on Purubduai-Oldhar, block VIII), I do not think rents are too low. The increase of cultivation has been 10 per cent. and the increase in assets 3 per cent., but the increase of revenue is only 28 per cent.

Block V. Lembai.

Lembai pargana is a large fertile tract skirted on the north by the Daya channel, from which it is protected by embankments liable to breach in year of heavy flood. On the west the pargana runs up towards the Khurda high lands. It grows chiefly *sarad* rice. The lands are very fertile. The last Settlement assessment was moderate, viz. Re. 1-14 for *thani* and Re. 1-9 for *pahi*, average Re. 1-13. The major portion of the raiyati area was *thani*. There has been a decline in the *thani* area and incidence, while *pahi* rents have remained stationary.

There is no doubt that this Pargana has been under assessed. It almost entirely consists of the Delang estate, belonging to the Raja of Puri. At one time or other the Raja brought up most of the *paddhani* tenures, but he allowed the assets to be collected by a succession of low-paid *gumastas*, who left service without rendering accounts as soon as they had feathered their own nests. Though there are some good lands in the Pargana, portions are subject to flood from breaches in the Daya embankment. We find that the Pargana was in a very forward state at the last settlement, *pahi* incidence being as high as Re. 1-9 per acre, and *thani* being Re. 1-14. During the course of settlement *thani* incidence had fallen to Re. 1-12 and was rised in the present proceedings to Re. 1-14, while *pahi* remained stationary at Re. 1-9 throughout the 60 years and is now raised to Re. 1-12.

In justice to the Assistant Settlement Officer who assessed this Pargana, it must be said that every attempt to ascertain rents was made, but no papers were forthcoming. Furthermore, complete reattestation was made, with the result that the zamindar generally adopted the survey areas and little or no increase of rents was obtained on the score of excess area. Nevertheless, the Assistant Settlement Officer, Babu Akshya Kumar Sen, did manage to get an increase of three annas on the *pahi* incidence. The proprietary tenureholders' lands were valued at the full amount possible, *i. e.*, Rs. 2-2 per acre, but the lands were generally the best in the Pargana.

On the whole the results are as follows : 35,100 acres assessed at the last settlement paying Rs. 51,700 had increased to 44,300 acres in the course of settlement, paying Rs. 59,500 and the new assets were raised to Rs. 70,400 or by 18 per cent. which compares very favourably with the average district enhancement of 12 per cent.

Considering the mismanagement of the zamindar, revenue was proposed all round at 63 per cent. and gave an increase of Rs. 10,047 or 29 per cent. At the same time the amount retained by the proprietary classes was raised by 3 per cent. In Delanga Taluk, owing to the increased sums which he received from the proprietary tenureholders, the Raja's income was raised by 23 per cent. and on the whole block the zamindars again a clear 21 per cent. by the re-settlement. There is no doubt that the all-round incidence of this block should have worked out to not less than Rs. 2 per acre or Rs. 90,000, instead of Rs. 70,400 at Re. 1-9 per acre, and the new revenue should not have been less than Rs. 50,000 instead of Rs. 44,500. Considering the fact that there was no proof of the date when rents were fixed and that low rents prevailed all over the Pargana, *i. e.*, no standard of comparsion existed, I do not think more could have been done than was done by Babu Akshya Kumar Sen.

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Block-VI and Block VII-Kotrahang and Paschimduai.

These two blocks are somewhat similar in character, and contain the most fertile and highest rented lands in the District. The general incidence at the last settlement was no less than Rs. 2-1-0 per acre and has now been raised to Rs. 2-10-6 in Kotrahang and Rs. 2-13 in Paschimduai. The difference is due to the fact that in the latter there were more good lands available for reclamation.

The two blocks suffer from no special disabilities except in a year of scanty rainfall.

It would be unsafe to draw deductions from the pure *thani* figures in the two blocks; we may only say that there is a tendency on the part of high rented *thani* land to lapse; but a glance at the *thani pahi* figures, which in the case of these Parganas contain a great deal of *thani* shows that the incidence of *thani-pahi* is practically the same as the *thani* incidence of the last settlement in both blocks.

The increase of the *pahi* incidence in both blocks is satisfactory, especially in Paschimduai, where better land was available. The following figures are interesting :—

Incidence of rents as now settled per acre.

Block.	*Thani*			*Thani-pahi*			*Pahi.*		
	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.
Kotrahang	2	10	2	2	15	4	2	13	2
Paschimduai	2	5	0		13	0	3	4	0

In Kotrahang proprietors' lands have been somewhat favourably valued, *i. e.*, at Rs. 2-5-5 per acre, but they are generally inferior to the raiyati lands.

The increase of cultivation amounts to 16½ per cent. and 21 per cent. respectively, while assets have risen by 49 per cent. and 67 per cent. Notwithstanding the fact that 70 per cent. was taken as revenue in the blocks at the last settlement and now only 60 per cent. has been taken, we have increases of revenue amounting to nearly 20 per cent in Kotrahang and 37 per cent. in Paschimduai.

Block VIII-Purubduai and Oldhar.

As this block has formed the subject of a separate report to the Board I need not go into details here (see my No. 109 C of 4th. July 1899 with enclosures complete).

Government orders, Irrigation Department, No. 22 T. I., of 30th. April 1897 decided to leave the gap (in the Kusbhadra embankment) open and to close the breach at Bainchua.

The effect of this policy has been to throw out of cultivation lands in Purubduai and Oldhar and a few villages of Rahang, Matkatpatna and Athais. about 70 villages were directly and 80 villages were indirectly affected, and revenue in 90 estates has been reduced. In his No. 1100 T. S., of 26th. July 1898, Director of Land Records and Agriculture indicated the procedure approved by the Board, to whom reference had been made.

A reduced rent has been settled for five years, and has been recorded (as well as the original rent) in the final *khatians*.

The assessment reports give two proposals—(*i*) for 1306 (1899) to 1310 (1903) based on the reduced assets, (*ii*) for 1311 (1904), &c., based on the normal assets.

The total loss to Government is not less than Rs. 2,500 a year and probably comes up to Rs. 3,000, assets amounting to some Rs. 37,000 having been reduced to Rs. 33,000. (This includes about Rs. 2,000 of assets in Block IV.)

The matter has already gone to the Commissioner and to the Board. The Director has ordered me to prepare a separate report to be forwarded from the Revenue Department to the Irrigation Department of Government (since submitted).

Block IX. Rahang.

This is a large Pargana towards the south of the district traversed by the Bhargabi river, from which it is more or less protected by efficient embankments, and it contains the town of Puri. On the east is a detached portion subject to the floods of the Purubduai-Oldhar tract, and on the west is a strip subject to flood from the river Nun and the Chilka. A peculiarity of the Pargana is that only 28 per cent.

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of the total area is raiyati, the balance being chiefly occupied by *bahal* (confirmed and *bazyafti* (resumed) *tankidars* (quit-rent holders). The former held 20,200 acres, for which they pay Rs. 11,000, an average of nearly 9 annas per acre. *Bazyafti* rents have been enhanced from Rs. 9,900 to Rs. 18,800, or by 90 per cent. and re-settled at an average of Re. 1-5 per acre. In the comparatively small raiyati area, *thani* rents have undergone less than the usual amount of variation. The area has practically remained the same, and the incidence is as it was at last settlement. *Pahi* rents have advanced from an average of Re. 1-5 to an average of Re. 1-11, which is still below the thani average of Re. 1-15. Enhancement has brought the *pahi* average up to Re. 1-13 and leaves the general average at Re. 1-12. The progress *pahi* rents was not retarded in this Pargana as in Serai and Chaubiskud by the distribution at last settlement of *pahi pattas*. The Pargana was assessed a few years later than the other two when the distribution had been stopped. The intermixture of privileged tenures has on the other hand doubtless had considerable influence in the way of checking the natural rise of ordinary rents. The *pahi* raiyats are in many cases also *tankidars*. *Chandina* rents are remarkably high, being settled at Rs. 17-11 per acre, owing to the high value of homesteads with *sasan* villages near Puri.

On the whole the development is as follows :—

	Last Settlement.	Present Settlement.	Difference per cent.
Assessed area	48,100 acres	54,500 acres	13
	Rs.	Rs.	
Mufassal jama	47,700	63,000	42
Incidence of *mufassol jama* per acre.	1	1-4	25

Owing to the large *bazyafti* area Rs. 10,800, or 19 per cent., were added by the present proceedings to the assets before settlement.

Nearly the whole area is included in the Rahang *taluk*, which has been recusant for more than 85 years, but has now been re-settled with the proprietor, the Paikpara Raja.

Block X-Serai.

Serai Pargana lies to the west of the Sub-division round the north end of the Chilka lake. It is bisected by the Daya river which is embanked on the east and unprotected on the west. The western half of the Pargana suffers serious inundation every year from the Daya floods and from the salt tides of the Chilka. The south-east is also liable to salt inundation. The villages to the east are assessed at average rates. Those to the west bear as a rule very low rental incidences.

At last settlement the *thani* average was Re. 1-11-4 and the *pahi* average Re. 1-5-4. The *thani* area has declined about 20 per cent. There had been a fall of an anna per acre in the incidence of *thani* and *pahi* rents before settlement, and the average incidence of all raiyats' rents had declined from Re. 1-10 to Re. 1-7. At re-settlement rents were very moderately enhanced. The settled average is Re. 1-4-9, which is lower than in any other Pargana of the District. Serai is one of the three large estates which have been managed *khas* by Government since the zamindar, the Raja of Paikpara, proved recusant in 1812; the two others are Rahang and Chaubiskud. One peculiar circumstance which has affected the history of rents in Serai and Chaubiskud, if not in Rahang, is that at last settlement *pattas* were distributed to *pahi* as well as to *thani* raiyats. The distribution of the *pahi pattas* induced in raiyats' minds the impression that the *pahi* rents were not liable to alteration. Almost the entire area of the three estates is held by intermediate proprietary tenureholders who, if they had attempted to enhance *pahi* rents, would have found the raiyats appealing to the Collector.

As a matter of fact there has been little attempt to enhance. The interest of the village settlement holders have been, if not coincident with those of the riyats, in many cases at least closely allied to them.

Bazyafti rents have been enhanced by only 52 per cent. There is also a considerable area 3,600 acres, of *bahal tanki*, for which rents are not liable to enhancement.

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On the whole the increase in assets is as follows :

	Last Settlement.	Present Settlement.	Difference per cent
Assessed area	25,400 acres	31,400 acres	24
Mufassal jama	Rs. 32,700	Rs. 40,300	23
Incidence of *mufassal* jama per assessed acre	Rs. 1-4-7	Re. 1-4-7	....

Considering how low rents are, the increase given by the present settlement Rs. 2,300, or less than 7 per cent., appears little, and raiyati rents which have scarcely been touched are no doubt very light.

Balbhadrapur Pargana, which is folded within Serai, belongs to the Government estate of Khurda, and we find that remissions of rents for either flood or drought in Balbhadrapur amounted in the last 15 years to nearly 3 annas in the rupee. Thus it is not surprising that, but for the increase of cultivation, assets in Serai are stagnant.

I do not think the work was done so thoroughly here as in other parts of Orissa, but even so the lands cannot afford to pay high rents, and probably an all-round incidence of more than Re. 1-5 would create hardship.

Serai consists almost of one estate, recusant for 85 years and now resettled with the Paikpara Raja. It was proposed to take 60 per cent. as revenue, so that Government might get some return for the 6,000 acres of increased cultivation, but the Board decided to give 55 per cent. to avoid applications for remissions. The increase of revenue is thus nominal, *i. e.*, from Rs. 21,800 to Rs. 22,400.

Block XI-Chaubiskud.

This Pargana, which lies round the east shore of the Chilka in the south of the District, is traversed by the last portion of the Bhargabi and its many distributaries. It is protected from the main stream by embankments which hold good in ordinary years, but it suffers inundation frequently from the back flood water at the Bhargabi mouth and from the salt tides of the Chilka. It is less liable to damage than Pargana Serai, and was more heavily assessed at last settlement, *thani* rents averaging Rs. 2 and *pahi* Re. 1-8, and the general raiyati incidence being Re. 1-13. The recorded *thani* area has declined about 60 per cent. This is partly due to confusion of record, some recorded *thani* lands of last settlement having been now recorded as the *nij-jot* of proprietary tenureholders. It is also probably due in part to the confusion of *thani* and *pahi* rights by the issue of *pahi pattas* at last settlement. The raiyat did not trouble to preserve and fight for a distinction which had become to his mind obscure. The incidence of *thani* rents remained the same as at last settlement, and was little affected by re-settlement proceedings. The incidence of *pahi* rents rose during the settlement from Re. 1-7-11 to Re. 1-9-3, and has been raised by the present proceedings to Re. 1-10-9. The fiscal history of the Pargana being similar to that of Serai the same causes were at work in both to retard the natural advance of rents.

The following figures show the development asests in this area :—

	Last Settlement.	Present Settlement.	Difference per cent.
Assessed area.	24,000 acres	30,900 acres	29
Mufassal jama	Rs. 35,800	Rs. 49,000	37
Incidence of *mufasal jama* per asseesed acre	Rs. 1-8	Re. 1-9	....

Owing to the fact that only 65 per cent. was taken as revenue at the last settlement, and now 55 per cent. has been taken, the increase of revenue is only 16 per cent. I proposed to take 60 per cent.; but the Board reduced the proposals to 55 per cent., so as to avoid applications for remission.

Block XII-Banchas.

This is a small Pargana lying south of Antrodh between the Kusbhadra and Kadua channels. The level of the Pargana is fairly high, and it does not suffer much from the overflow of these two rivers in time of flood. The country is fairly fertile. *Thani* rents were assessed high at last settlement, and *pahi* rents nearly 50 per cent. lower. There has been a lapse of *thani* area and a slight fall in incidence, while rents *pahi* have made a marked advance and now stand higher than *thani*.

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The *thani* incidence of the last settlement was Rs. 2-5. During the course of settlement there was a fall to Re. 1-15, and it is now raised to Rs. 21, but some good *thani* lands have been recorded as *thani pahi*, the new incidence of which is Rs. 2-3.

There has been a very satisfactory increase in *pahi* incidence from Re. 1-6 to Rs. 2, and raised in the present proceedings to Rs. 2-2.

In this block *nisfi bazyafti* was specially lowly assessed, then the enhancement appears high, *i. e.*, from an incidence of Rs. 7 per acre to Re. 1-2, but the new incidence is practically the same as the general *nisfi bazyafti* incidence of the District, *i. e.*, Re. 1-2-2, and compares very favourably with *pahi* incidence of Rs. 2-2.

It is to be noticed also that there is an excess area of 150 acres, probably taken from the higher rented *kamil bazyafti*.

The extension of cultivation has been very small, only 18 per cent., but the general incidence having risen from Rs 1-9 to Re. 1-15, the increase of assets is 43 per cent. Revenue at the last settlement was taken at 66 per cent., and is now taken at 59 per cent., thus the increase of revenue is nearly 25 per cent.

Block XIII, Scattered estate.

There remain only the *tahsilalahida* parganas of Kalijori, Saidabad, and Sultannagar and one estate of Kotdes having widely scattered lands.

These, as is natural, got off with a very light assessment at last settlement, *thani* raiyats paying an average of only Re. 1-12 and *pahi* raiyats of Re. 1 per acre. A quarter of the *thani* lapsed during the settlement and there was a slight falling off in the incidence of rents, while *pahi* rents rose to Re. 1-11 per acre.

Very moderate enhancements have been made, and raiyati rents settled at an average of Re. 1-12 per acre.

The development of assets is shown in the following figures :—

	Last Settlement.	Present Settlement.	Difference per cent.
Assessed areas.	10,400 acres	13,000 acres	25
Mufassal jama	Rs. 10,500	Rs. 20,300	95
Incidence of *mufassal jama* per acre.	Re. 1	Re. 1-9	56

The enhancement of assets in this settlement is 14 per cent., more than half being contributed by *bazyafti*.

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Part II.

Results of settlement of revenue.

546. I have now to deal with some of the results of settlement of revenue, and propose to take up the subject in the following order :—

(I) Financial results of early revenue settlement with a comparison of revenues up to date.

(II) Results of the present settlement :—

(1) General results.
(2) The percentage of assets retained as revenue.
(3) Incidence of the revenue.
(4) Effect of the new revenue on zamindars.
(5) Effect of the new revenue on proprietary tenureholders.
(6) Financial effects of the *rasadi* proposals for revenue both as regards loss to Government and gain to the zamindars.
(7) Objections to assessment of revenue and recusancy.
(8) Kists.

In sub-section 7 I have included some discussion of the objections to the form of *kabuliyat*, and a brief account of the six recusant estates. I have also shown the loss to Government by our failure to bring all the new revenue in for Amli 1305, A. D. 1898, page 397.

The increase of Government revenue is rather more than 52 per cent. Looking to the despatch by the Secretary of State No. 110 of 23rd June 1898, I would wish to clear up any misapprehension which may exist regarding the enhancement of revenue. It is stated that "the net enhancement of the revenue will be about 47 per cent. instead of from 56 to 68 per cent. as had been previously anticipated."

It will be remembered that in their letter of 13th October 1897, the Government of India took two sets of figures-one supplied by me and one supplied by the Director. Moreover, 55 per cent. of the assets was calculated in each case. Thus the increase of the revenue according to my figures was 56 per cent., and according to the Director's figures 68 per cent. It will be seen that in the present figures 54 per cent. (in Cuttack only 53 per cent.), has actually been taken instead of 55 per cent., and that the actual increase of revenue has exceeded 52 per cent. I have explained this to show that the only reason for a smaller increase of revenue is the fact that a smaller percentage of the assets has been retained for Government than was originally provided for, this smaller percentage having been taken under the orders of Government.

Financial results of early revenue settlements.

547. It is necessary to preface all comparisons of early revenues with the remark that there is no record for exact comparison of the areas for which the revenues are stated, and the conversion into rupees from cowris is not made at a constant rate, nor is it possible to determine in all cases whether rupees* are "Sicca" or "Arcot" or "Dasmasheh" or "Company". In this paragraph, therefore, I shall only bring together some historical records of the revenues, and in the next paragraph shall give figures more accurately comparable with the area under report.

"In the absence of any regular historical documents," writes Mr. Ewer, Commissioner of Cuttack ind 1818, "it may be conjectured from various recorded facts and surviving monuments that Cuttack, at the time of the Mughul conquest, was in a vastly more flourishing and civilised condition than we now find the country.

In 1174 A. D. we find that Raja Ananga Bhim Deo, in a speech preserved in the Puri Temple Records, returns his revenue, including that of his dependent (?) principalities at 35 lakhs of *marhs* of gold (Stirling tells us that a *marh* is equal to 5 mashas in weight, but deliberately refuses to guess its value; at the present day a *marh* is 99 grams troy).*

* See Asiatic Society Journal, Volume LXI, Part I, page 43. "Troy weights and general measures of Ancient Orissa" by Babu M. M. Chakravarti. On page 49 35, *marhs* of gold are said to be worth Rs. 71,21,212.

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In the Ain-i-Akbari we find the revenue of the sircars Cuttack and Bhadrak, with part of Jaleswar, returned at 17 lakhs Sicca rupees. I understand that this sum represents the financial results of the settlement started by Todar Mal and completed by Man Singh in 1592 A.D.

In 1748 A. D., "the Soubeh of Cuttack was ceded to the Berar Mahrattas by Aliverdi Khan in commutation of the *chout* or tribute of 12 lakhs demanded by them from the provinces Bengal, Behar and Orissa." (Ewer).

Mr. Ewer further quotes Mr. J. Grant as follows :—

The district yielded from a *hastabud* in the beginning of the present (18th) century Rs. 22,58,000 of sorts, including a net *jamabandi* of Rs. 13,94,52: lately increased to 16 lakhs.

He then gives the reported *jama* of the Mahrattas at 15 lakhs of Arcot rupees, but say that it was not often collected.

From 1758 to 1763 we read in Stirling that Sheo Bhat Santra made an assessment amounting to 18 lakhs of Arcot rupees. From certain accounts furnished to Mr. Stirling by the family of the Mahratta Dewan he finds the Mahratta revenue as follows :—

				Rs.
Payable to Nagpur	....	....	....	6,00,000
Expenses of troops	....	....	....	9,00,000
Total	....	....	....	15,00,000 said to be equal to 13½ lakhs Sicca rupees.

It is perhaps unprofitable to pursue closely the subject of the financial results of the early settlements, but it is interesting to note that during the last 40 years of the eighteenth century four settlements by Sheo Bhat Santra, Shambha Ji Ganesh, Raja Ram Pandit and Tukaji Sukh Deo are reported to have raised the demand from somewhat more than 11 lakhs Sicca to 16 lakhs. In these figures both Khurda and the Tributary States appear to be included, but we have ample records to show that the full demands were never realised. In all the foregoing figures there is great uncertainty, but in paragraph 54 of Mr. Ewer's Report of 1818 we find that excluding Khurda the Mahratta demand in 1803 was Rs. 10,81,000 (Sicca). This amount seems to include the contribution by the *Gurhjats* or Tributary States. Mr. Toynbee at page 35 of his history gives the Moghul revenue (including Khurda and the Tributary states) at less than 16 lakhs standard rupees, and less than 14½ lakhs standard rupees under the Mahrattas, but he adds that the Mahratts never colloted this sum and probably the realisable jama for 1803-1804 was 12 lakhs. Assuming Rs. 1,081,000 (Sicca) as the revenue of the Province (including the Tributary Mahals) we find that Messrs. Ker and Groeme increased it by one lakh (Sicca) rupees. This was again raised by the triennial settlement of Mr, Webb in the following year to Rs. 12,39,000 (Sicca). The increase was partly due to the conversion * at 4 *kahans* of *cowris* to the rupee instead of 4·2 and to some extent to the extension of cultivation after its contraction during the time of Mahratta misrule (see Mr. Tyonbee's History, page 36).

Subsequent additions were made to the revenue by the settlements of Messrs. Buller and Richardson, till an increase of 3 lakhs Sicca over the Mahratta demand was obtained. Mr. Ewer, writing in 1818, finds the area of Orissa (excluding Khurda and the Tributary States) to be 6,300 square miles. He has not of course included the area north of the Subarnarekha which was then part of Midnapur, nor the permanently settled and *peskas* mehals. His paragraph 61 (report of 1818) shows that his figures are conjectural. The revenue of this area he returns at Rs. 14,39,000, Sicca rupees, and the incidence at 10 annas Sicca per bigha of 1,600 square yards (see Chapter X, paragraphs 148 to 254).

In 1821 we find in Stirling the following figures :—

			Rs. (Sicca.)
Moghulbandi (excluding Pataspur)		....	12,64,370
Khurda		....	61,169
Zamindaris of the Tributary Chiefs		....	1,20,411
	Total	....	14,45,950

* Asiatic society Journal Vol. LXI,, Page 47, 48, 49 shows rates of Conversion in Orissa varying from time to time.

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Expressed in Company's rupees Mr. Toynbee gives the demand from 1810-20 to 1821-22 at Rs. 15,27,831 as against Rs. 13,14,825 (Company's rupees) in 1804-05 (Appendix I of Mr. Toynbee's History).

548. I turn now specially to the area dealt with in this report.

Enhancements of revenue under British rule.

The above figures show a gradual increase of revenue from the time of the conquest, and notwithstanding the enormous increase of cultivation the assessment were founded on little or no detailed information. Mr. Ewer wrote :—

The Jama of Cuttack (the Province of Orissa) has, however, notoriously been fixed or at least augmented at hazard, without any satisfactory ascertainment whatever of the real value and capabilities of the estates from which an increase has been levied, and in consequence of defective information on which the revenue authorities have hitherto proceeded Some weight must be attached to the frequent and vehement complaints on the subject preferred to me during my tour through the district by all classes of cultivators and proprietors, raiyats, mokaddams,, sarbarakars and zamindars.

Mr. Ewer goes on to depict the extraordinary changes brought about by sales, public and private, during the first few years of this century. He says that out of 3,000 Uriya proprietors of the settlement papers dated 1808, only 1,449 survived in 1818, and they were only responsible for a revenue of Rs. 4,60,000, and from that some Rs. 1,50,000 should be subtracted for the estates of Lembai and Kotdes which had been treated with special leniency. He concluded by stating that "the original proprietors of land paying only a jama of about Rs. 3,00,000 are in possession of their estates at the present moment when the jama of the Moghulbandi is 13,93,000, a statement which evinced strikingly the extensive ruin which had overwhelmed the ancient landed interests of the country under the British administration."

We find that in 1806-07-08 the estates sold fetched prices amounting to half the *sadar jama*, while in 1809 to 1812 the price was 20 per cent. more than the *sadar jama*, and in 1813 to 1816 it was 40 per cent. more. Mr. Toynbee's History concerning the early settlements may well be read in this connection (pages 23 to 58). An account is also given in Chapter X of this report.

I think it is best for purposes of comparison of increase of revenue to take the detailed statement given on page LXXVIII of Mr. Toynbee's History, converting Sicca ruppes into Company's ruppes. By exclusion of figures for Khurda and the Tributary States we find the demand for—

			Rs.
1819-20	...	...	13,39,000
1804-05	...	...	11,02,000
Increase	...	...	2,37,000

Value of the revenues in 1821.

549 On the subject of increase of revenue, it is interesting to record the following extract from Stirling's History, written in 1821.

"The revenue derived from the salt monopoly exceeds the total amount of the land rents paid to the State, and is entirely the creation of the British Government. The Salt sold within the Province yields a net return of about 3 lakhs, and the quantity annually exported to Calcutta for public sale at the Salt Office produces little short of from fifteen to sixteen lakhs. Under the heads of customs, tax on spirituous liquors, and tax on pilgrims, a further net revenue of about one lakh per annum is obtained by the present Government. The value of Cuttack to the Company, therefore, after deducting expenses of management may be fairly assumed at upwards of thirty lakhs of rupees per annum."

It is perhaps superfluous to add that by Cuttack Stirling meant almost the same area as our present Province of Orissa. Mr. Stirling, however, does not give us the other side of the picture. In 1818 Mr. Ewer wrote :—

"I shall say that taxation having considerably increased upon them (the people of Orissa) under the Company's Government, so as fully to keep pace with any improvement of their means and resources and in the instance of the salt tax I fear it has rather *anticipated* the capability of the people to sustain new burdens; the operation of the Revenue Regulations having dispossessed and ruined upwards of two thirds of these original proprietors who possessed the goodwill and the confidence of the great mass of the agricultural population."

Revenue of Orissa, 1804 to 1828.

550. In Mr. Moffat Mills' Minute, (printed on page clxxii, *et seq* of Mr. Toynbee's History under section entitled "*malikana*), the amounts of revenue are

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given in Sicca rupees and the heading "Moghulbandi" includes Khurda. I have therefore reduced the Sicca rupees in the heading Moghulbandi to Company's rupees (at the rate of 97 to 103) and deducted the *jama* of Khurda. The balance shows the demand settlement by settlement for the temporarily settled area dealt with in this report. The figures in this list are expressed in Company's rupees :—

Under Regulation.		Total revenue.	Deduct jama of Khurda.	Balance.
		Rs.	Rs.	Rs.
1804 } Regulation XII of 1805	...	12,84 000	1,06,000	11,78,000
1805 } Ditto	...	11,95,000	1,06,000	10,89,000
1808 } Regulation VI. of 1808	...	12,03,000	1,14,000	10,89,000
1809 } Ditto	...	11,58,000	1,14,000	10,44,000
1811 Regulation XIII of 1811	...	13,83,000	1,14,000	12,6,9000
1812 } Regulation I of 1813	... }	14,25,000	1,14,000	13,71,000
Regulation XIII of 1815	... }			
1816 } Regulation VI. of 1815	... }	14,95,000	1,14,000	13,81,000
1820 } Regulation VI. of 1816	...	13,90,000	50,000	13,40,000
1821 } Regulation XIII. of 1818	...	14,20,000	50,000	13,70,000
1828		14,85,000	1,04,000	13,81,000

The figures given above have not been reconciled with Mr. Toynbee's Appendix I (page 96), because the latter appear to include permanently settled areas and Tributary States and Khurda. I have taken Mr. Mills' figures because they compare most closely with the temporarily settled area under report. It is true that Mr. Ewer in paragraph 227 of his report of 1818 describes the Moghulbandi as follows:—

The Moghulbandi, as is well known, comprises all that plain and open part of Orissa from the Subarnarekha to the borders of Khurda, which paid a regular assessment to the Moghul Government."

Nevertheless it appears that from Mr. Mills' figures the jama of Khurda is to be deducted *i. e.*, from the jama under head Moghulbandi, because if he had included the jama of Khurda under head "Killas," the amount under that head would have been much greater.

The difference between the figures quoted from Mr. Toynbee's History and Mr. Mills' Minute for 1805 and 1820 is comparatively slight, being Rs. 13,000 in the former case and Rs. 1,000 in the latter.

Enhancements revenue in Cuttack, 1804, up to date.

551. To take an illustration of the somewhat rash manner in which revenue was enhanced at the beginning of the century in the course of the early British settlements the following figures for Cuttack District are interesting :—

				Rs.
Demand for	1804-05	...	...	4,43,000
	1805-06	...	...	6,32,000
	1808-09	...	...	6,42,000
	1809-10	...	...	7,11,000
	1812-13	...	...	7,10,000 decrease
	1813-14	...	...	7,25,000
	1815-16	...	...	7,18,000 decrease.
	1816-17	...	...	7,16,000 ditto
	1819-20 }	...	...	7,17,000
	1821-22 }	...	...	
	1822-23	...	...	7,30,000 ditto.
	1837-97	...	...	7,06,000 ditto,

N. B.—In these figures Pargana Gagra Damarpur is included.

The demand for the settlement which has just expired was actually less than that of 1809-10.

Settlement under Regulation VII of 1822.

552. In the chapter on Early Revenue Settlements (Chapter X) some account of the fluctuations in revenue has been given, together with an account of the procedure adopted under Regulation VII of 1822 in the settlement which has now expired. It is only necessary to say here that in the settlement from 1817 to 1820 the revenue was reduced by nearly half a lakh, and from 1821 to 1823 the revenue also reduced. This settlement was extended for 5 years with a small increase, after which there was a small further increase. It was not till 1831 that systematic proceedings for resettlement commenced, and though the

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settlement which has just expired came into force nominally from 1837, all the *mahals* were not settled till 1843 and the accounts were closed on 30th April 1845.

Comparison of Revenues of the century.

553. I propose now to make a further comparison of revenues. Taking the figures already quoted for 1804-05 and 1820, and taking the figures for the settlement concluded in 1845 as given by Mr. Commissioner Gouldsbury, we have the following results :—

Temporarily settled area.	Revenue demand of 1805	Revenue demand of 1820	Revenue demand of 1845	Revenue demand up to 1897 according to Collectors.	Revenue settled in 1897-98-99.
	Rs.	Rs.	Rs.	Rs.	Rs.
Cuttack	10,89,000	13,40,000	7,19,300	7,13,300	10,98,400
Puri (excluding Khurda)			,30,000	2,92,800	3,76,700
Balasore			3,85,200	3,78,000	6,27,800
Total	10,89,000	13,40,000	14,34,500	13,84,100	21 02,900

The somewhat large discrepancies between the Puri figures in columns 4 and 5 are explained by the fact that the three large estates of Serai, Chaubiskud and Rahang were recusant at the last settlement. Thus the figure in column 4 for Puri includes the whole *mufassal jama* of these estates except the *malikana* allowance of 9 per cent., whereas in column 5 only the Government revenue at 60 per cent. of the *mufassal jama* is included. In Cuttack there is a slight decrease in column 5 on account of acquisition of lands for irrigation purposes and consequent rebate of revenue. In Balasore I attribute the decrease in column 5 to changes of boundaries of the District.

The above figures refer to the temporarily-settled area in Orissa, excluding Khurda, the *sadar jama* of which has been raised by the same agency (the Settlement Officer of Orissa and his Assistants) from Rs. 2,51,000 the demand of 1896, to Rs. 3,06,000. In addition to the above, Government receives the following revenues :—

	Rs.
Tributary States	33,300*
Cuttack-Permanently-settled estates	79,700
Puri Permanently-settled estates	3,300
Balasore Permanently-settled estates	34,800
	1,51,100
Add-Khurda	3,06,000
The temporarily-settled area of this report, viz. 6,346 estates and the killajats †	21,02,900
Total	25,60,000

Results of the present settlement of revenue—General results.

554. Before discussing the results of settlement of revenue I give a summary explanation, which may be regarded as applicable to all the figures. It has been already given in paragraphs 512 and 545, but is repeated in order to save reference. Cuttack was not only highly assessed at the last settlement, but the area fit for extension of cultivation was (comparatively) less than in Balasore. Again, Puri was not only highly assessed, but had a much smaller area fit for extension of cultivation than Cuttack, and in addition to this the best lands were already occupied by highly assessed privileged tenants, *i.e.*, *thani* raiyats and *bazyaftidars* (see my No. 2776 of 31st December 1897, Appendix A, No. 13). The *thani* raiyats are still paying very high rents as compared with the *pahi*. Moreover, *bazyfati* lands in Puri were more highly assessed than in other parts of the Province, and the increase on that head is comparatively small. As for revenue, in Puri at the last settlement 70 per cent. of the assets was taken as revenue far

* See also paragraph 592.

† An account of killas Ragri, Chausatpara, Balarampur, Ambo, and Mangalpur is given in paragraph 610. See also paragraph 269.

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more frequently than in the other two districts; in fact, in the other two districts 65 per cent. was usual, 60 per cent. was only found as an exception, and 70 per cent. was very rare. It may be added that in a few estates created out of resumed (*bazyafti*) tenures having an area of more than 75 acres only 50 per cent. of the assets was taken as revenue. Lastly, in Balasore the incidence of rents was low at the last settlement, and the area for extension of cultivation comparatively unlimited. Moreover, in 1831 a storm-wave had devastated large cultivated areas and estates on the sea-face, so that even by the time of the last settlement the lands had not recovered. During the last 60 years there has been comparative immunity from such calamities, and the lands have speedily come under cultivation. The general result of the present proceedings is that revenue for 6,351 estates has been raised from Rs. 13,84,000 to Rs. 21,03,000.

To turn to general figures for revenue—

The high percentage taken for revenue at the last settlement has been set forth above. In the present settlement, thanks to the liberality of Government, only 50 per cent. to 55 per cent. of the assets has generally been taken as revenue. We may therefore the purposes of comparison say that whereas at the last settlement Government took 64 per cent., only 54 per cent. has now been taken.

This fact of course makes a very great difference in the increase of revenue. In the figures for revenue the large Government estates obscure the percentages because in a Government estate the figures read that no allowances are given to proprietors, the percentage retained for revenue being 100 per cent. Eliminating Government estates, the percentage taken as revenue works out to 54 per cent.

Totals for revenue, excluding *khas mahals*, are as follows :—

DISTRICT.	At last settlement.		At present settlement.		Increase		Effect on Zamindari's income.		DIFFERENCE.	
	Percentage	Amount.	Percentage.	Amount.	Percentage.	Amount.	Former income.	Income after settlement.	Percentage.	Amount.
1	2	3	4	5	6	7	8	9	10	11
		Rs.		Rs.		Rs.	Rs.	Rs.		Rs.
Puri	66	2,89,100	58	3,71,800	28	82,700	2,78,600	2,65,200	—5	—13,400
Cuttack	64	7,13,300	53	10,98 400	54	3,85,100	11,21,300	9,48,200	—15	—1,73,100
Balasore	65	3,52,000	53	5,92,400	68	2,40,400	5,98,300	5,14,700	—14	—83,600
Total.	64	13,54,400 (excluding Khas Mahals)	54	20,62,600 (excluding Khas Mahals)	52	7,08,200	19,98,200	17,28,100	—14	—2,70,100

The percentage of the assets retained as revenue.

555. The general percentage now retained as revenue in the above statement works out by actual calculation to 54. In Part IV Chapter XX, I have set forth the general rules and the special considerations which led me to propose the different revenues for different estates. As applied generally to each district it may be said that Government, having expended large sums on irrigation and protection in the Cuttack District, I was induced, where possible, to propose 55 per cent. rather that 50 per cent. on that account. On the other hand, in certain Parganas of Puri, *e. g.*, Kotrahang, where 70 per cent. had been taken as revenue, it was impossible to make proposals at less than 60 per cent. without reducing the Government revenue or in certain cases unnecessarily raising the proprietor's income. The figure 58 per cent. for Puri is of course enormously increased by the estates of Kotdes and Delang (Lembai), the revenue of which make up more than two-fifths of the revenue of the District. In these estates 60 per cent. was proposed as revenue, and the assessments have been confirmed by the Board. Both estates have been grossly mismanaged for several years and yielded a very small increase of revenue. That the general percentage of 58 per cent. is not severe to the proprietors may be gauged by the fact that their loss of income is only 5 per cent. while Government has only reaped a benefit by increase of revenue amounting to 28 per cent.

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In Balasore the increase of revenue has been so large that generally more lenient proposals have been made. *

Incidence of land revenue.

556. The incidence of land revenue per assessed acre works out to Re. 1·35 in Cuttack, Re. 0·90 in Balasore and Re. 1·09 in Puri. The discussion of rents and revenues according to blocks will explain the variations in local areas, and may be referred to. If a summary criticism were of any value it might be said that though the District contains the best lands as well as lands accessible to irrigation, the incidence in Cuttack was fully high enough for the present, that the large area for extension of cultivation has not yet permitted the Balasore incidence to rise as high as it will in the future, while in Puri the mismanagement of zamindars in certain areas has checked the growth of the incidence of rents as well as revenue. In the special report of every estate, as well as in the covering or block reports, the sufficiency of the revenue proposed for each estate is set forth with details, and there is no space here for particulars.

Effect of the new revenue assessment on zamindars.

557. We find that zamindars throughout the Province are called upon to pay an increase of revenue amounting to Rs. 7,21,000 † and that they will collect by increase of rents Rs. 4,58,000. Thus the loss of income on paper is Rs. 2,63,000, or 13 per cent., the income before settlement amounting to Rs. 20,27,000 and after settlement to Rs. 17,64,000 ‡ as against only Rs. 7,56,000 at the last settlement.

The following statement shows the true effect of the present assessment on the income of the zamindars :—

	ASSETS.		
	Last Settlement.	Existing.	Settled.
	Rs.	Rs.	Rs.
Tanki bahal	13,700	13,500	13,500
Kharida jamabandi	43,800	41,400	65,800
Other tenure-holders	200	2,800	5,200
Kamil bazyafti	68,800	40,300	61,500
Nisfi bazyafti	94,600	91,700	2,38,500
Thani raiyats	7,65,300	1,98,400	2,11,400
Thani-pahi raiyats	...	5,10,900	5,39,900
Pahi settled and occupancy raiyats	8,95,700	19,83,500	21,07,800
Pahi non-occupancy raiyats	...	33,200	45,100
Chandina non-occupancy raiyats	78,000	41,000	41,700
Chaukidari jagir resumed... ...	...	..	45,000
Other ,, ...	...	...	16,700
Tenancies now fully assessed to rent.	600	4,700	12,800
Tenancies valued for revenue	200	29,700	46,200
Nijjot and *nijchas*	1,47,300	3,84,500	3,84,500
Culturable waste	5,200	...	100
Tanki tenures now included in *bazyafti*	1,400	...	...
Sairat	23,400	34,000	34,000
Total	21,38,200	34,09,600	38,67,700
Deduct tenancies valued for revenue and resumed *Chaukidari jagir*	200	29,700	89,200
... ...	21,38,000	33,79,900	37,78,500
Add 15 per cent. of resumed *Chaukidari jagir.*	...	...	6,400
... ...	21,38,000	33,79,900	37,84,900

We may therefore say that the increase of assets of which the zamindars will be able to partake amounts to Rs. 4,05,000 and the increase of revenue which

* See also paragraph 559.

† Including the increased demand from Khas Mahals.

‡ Excluding Khas Mahal figures, Rs. 19,98,000 and Rs. 17,28,000 respectively.

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they will have to pay amounts to Rs. 6,85,000, exclusive of the Chaukidari Fund, the actual loss of income being Rs. 2,80,000 as against the paper loss of Rs. 2,63,000.

The following comparative table (in lakhs of rupees) will show the effect on ths incomes of the zamindars :—

	Assets.	Revenue.	Income of zamindars.
Last settlement	21.38	13.82	7.54
Existing	3.049	13.82	20.25
Existing after settlement.	34.09	18.74	15.35
Now added	4.58	2.29	2.29
Total settled	38.67	21.03	17.64

From the above sets of figures it will appear that income of the proprietors on paper is reduced (in lakhs of rupees) from 20.27 to 17.64 or by 2.63; but the actual reduction is greater, i. e., they will have to pay 7.21 more and will receive 4.41 more and will suffer a loss of 2.80, being rather less than 14 per cent.

Effect of the new revenue assessment on the proprietary tenure-holders.

558. Some account must also be given to show the effect of the assessment to revenue on the incomes of the proprietary etenuholrders.* The rules which have been followed are referred to in Chapter XX of Part V and are detailed in Part IV of Appendix C to this report.

The result of re-settlement has been to raise the amounts payable by proprietary tenure-holders from Rs. 3, 27, 700 to Rs 4, 72, 100 by increments extending over several years.

Their allowances amounted at the last settlement to Rs. 77, 600 or 19 per cent., of the *mufassal jama*; by 1896 their incomes (nominal) had risen to Rs 2 47, 700 and by the resettlement are eventually reduced to Rs. 1, 78, 800 or 27 ½ per cent of the gross assets. The nominal ultimate loss to the tenure-holders is therefore 27.8 per cent., of their incomes before settlement.

The general principle followed has been to give the benefit of any increased allowances to the tenure-holder and not to reduce his income by more than 20 per cent. for the first two years, nor ultimately (*i. e.*, after the *rasadi* period) to reduce his original income by more than 36 per cent. An illustration may be given as follows :—

Assets at last settlement.	DISTRIBUTION OF ASSETS AT LAST SETTLEMENT.			Assets at present settled.	Assets as now settled.	DISTRIBUTION OF ASSETS FOR 1305 AND 1306, 1898 † AND 1899.			DISTRIBUTION OF ASSETS FOR 1317 (1900) TILL EXPIRY OF SETTLEMENT.		
	To tenure holder 20 per cent.	To proprietor 20 percent.	To Government 60 per cent.			To Tenure holder 25 per cent.	To proprietor 20 per cent.	To Government 55 per cent.	To tenure holder.	To proprietor	To Government.
1	2	3	4	5	6	7	8	9	10	11	12
100	20	20	60	200	250	62 8	50	137 8	62 8	50	137 8
						+33 8	—9	—23 8	+14 8	—4	—10 8
						96 0	41	113 0	77 0	46	127 0
		Chaukidari Fund			5	1 0	.....	4 0	1 0	.....	4 0
						97 0	41	117 0	78 0	46	131 0

* 1898 is the year in which the revenue of 1305 is paid.

The existing income of the tenure-holder is 200 − 80 = 120; this income reduced by 20 per cent. amounts to Rs. 96. Now 25 per cent. of the new assets, Rs. 250, only amounts to Rs. 62-8; to Rs. 33-8 is therefore to be added to make up Rs. 96. It is deducted from the shares of the proprietor and the Government in the proportion of 20 to 55. After the first two years the tenure-holder's income

† See also Paragraph 308.

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may be reduced if necessary till it is 36 per cent. of his original income. In the above illustration a further reduction of Rs. 19 may therefore be made Rs. 96-19 = 77. If from this Rs. 62-8 be deducted, the concession to be given for the remainder of the term of settlement amounts to Rs. 14-8, payable by the proprietor and Government in the proportions of 20 to 55 per cent. or in round figures Rs. 4 and Rs. 10-8. In a few cases it has not been necessary to sacrifice Government revenue by carrying out this rule, *e. g.*, in cases where the zamindars own the largest share of, or the whole of, the tenure, or where there has been fraud or the tenure-holder is known to be very wealthy. In fact this rule has been followed in cases where there has been an enormous increase of assets and where by taking the percentage allowed to the tenure-holder at the last settlement, or even 5 per cent. More, the loss of income would be ruinous. It may be said that generally the tenure-holder has been allowed to retain from 5 to 20 per cent., more allowances than he received at the last settlement; exceptions have, however been made in cases where fraud and collusive record of low rents have been discovered.

A list of the proprietary tenure-holders who have been assessed to revenue has been given in the Appendices GA to HC.

The Government orders No. 2367 L. R. of 5th. August 1897, Board's No. 834A. of 28th. July 1897, Director of Land Records' No. 250 T.-S. of 15th. July 1897, and No. 140 T.-S. of 13th July 1897 and my No. 1336 of 18th June 1897 may be perused in connection with the assessment to revenue of the proprietary tenure-holders or "sub-proprietors". Two points should be borne in mind; firstly, that only the *muqaddams, padhans, kharidadars* of the first class, and *shikmi* zamindars get *malikana* on recusancy, and a right of re-entry belongs only to the *padhan,* and probably to the *shikmi* zamindar and *pursethi kharidadars* secondly, that any allowances given at this settlement in excess of the allowances given at the last settlement are merely temporary concessions. At a future settlement the sub-proprietors are only entitled to such percentage of allowances as they retained at the settlement of 1837-45. These allowances are as follows:—*

Shikmi zamindars	All the proprietary allowances in some cases and all except 5 or 10 per cent. in others.
Muquaddam ...	{ 20 per cent. { 25 per cent., rarely.
Padhans ...	20 per cent.
Maurasi sarbarahkars	{ 15 per cent. { 20 per cent., rarely.
Pursethi Kharidadars	Usually 30 per cent.

Financial effects of the *rasadi* proposals for revenue.

559. I have already mentioned in Chapter XX the fact that permission was given to make proposals for *rasadi* increase of revenue. In that chapter some account of the nature of these proposals and the principles of their application has been given.

The *rasadi* term ranges from one year in the case of some estates to 10 years in the case of a few. I have arranged that from 1315 (1908) the full revenue is to be collected in all three districts. The financial results of these *rasadi* proposals are as follows; (the value of the revenue demand for 11 years of each District has been calculated as well as the value of the *rasadi* terms for this period):—

	Cuttack	Balasore	Puri	Total.
	Rs.	Rs.	Rs.	Rs.
(i) Totals of the revenue demands from 1305 to 1315 (1898-1908) excluding *killajats* † and *khasmahals.*	1,15,42 000	60,92,000	40,04,000	2,16,08,000
(ii) Total value of remission involved in the *rasadi* proposals for that period ...	4,16,000	3,10,000	54,000	7,80,000
(iii) Percentage of remission to demand for that period ...	3.6	5	1·3	3.5

From the above figures it will be seen that for the first 11 years of the settlement the *rasadi* remissions amount to 3½ per cent., of the demand. in 1305 (1898), the first year of the settlement, *rasadi* proposals were made amounting to

* See Paragraph 308.

† See Chapter XXIV. Paragraph 612.

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5 per cent, of the demand for that year in Puri, 11 per cent., in Balasore and more than 10 per cent., in Cuttack.

By the time we get on to 1310 (1903), the value of the *rasadi* remission will have fallen to 16,400 in Cuttack, 16,300 in Balasore, and 3,200 in Puri. At the end of 1314 (1907) they will all expire, and the full demand is to be realised in 1315 (1908).

The following statement, showing year by year the effect on the proprietors' and sub-proprietors' incomes during the *rasadi* periods, is interesting (*khas mahals* and *killajats* are excluded).

The figures show percentage of variation on the income after re-settlement, but it is to be remembered that all the new revenue was not introduced in 1305 (1898), hence the fact that proprietor's incomes are shown as increased in that year. The figures for 1307 (1900) show the results on completion of settlement :—

Year.	1305 1898	1306 1899	1307 1900	1308 1901	1309 1902	1310 1903	1311 1904	1312 1905	1313 1906	1314 1907	1315 * 1908
1	2	3	4	5	6	7	8	9	10	11	12
Cuttack	+3·1	−7·7	−9·5	−10·7	−11·1	−14·0	−14·0	−14·1	−14·1	−14·1	−15·4
Balasore	+13·3	−4·8	−5·3	− 6·4	− 7·0	−10·7	−10·8	−10·9	−10·9	−10·9	−13·4
Puri	+12 5	1·2	−2·4	−3·0	− 3·2	−3·7	− 4·7	— 4·7	−4·7	− 47	− 4·8
Total.	+7·5	−5·6	−7·3	−8·3	−8·7	−11·6	−11·8	−11·8	−11·8	−11·8	−13·3

* **The years refer to the Amli era, for an explanation of which see Appendix OA, 1305 Amli corresponds to September 1897 to September, 1898. but as the revenue is payable in 1898, it is better to reckon 1305 as corresponding to 1898.**

In Puri the figure for 1305 (1898) is easily explained by the fact that most of the estates contain proprietary tenures, and from the illustration given in paragraph 558 it will be at once seen that under any system of assessment in such estates, the zamindars' income must largely increase at the time of re-settlement.

As regards Balasore, it is to be remembered that the ultimate increase of revenue is 66 per cent., and that in some cases the increase of revenue has exceeded 150 per cent. For this reason very close attention to the question of the income of proprietors had to be given, and in some cases very liberal initial allowances.

As regards the proprietary tenure-holders, it will be seen from the description given in paragraph 558 that the utmost care has been taken to prevent the initial reduction of income by more than 20 per cent., and the ultimate loss by more than 26 per cent. The results on the proprietary tenure-holders incomes for the first five years are as follows :—

Variations in tenure-holders' income in all estates, including Khas Mahals.

Name of District.	Present income.	PROPOSED INCOME. 1305 (1898)		1306 (1899)		1307 (1900)		1308 (1901)		1309 (1902)		1310 (1903)	
		Income	Percentage − or +	Income	Percentage of change − or +	Income	Percentage of change − or +	Income	Percentage of change − or +	Income.	Percentage of change − or +	Income	Percentage of change − or +
1	2	3	4	5	6	7	8	9	10	11	12	13	14
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Cuttack	1,01,700	1,17,300	+15·4	89,100	−12·3	87,300	−14·9	80,500	−20·9	79,100	−22·2	76,600	−24·7
Puri.	96,300	86,400	−10·3	76,900	−20·2	70,000	−26·4	68, 600	−28·8	68,600	−2·8	68,600	−28·8
Balasore	49,700	50,100	+0·96	40,700	−18·1	40,400	−18·7	36,000	−27·4	33,800	−3 2	33,600	+32·3
Total	2,47,700	2,53,800	+2·5	2,06,700	−16·5	1,98,600	−19·8	1,85,100	−25·3	1,81,500	−26·7	1,78,800	−27·8

Most of the new assesments did not take effect till 1306 (1899).

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It is to be remembered also that these proprietary tenure-holders almost invariably have large areas of *nijchas*, the valuation of which at village rates bears a very small proportion to the profits arising from the cultivation of these areas. It may be also added that their relations have generally large areas in the village under raiyati tenures. I submit therefore that the proprietary tenure-holders should have no difficulty in meeting their engagements from the very commencement of this settlement.

I may add in conclusion that the incomes now left to the proprietor at the end of the present operations (*i.e*, in 1305 or 1898) are 186 per cent., in Cuttack, 111 per cent., in Puri, and 250 per cent., in Balasore higher than they were at the conclusion of the settlement of 1837. In 1315 (1908), when the *rasadi* periods shall have expired, the proprietors' incomes will still be 134 per cent. 79 per cent., and 167 per cent., higher than in 1845, without taking into account any increase by enhancement of rents of nonoccupancy raiyats or by assessment of new cultivation which may be added to their profits in the meanwhile.

Objections to assessment of revenue.

560. After perusal of the figures in the preceding paragraphs, it will not seem surprising that there is little to say on the subject of objections and recusancy. There was some hesitation at first on the part of proprietors to engage for revenue, but this was mainly due to two causes-(1) A mistrust of the terms of the *kabuliyat*; (2) they thought that some of their fellow zamindars would not have to pay the new demand till 1306 (1899), whereas they had to pay it for 1305 (1898).

The orders of the Secretary of State * to take as revenue 50 to 55 per cent. of the assets, and to fix 30 years as the term of settlement came as a most grateful surprise to the zamindars, and beyond the natural reluctance to make payments in excess of old revenue which had been in force for 60 years, only few genuine objections remained.

I divide the objections to assessment of revenue into four heads—

(*i*) Objections to the form of *kabuliyat*.

(*ii*) Objections by some zamindars to pay in 1305 (A.D. 1898), *i e.*, before others.

(*iii*) Other objections (chiefly by petition).

(*iv*) Recusancy.

561. (*i*) On this subject some explanation is necessary.

The form of *Kabuliyat*.

In Appendix O, Survey and Settlement Manual, p. civ., a form of *kabuliyat* for temporarily settled areas is given. After various amendments, this *kabuliyat* † has been sanctioned by the Board and Government. The main points which came under discussion were—Abatements of revenue for calamities of the season; collections in accordance with the record of rights; the construction, maintenance, and abandonment of embankments during the currency of the settlement; the preservation of grazing grounds; rights in minerals; provisions for returns to the *patwari* or to the Land Records' Maintenance Department; provision for the survey and preparation of a record of rights at or near the time of expiry of the settlement (in preparation for the next).

At the last settlement, the zamindars executed a *kabuliyat* without any conditions. They merely engaged to pay so much revenue in a paper in which sometimes two instalments were recorded. It was not therefore unnatural, on being asked to sign a formidable *kabuliyat* of 11 or 12 clauses containing duties, pains and penalties, that they showed some hesitation. I take no small blame to myself for not having published abroad the form of *kabuliyat*, but the mistake was remedied, I sincerely believe, by the careful manner in which objections were subsequently listened to and decided by the higher authorities.

In connection with the correspondence on the subject of the form of *kabuliyat*, Board's paragraph 4 of No. 330A of 26th July 1897 to Director of Land Records & Agriculture, Board's No. 1057 A of 22nd September 1897, and Government order No. 3403 of 17th August 1897 ‡ may be read. The important points are that the right of Government to construct embankments was not reserved,

* Despatch No. 20 of the 3rd February 1898 from the Secretary of State for India, Printed as Appendix A No. 17.

† See Appendix A (21)

‡ See Appendix A (20-21).

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but only its right to maintain or abandon them. Government also reserved the right to all minerals except laterite and limestone, as well as facilities for working and carrying away such minerals This right was reserved in accordance with the orders of the Government of India.

The Landholders' Association of Orissa raised objections to any interference with the rights of landlords in mines. They based their objection on the fact that deeds of sale of estates in the Province convey *'Pota', 'nota', nidhi', 'nikhat',* and that minerals are included in *'nikhat'*. I have been unable to obtain a translation of this phrase but *'pota'* means 'buried' and *'nidhi'* means treasure.

They objected to the abandonment of embankments, and that too without provision for remission of revenue. The procedure under which the Collector was authorised to take the estate under *khas* management was also objected to as "unnecessary" in view of the existing provisions of law.

The above objections were not put forward till March 1898. They were sent to me for submission to the higher authorities, with a request that I would postpone execution of *kabuliyats* till orders were passed. It was impossible to make any postponement, as the latest day of payment was 28th April 1898, but the Association was satisfied with my reply :—

I am unable to postpone execution, but feel sure that Government will, under the terms of clause 9, if any terms of *Kabuliyat* are altered or modified, allow zamindars to execute new *Kabuliyats*.

In my No. 764 of 26th March 1898, I submitted the memorial to the Director. He forwarded it to the Board with his No. 825 S., of 20th April 1898. The Board returned the memorial (No. 761A of 11th May 1898), and desired that the Government orders should be explained to the memorialists. The Commissioner, however, again addressed the Board (his No. 1790 S., of 26th July 1898) on the subject. In the meantime several memorials from zamindars had reached Government, and after some further correspondence the telegram of 22nd October, followed by Government order of 26th October 1898, set the objections finally at rest. The telegram runs as follows :—

The Lieutenant-Governor has considered the four memorials presented to him by the Orissa Landholders' Association and other bodies. He is unable to alter the *Kabuliyat* as issued for signature in any one of the items, but the memorialists may be assured that there is no intention on the part of Government to depart from any of the measures of consideration which have been usual on any occasion of agricultural injury.

The Government orders (No. 873.-T. of 26th. October 1898) explained matters in detail to the zamindars and I have never heard of a single objection since. These orders conclude with an assurance to the zamindars that :—

It is not the intention of Government to regulate its dealings with any harsh or arbitrary principles differing from those that have governed its policy in the past, or to refuse to them such reasonable treatment as law and equity may demand, or even the special considerations for which occasion may from time to time arise and which Government has always shown.

(ii) Objections of some zamindars to pay before others.

562. The above objections were not of course directed against the amount of the newly assessed *jama*, nor had the objection to paying for 1305-1998 when other zamindars only to pay for 1306 anything to do with the new *jama* except in so far that it was an objection to pay more than the old revenue for a particular year. When it is remembered that during the last settlement proceedings under Regulation VII of 1822 ran on from 1831 to 1845, and that the assessments came into force from 1837 on the dates on which they were confirmed, it is not so surprising that in the present proceedings the revenues of all the estates, now swollen in number to nearly 6,400, could not be brought in at the same time. Including Khurda, rents had first to be judicially settled for 17 lakhs of tenants; then the assets of the estates had to be compiled, reports to be written, notices to be issued, objections to be put in and disposed of, and finally revenue proposals had to be made to the higher authority.

In order to reduce the loss to Government as much as possible, my power to take *Kabuliyats* under clause 9 of the conditions was invariably exercised, orders of higher authority being afterwards given effect to. This procedure gave some extra trouble and may still cause trouble to the Collectors, but it has saved Government very serious financial loss.

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