

FINAL REPORT  
ON THE  
REVISION SETTLEMENT  
OF  
ORISSA  
(1922-1932 A.D.)

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BY  
W. W. DALZIEL, I.C.S.,  
*Settlement Officer, Orissa.*



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## TABLE OF CONTENTS.

### CHAPTER I.

#### AREA UNDER SETTLEMENT.

	PAGES.	PARAS.
General description and early settlements—Provincial and Revision settlements—Revenue and Rent settlement—Area under the present settlement—Areas excluded ...	1—3	1—5

### CHAPTER II.

#### POPULATION AND MATERIAL CONDITION.

Population—Increase in cultivation—Material prosperity—Price of rice—Emigration—Exports and imports—Labour wages—Hala system—Rural indebtedness—Landlords' indebtedness—Co-operative Societies—Changes in habits and ideas—Caste—Eradication of water-hyacinth—Health ... ..	4—8	6—20
--	-----	------

### CHAPTER III.

#### AGRICULTURE, FLOODS AND THE CANAL SYSTEM.

Principal crops—Soils—Agricultural stock—Agricultural farms—Work of the Agricultural Department—Experiments in flooded areas—Flood-resisting paddy and other crops—Cost of paddy cultivation—Profits of paddy cultivation—Profits of <i>pan</i> cultivation—Profits of sugarcane cultivation—The river system—The flood problem—Floods of recent years—The canal system ... ..	9—16	21—41
--	------	-------

### CHAPTER IV.

#### THE RECORD-OF-RIGHTS.

Particulars recorded—Recording of status—Revenue-free proprietors—General and special numbers—Classes of baheldars—Recording of revenue-free estates—Escheats of revenue-free properties—Tenure-holders—Sub-proprietors—Tunki baheldars—Other sub-proprietors—Recording of sub-proprietors—Miadi and Maurasi sarbarakars—Privileged and ordinary tenure-holders—Raiyati statuses—Bajyafiti status—Encroachment on bajyafiti lands—Utbandi tenants—Jagirdars—Tankidars—Non-agricultural holdings—Incidents of Chandna right—Rent-free tenancies—Under-rayats—Nij-jote lands—Nij-chas—Anabadi, Sarbasadharan and rakhit—Nij-dakhal—Recording of special rents—Declared channels—Minha—Jagannath roadside lands—Government lands—Navigable rivers—Miscellaneous points ... ..	17—26	42—76
--	-------	-------

### CHAPTER V.

#### PREPARATION OF THE RECORD.

Arrangement of blocks—Obstruction to the work—Training of the staff—Punishment of the staff—Bribery case—Health of the staff—Traverse work—Amalgamation and division of villages—Determination of new villages—Thana numbering of villages—Scale of the maps—Double plotting—Inception of survey—Progress of survey—Survey difficulties—Boundary discrepancies—Preparation of khewats—Areas recorded in acre system only—Disputes about laggi measurements—Partial of survey and		
--	--	--

**CHAPTER V—concl'd.**

	PAGES.	PARAS.
khanapuri—Form of khatian and distribution of parchas—Inking of maps—Printing of not-final maps—Thana maps and lists—Trijunction mark maps and registers—Khanapuri—Boundary disputes—Settlement Officer as Boundary Commissioner—Cadastral recess—Method of attestation—Progress of attestation—Remeasurement—Objections under section 116—Settlement recess—Cases under section 130—Application of section 67—Use of sections 136 and 137—Number of copies of maps reproduced—Deposit of records—Improvements in procedure—Operations in Cuttack town—Statutes in Cuttack town—Bajyafidars in Cuttack town—Government and railway lands—Village notes	27—45	77—121

**CHAPTER VI.****RENT SETTLEMENT.**

Rents at Provincial settlement—Rents at Revision settlement—Present rent settlement—Rents of bajyafidars—Rents of Chandnadars—Proposals for rent settlement in Puri—Treatment of flood-affected areas in Puri—Proposal for rent settlement in Cuttack—Rents of privileged tenure-holders—Rents of ordinary tenure-holders—Rents of bajyafi raiyats—Rent settlement procedure—Section 123—Appeals under section 125—Section 128—Commutation cases—Assessment of resumed Desheta jagirs—Tanki bahel tenures previously unassessed—Commutation of rent under sections 118 and 119—Date from which settled rents took effect—Entry of cess—Rent settlement in Cuttack town—General results	46—57	122—144
--	-------	---------

**CHAPTER VII.****REVENUE SETTLEMENT.**

Principles of revenue settlement—Proportion of assets taken as revenue—Valuation of nij-jote and nij-chas lands—Valuation of produce-rented lands—Assessment of tenures—Sairat valuation—Assessment of resumed Chaukidar jagir lands—Chaukidari jagirs in permanently-settled area of Balasore—Difficulties created by recent partitions—Date from which the new revenue took effect—The form of the kabulyats—Objections to the clauses of the kabulyats—Objection about miadi sarbarakars—Redemption of petty estates—Problem of the Satais Hazari and assessment of Rahang estate—Rahang estate—Procedure of sairat investigations—Distribution of assets of sub-proprietary tenures—Temporarily-settled killajat estates—Confusion caused by sub-proprietary partitions—Extent of partition—Revenue settlement procedure—Revenue appeals—Treatment of estates affected by the Janardan and Routra ghais—Assessment of tauzi no. 119 of district Puri—The Dattapur resumption case—Closing of separate accounts—Reopening of separate accounts	58—71	145—173
---	-------	---------

**CHAPTER VIII.****PREPARATION OF THE NEW A—D REGISTERS.**

Defects in the old system of mahalwar registration—Proposals for amendment—Procedure in re-writing the registers—Re-writing work in permanently-settled estates—Working of the new system of registration	72—76	174—180
---	-------	---------

TABLE OF CONTENTS.

iii

CHAPTER IX.

STATISTICAL ACCOUNT OF CUTTACK DISTRICT.

	PAGES.	PARAS.
Situation and area—Communications—Fair weather road across Kathjori—Population—Caste—Education—Trade and industries—Drinking water—Soils—Agricultural stock—Agriculture—Outturn of paddy—Extension of cultivation—Embankments—Flood problems—Revenue settlement—Sub-proprietary tenures—Sairat—Nij-jote and nij-chas—Produce-rented lands—Rent-free area—Cash-rented tenants and rent settlement statistics—Reserved and communal lands—Revenue-free estates—Khasmahals—Cuttack town and Cantonment Khasmahals—Sale of occupancy rights—Mortgage of holdings—Sales of proprietary rights—Redemption of estates—Utikan estate—Mandal estate—Rattan estate—Pandua estate—Resumption cases—Relations between landlords and tenants—Transfer and subdivision of estates—Cuttack town municipality	77—91	181—213

CHAPTER X.

STATISTICAL ACCOUNT OF BALASORE DISTRICT.

Situation and area—Communications—Population—Caste—Education—Industries—Chandbali port—Drinking water—Soils—Agricultural stock—Agriculture—Outturn of paddy—Extension of cultivation—Reclamation on the coast—Further extension of cultivation—Flood problems—Embankments—Revenue settlement statistics—Sub-proprietary tenures—Sairat assessment—Fishery Mahals—Statutes and rents—Nij-jote and nij-chas—Produce-rented lands—Rent-free area—Cash-rented tenancies and rent settlement statistics—Communal and reserved lands—Revenue-free estates—Khasmahals—Sale of occupancy rights—Mortgage of holdings—Sales of proprietary rights—Amalgamation and redemption of estates—Transfer and subdivision of estates—B. L. Mukharji Trust estate—Resumption case of Becher's estate—Mabarakpur estate—Kasba estate—Dograi Dolsahi estate—Other estates—French territory	92—107	219—260
--	--------	---------

CHAPTER XI.

STATISTICAL ACCOUNT OF PURI DISTRICT.

Situation and area—Communications—Population—Caste—Education—Trade and industry—Drinking water—Soils—Agricultural stock—Agriculture—Outturn of crops—Extension of cultivation—Embankments—Flood problems—Area under settlement—Revenue settlement—Sub-proprietors—Sairat—Nij-jote and nij-chas—Tenancies on produce rents—Rent-free holdings—Cash-rented tenancies and rent settlement—Rakhit and sarbasadharan—Revenue-free estates—Sale of occupancy rights—Mortgages of holdings—Khasmahals—Settlement of rent by agreement in Khurda Khasmahal—Balukhand Khasmahal—Kodhar Khasmahal—Sales of proprietary rights—Kotdesh estate—Rahang estate—Krishnachandra estate—Krishnanagar estate—Delang estate—Relation between landlords and tenants—Transfer and subdivision of estates	108—122	261—299
---	---------	---------

CHAPTER XII.

THE PERMANENTLY-SETTLED ESTATES.

KILLA KANIKA—Previous settlements—Classification of areas—Rent roll—Minha—Fisheries—History of rents—Rent settlement in Balasore under section 123—Rent settlement in Cuttack under sections 136 and 137—Result
---

**CHAPTER XII—concl'd.**

	PAGES.	PARAS.
of rent settlement—Public rights of way and irrigation—Gochar—Record of Debottar properties—Nij-jote lands—Rights in trees—Jungle management—Causes of discontent—Management of endowments—Transferability of holdings—Accretions on the coast—Killa Chhedra—Killa Kalkala.		
KILLA SUKINDA—History—Area under cultivation—Principal crops—Tassar cultivation—Statutes—Village servants—Religious grants—Grants of maintenance—Nij-jote lands—Reserved lands—Rent enhancements—Illegal cesses—Rent compromise under section 137—Internal management—Chaukidari jagirs—Sale of raiyati holdings.		
KILLA PATIA.—Situation and description—Crops—Rents—Industries—Nij-jote lands—Relationship between landlord and tenant—Brahmottar question—Sankharsahi—Transfer of holdings—Rights in trees.		
KILLA KUJANG.—Court of Wards Settlement—Statutes—Grazing lands—Palanda lands—Transferability of holdings—Rights in trees—Rights in jungle—Effects of floods—Rents.		
KILLA BISHUNPUR.—Status—Transferability of holdings—Grazing—Rights in trees—Nij-jote—Cropped area—Jungle—Management.		
KILLA HARISHPUR.—Statutes—Rents—Transferability—Rights in jungle and trees—Grazing lands—Nij-jote—Management—Cultivated area.		
KILLA MARICHPUR—Cultivated area—Rents—Excess areas—Statutes—Transferability—Rights in trees—Fishes—Rights in jungle—Dispute about village Kusadha—Claim of Mahant of Emarmath—Resumed Chaukidari jagirs—Sautia jagirs.		
KILLA AUL—Cultivated area—Nij-jote lands—Statutes—Rights in trees—Rakhit lands—Transferability of holdings—Abwabs—Rents—Revenue—Management.		
EKHRAJAT MAHAL.—History—Statutes—Sarbarakari jagirs—Nij-chas—Communal and reserved lands—Rights in trees—Rents—Transferability of holdings—Management—Crops.		
NIMKI BADAL ESTATE.—NORTH BALASORE.—Transferability of holdings—Cash-rented lands—Sanandi Niskar—Rents	123—144	300—419

**CHAPTER XIII.****COSTS AND RECOVERY.**

Recovery of costs—Recovery in the permanently-settled estates—Recovery in revenue-free areas—Recovery in Balukhand Khasmahal—Recovery in Cuttack town—Total recovery—Estimate of the cost of the operations	145—148	420—423
---	---------	---------

**CHAPTER XIV.****THE TENANCY LAW.**

Thani and Fahi raiyats—The twelve years' rule—The Bengal Tenancy Act—Objects of the Orissa Tenancy Act—Security of raiyats—Protection of proprietors' private lands—Sections 153 and 154—Nij-jote recorded at this settlement—Working of the present law—Judicial rulings on occupancy rights in nij-jote—Sub-proprietors under the Act—Bajyafidars—Transferability of occupancy holdings—Introduction of section 31—Working of section 31—Rate of registration fees—Proposed legislation—Effect of allowing transfer—Extension of section 31 to permanently-settled estates—Tanki baheldars—Defect in section 67—Sub-proprietors—Law relating to embankments—Position of non-agricultural holdings—Rights in trees—The amendment bill of 1929—Miscellaneous points

TABLE OF CONTENTS.

v

CHAPTER XIV—*Concid.*

	PAGES.	PARAS.
—Rents for special crops—Pasture problem—Clause 8 of the kabulyat—Khatians of recorded lands—Present position—Procedure for dealing with encroachers—Proposed legislation—Reserved tanks—Reserved lands in permanently-settled estates—Desheta jagirs in temporarily-settled estates—Desheta jagirs in permanently-settled estates	149—165	427—466

CHAPTER XV.

OFFICERS.

Settlement Officers—Assistant	Settlement Officers—	
Acknowledgments	..	166-167
		467—469



## INDEX.

(The references are to pages of the report.)

### A

	PAGES.
A—D Registers ... ..	69, 72—76
Abwabs ... ..	129, 140, 162
Accretions on coast ... ..	127
Act X of 1854 ... ..	149, 150
Agricultural farms ... ..	10
Agricultural stock ... ..	10, 80, 95, 111, Appendices III-A, III-B, III-C
Amalgamation of villages ... ..	29
Ambo ... ..	67
Amritmanohi ... ..	18
Appeals against rent settlement ... ..	54
Anabadi ... ..	24
Arilo ... ..	131
Assets, distribution of sub-proprietary assets	Appendix XIV-B
Assets—increase in ... ..	Appendices XI, XII-A, XII-B, XII-C
Attestation ... ..	37, 38, 39
Aul ... ..	139, 140
Aul Ring Bundh ... ..	84

### B

B. L. Mukharji Trust Estate ... ..	105
Baitarani river ... ..	83, 98
Baje Kharcha ... ..	129
Bajyafidars—	
encroachments on lands of	21
in Cuttack town ... ..	44
legal position of ... ..	149, 150, 154, 155, 159
origin of ... ..	1
recording of ... ..	21
rights of ... ..	20
Bajyafiti upajukta ... ..	136
Balarampur ... ..	67
Balukhand Khasmahal ... ..	119, 120
Bamboos ... ..	160
Banipahi jungle ... ..	125
Beali rice ... ..	9, 81, 96, 111
Becher's estate ... ..	105
Bell-metal ... ..	79-80, 95, 110
Bengal Tenancy Act ... ..	149
Bhalloki tankidars ... ..	129
Bhatimunda ... ..	79-80

## B—concl'd.

	PAGES.
Bhunjarpur estate ... ..	91, 120, 122
Bhograi embankment ... ..	97
Bhuan embankment ... ..	106
Bhuans ... ..	94
Bichitrapūr Khasmahal ... ..	103
Bill of 1929 ... ..	160-161
Biri ... ..	9, 81, 96, 111
Bishunpur ... ..	135
Blockwar arrangement of work ... ..	27
Boundary commissions ... ..	36-37
Boundary disputes .. ..	31-32, 35
Brahmani river .. ..	83
Brahmottar ... ..	17, 18, 131
<b>C</b>	
Cadastral recess ... ..	37
Canals ... ..	14—16
Cantonment Khasmahal ... ..	25, 88
Carts ... ..	10, 80, 95, 111
Castes ... ..	8, 79, 93-94, 109
Cattle ... ..	10, 80, 95, 111
Cess entries ... ..	56-57
Chandna ... ..	22-23, 44, 159
Chandbali ... ..	95, 103
Channels, declared ... ..	24
Chaukidari fund .. ..	59-60, 85, 99
Chaukidari jagirs .. ..	60, 130, 138, 139
Chausatipara ... ..	67
Check of the records .. ..	40, 42-43
Chhedra estate .. ..	127
Chika lake ... ..	108, 112—114
Cocoanuts ... ..	110, 160
Coir ropes ... ..	110
Common managers ... ..	158
Communal lands .. ..	87, 102, 116-117, 142
Communications ... ..	77, 92, 103-109
Commutation cases ... ..	55, 56
Co-operative societies ... ..	7
Cost of settlement ... ..	145—148
Cotton ... ..	9, 81, 96, 111
Court of Wards ... ..	123, 133, 136, 139
Crop-cutting experiments .. ..	15-16, 81-82, 96, 112
<i>Diito</i> , results of .. ..	Appendices X-A, X-B, X-C
Crops ... ..	9, 80—82, 95-96, 111-112
Crop statements—District figures .. ..	Appendices II-A, II-B, II-C

INDEX.

iii

C—concl.

	PAGES.
Cultivation, cost of ... ..	11-12
Cultivation, extension of ... ..	4, 82, 96-97, 112, 128, 135, 137, 139
Cuttack Town ... ..	43, 44, 91

D

Dalai datta ... ..	129
Dalais ... ..	114
Dalbeheras ... ..	114
Dalijora ... ..	89-90
Dalua rice ... ..	9, 81, 96, 111, 113
Damarpur embankment ... ..	84
Darpan ... ..	1, 127
Datta tankidars ... ..	129
Debottar ... ..	17, 18, 125, 131
Declared channels ... ..	24
Delang estate ... ..	121, 122
Desheta jagirs ... ..	55-56, 86, 101, 116, 123, 129, 133, 165
Determination of villages ... ..	29
Disputes—Khanapuri ... ..	35
Attestation ... ..	38
Boundary ... ..	35
Division of villages ... ..	29
Dobandhi ghai ... ..	98
Dograji Dolsahi estate ... ..	106-107
Dompara ... ..	87
Double plotting ... ..	30
Duttapur resumption case ... ..	70

E

Education ... ..	79, 94, 109
Ekhrajat Mahal ... ..	1, 140-143
Emar Math ... ..	122, 138
Embankments ... ..	83, 99, 112, 126, 158
Emigration ... ..	5
Escheats ... ..	19
Exports ... ..	5, 95
Extension of cultivation ... ..	4, 82, 96, 97, 112, 128, 135, 137, 139
Extent of present settlement ... ..	2-3

F

Fisheries ... ..	86, 100, 101, 106, 115, 123, 135, 138
Floods ... ..	12-14, 83-85, 97-99, 112-114, 134
Forest protection ... ..	45
French territory in Balasore ... ..	107

		G	PAGES.
Gajaria embankment	...	...	84
Gharbari	... ..	...	23, 159
Ghenan jagir	... ..	...	139
Glossary of settlement terms	... ..	...	Appendix XVIII.
Gobri river	... ..	...	84
Goswara of rights and rents—			
Temporary-settled estates	... ..	...	Appendix VII
Permanently-settled estates	... ..	...	Appendix VIII
Revenue-free area	... ..	...	Appendix IX
Government lands	... ..	...	25
Grazing lands	... ..	...	87, 100, 102, 116-117, 129, 133, 135, 136, 140, 142, 162-164
<b>H</b>			
Haha system	... ..	...	6-7
Hansua creek	... ..	...	84
Harar	... ..	...	9, 81, 96, 111
Harishpur	... ..	...	135-137
Haskura river	... ..	...	98
Health, in general	... ..	...	8
Health of settlement staff	... ..	...	28-29
Homestead lands	... ..	...	22-23, 159
Hundiwalas	... ..	...	80
<b>I</b>			
Ijaradars	... ..	...	20
Imports	... ..	...	5-6, 95
Indebtedness	... ..	...	7
Industry	... ..	...	79-80, 94-95, 110
Inking of maps	... ..	...	33-34
Irrigation	... ..	...	14-15
<b>J</b>			
Jagannath Road	... ..	...	25, 108
Jagannath Ballav Committee	... ..	...	120
Jagirs	... ..	...	22, 86, 101, 116, 123, 129, 133, 139, 165
(See also Desheta jagir).			
Jagir tanki	... ..	...	129
Janardan ghai	... ..	...	70, 83
Janch	... ..	...	40, 42-43
Jatadhar estuary	... ..	...	85
Jogisahi escape	... ..	...	113
Joki embankment	... ..	...	97
Jungle rights	... ..	...	125-126, 130, 135, 136, 138.
Jute	... ..	...	9, 96

INDEX

K PAGES.

Kabuliyats	62-64, 69
Kabuliyats, Forms of Land Revenue	Appendix XIX
Kaiemi jama	127
Kalkala	127-128
Kam jama	127
Kanika	123-127
Kantha jhar	67, 91
Kasba	106
Kothjori river	77-78
Keuts	135
Khanapuri	34-35
Kharidadars	19
Kharida jamabandi	20, 100
Khasmahal	87-88, 102-103, 117-120
Khâtians	33
Khewat writing	32
Mhorak posak tenures	20, 127-128
Khurda Khasmahal	1, 118-119
Killajat estates	67
Kodhar Khasmahal	120
Kols	128
Kotdesh estates	120-121
Kothar estate	107
Koth khamar	125
Koth kharida	85
Krishnachandra estate	121
Krishnanagar estate	113, 121-122
Kufang	132-135
Kulthi	9, 81, 96, 111
Kusadaha	138

L

Laggi measurements	32
Lakhiraj bahel	17
Land Registration	69, 72-76
Laterite	63-64
Limestone	63-64

M

Mafi kharida	26
Maintenance of records	2
Makaddams	19, 66, 67, 85, 100, 115
Mandal estate	89-90
Mandia	9, 81, 96, 111
Mangalpur	67

	<i>M—concl'd.</i>	PAGES.
Maps ... ..	...	30, 33-34, 41
Mardha ghai ... ..	...	84
Marfatdar ... ..	...	18
Marichpur ... ..	...	137—139
Maurasi sarbarakars ... ..	...	20, 64—65, 106-107
Miadi sarbarakars ... ..	...	20, 64, 65
Milan Khasra—District figures	...	Appendices I-A, I-B, I-C
Minerals ... ..	...	63-64
Minha ... ..	...	24-25, 123, 142
Mobarakpur estate ... ..	...	105-106
Mortgage of holdings ... ..	...	88-89, 103-104, 117, 130, Appendices V-A, V-B, V-C
Mundas .. ..	...	128
Mung ... ..	...	9, 81, 96, 111, 112
Mutation fees—		
in ekhrajat mahal ... ..	...	142-143
in permanently-settled estates	...	126-127, 130, 132, 133, 135, 136, 137, 140, 144
legal aspect of .. ..	...	155—157
	N	
Navigable rivers ... ..	...	26
Nijchas ... ..	...	24
in Balasore .. ..	...	101-102
in Cuttack .. ..	...	86-87
in Puri .. ..	...	115—117
legal aspect of ... ..	...	151—153
valuation of, in revenue settlement	...	58-59
Nij-dakhal ... ..	...	24, 87, 102, 117
Nij-jote ... ..	...	23-24
in Balasore .. ..	...	101
in Cuttack ... ..	...	86
in Puri ... ..	...	115
legal aspect of ... ..	...	151—153
valuation of, in revenue settlement	..	58-59
Nimki Badal estate ... ..	...	143
Noanand Khasmahal ... ..	...	102
Non-agricultural holdings ... ..	...	22, 159
Non-occupancy rights—statistics	..	57, 86, 101, 116
North Balasore permanently-settled estates	..	1, 143, 144
Nuapara ghai .. ..	...	84
	O	
Objections under section 116 ... ..	...	39, 40
Occupancy rights—		
district figures of ... ..	...	86, 101, 116
recording of ... ..	...	21
sale rates of ... ..	...	83, 103, 117

INDEX.

*O—concl.*

	PAGES.
Officers employed in Orissa Settlement—List	Appendix XVII
Oil seeds	9, 81, 96, 111
Olai ghai	113
Orissa Tenancy Act	149—165
section 31	155-156
section 61	150
section 67	40, 157
sections 79 and 80	161
section 85	162
section 116	39, 40
section 123	54, 87, 102, 117
section 130	40
sections 136 and 137	41, 124, 125, 130
sections 153 and 154	151, 153
section 232	150
sections 123 and 125	53-54
	P
Pachkote estate	91
Paddy, average outturn ( <i>see also</i> rice)	16, 81, 82, 96, 112
Padhans	19, 60, 85, 115
Pahi raiyats	149
Paikari Jagirs	60
Palañda lands	133
Pan	9, 12, 81, 96, 112, 135
Pandua estate	90
Parchas	33
Partial	32, 33
Partitions	60, 61, 67, 68, 99
Patia	90-91, 130—132
Patna	67
Patni tenure	20
Pattadars	22, 23, 44, 159
Permanently-settled estates	1, 123—144
Pirottar	17-18
Ploughs	10, 80, 95, 111
Polang trees	110, 160
Population	4, 78, 93, 109
Procedure, improvements in	42-43
Produce-rented lands	59, 86, 101, 115
Provincial settlement	2
Pursethi	19, 66, 85, 100
	R
Rafa tankidars	141-142, 161
Rahang estate	64, 65, 66, 113, 121
Raiyati statuses	21

## R—concl'd.

	PAGES.
Rajus	94
Rakhit— <i>see</i> reserved lands.	
Ratagarh	131
Rattan estate	90
Recess work	40
Recovery of settlement costs	145—148, Appendix XV.
Recusancy	19, 69
Redemption of petty estates	65, 89, 104
Remeasurement	39
Rent—	
bajyaftidars	50, 52
Balasore district figures	101
chandnadars	50
compromises under sections 136, 137	41, 124-125, 130
Cuttack district figures	86, 87
Cuttack town	57
date of effect	56
history of	46
incidence of	46—49
ordinary tenure-holders	52
principles of settlement of	46—49, 50, 51
privileged tenure-holders	51
procedure of settlement of	52-53
Puri district figures	116
special, for special crops	24, 135, 162
statistics of settlement of	57
Rent-free tenancies	23, 86, 101, 115-116
Reserved lands	24, 64, 70, 87, 102, 115-117, 129, 140, 142, 162—165.
Resumption of estates	70, 90, 91, 105
Revenue-free estates—	
arrangement of khewats of	18
Balasore district figures of	102
classes of	17, 18
Cuttack district figures of	87
origin of	1
Puri district figures of	117
recording of	18
Revenue settlement—	
appeals from assessment	69
Balasore district figures	99
Cuttack district figures	85
date of effect	61
increase of revenue	2, 3, Appendix XIII-A
principles of	58, 59, 60
procedure	68, 69
Puri district figures	114-115
sub-proprietors	65, 67, 85, 86, 100, 114, 115, Appendix XIV-A.
Revision settlement	2
Rice	9, 80, 81, 95, 96, 111.



## R—concl'd.

## PAGES

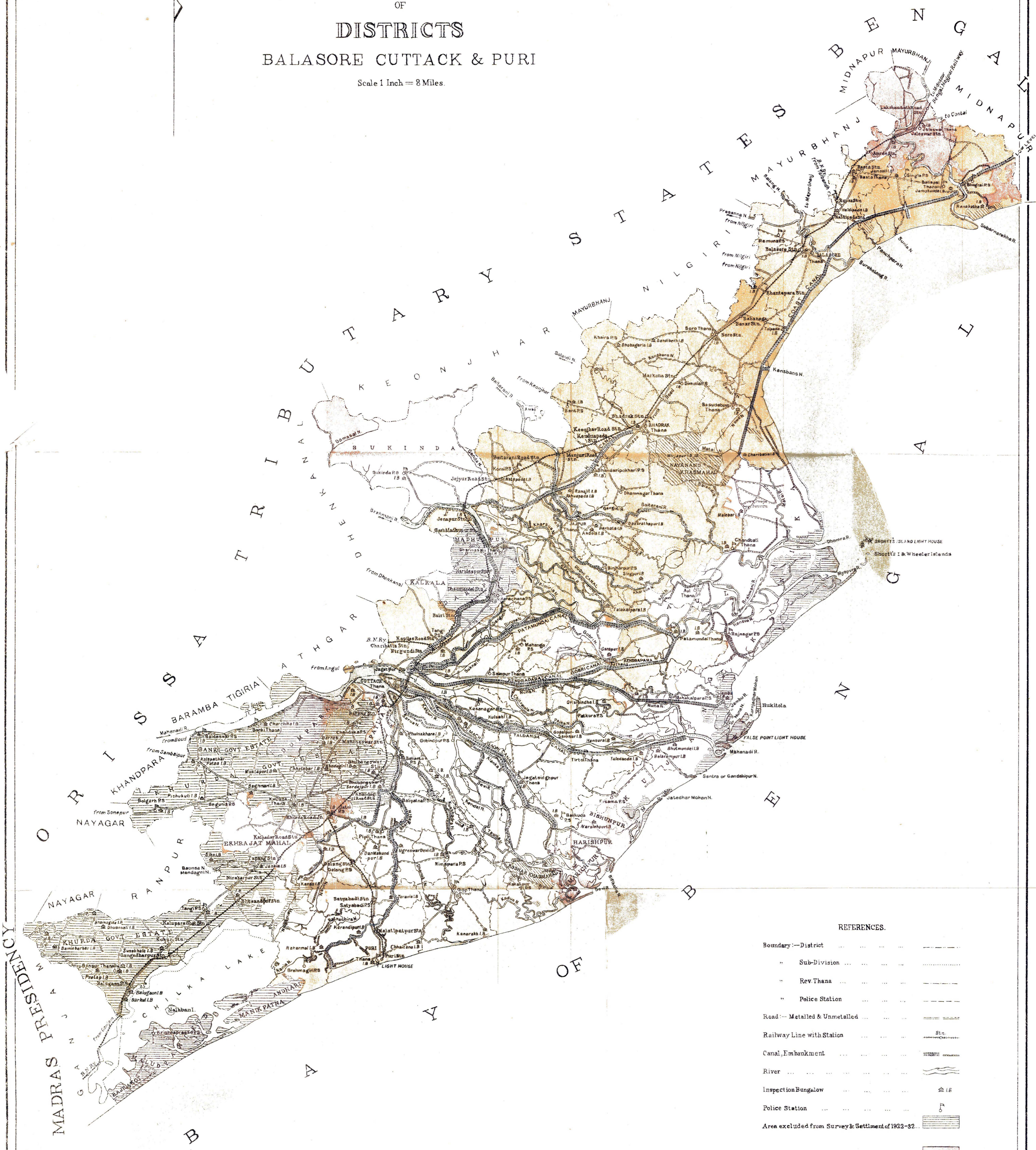
Rice—fluctuation of price of ...	Appendix XVI
Rice—cost of cultivation of ...	12
River system ...	12
(See also navigable rivers, floods)	
Routra ghai ...	70, 84
Rugree ...	67
S	
Sairat ...	5, 66, 86, 100, 115
Sale rates of land ...	88, 89, 103, 104, 117, 120, 130, 137, 143
Salsa Pat ...	98
Samang Pat ...	113
Sanandi nskar ...	144
Sankharsahu ...	132
Santals ...	93, 94
Saradh rice ...	9, 81, 96, 111
Sarbarakars ...	19, 20, 66, 67, 85, 100, 115, 132, 142, 153, 161
Satbasadharan lands ...	87, 102, 116, 142
Sardar datta ...	129
Sasans ...	8
Satais Hazari ...	65
Satbhaya embankment ...	124
Sautia jagirs ...	139
Scale of maps ...	30
Sebants ...	18
Section 116 cases ...	99-40
Section 123 and 125 cases ...	53, 54
Section 128 cases ...	54, 67, 102, 117
Section 130 cases ...	40
Separate accounts ...	70, 71
Settled riyats ...	21, 150
Settlement of 1834—43 ...	1
Shikmi khanda ...	20, 65
Shikmi-zamindars ...	19, 66, 85, 100, 115, 161
Soils ...	10, 80, 95, 111, 131
Staff of settlement ...	28
Sudg ris ...	91
Sabarmaneklia river ...	97, 166
Subdivision of estates ...	91, 104-105, 122
Sub-proprietors ...	19, 66, 67, 85, 86, 100, 114, 115, 149, 153, 153, 157, 158
Sugarcane ...	9, 12, 81, 96, 111
Sukinde ...	128—130
Sur lakā ...	113
Survey ...	31

INDEX.-

		T	PAGES
Tank daleidars	...	...	19, 56, 114, 141, 153, 157
Tankdars	...	...	22, 127, 133
Tanks	...	...	80, 95, 111, 164
Tassar	...	...	80, 129
Tenure-holders, classes of	...	...	20
Thana lists and maps	...	...	34
Thana numbers of villages	...	...	29, 30
Thana raiyats	...	...	149
Tobacco	...	...	10, 81, 96
Trade	...	...	79, 80, 95, 110
Transfer of occupancy rights	...	...	Appendices IV-A, IV-B, IV-C
Transfer of proprietary rights	...	...	Appendix VI
Transfer of estates (between districts)	...	...	91, 104-105, 122
Transferability of holdings—			
in Ekhrajat mahal	...	...	142, 143
in permanently-settled estates	...	...	126, 127, 130, 132, 133, 135, 136, 137, 140, 142-143, 144
legal aspect of	...	...	155-157
Traverse work	...	...	29
Tress, rights in—			
in general	...	...	154, 155, 160
in permanently-settled estates	...	...	125, 132, 133, 135, 136, 138, 120, 142
Trifurction marks	...	...	34
Twice cropped area	...	...	10, 81, 112
U			
Under raiyats	...	...	23
Utband	...	...	21-22
Utkan estate	...	...	89
Uttarprawa math	...	...	120
V			
Villages—			
amalgamation, division and determination of	...	...	29
thana numbering of	...	...	29-30
Village rates	...	...	45
W			
Wages of labour	...	...	6
Water hyacinth	...	...	8
Wells	...	...	80, 95, 111
Wheeler Islands	...	...	102

MAP  
OF  
DISTRICTS  
BALASORE CUTTACK & PURI

Scale 1 Inch = 8 Miles



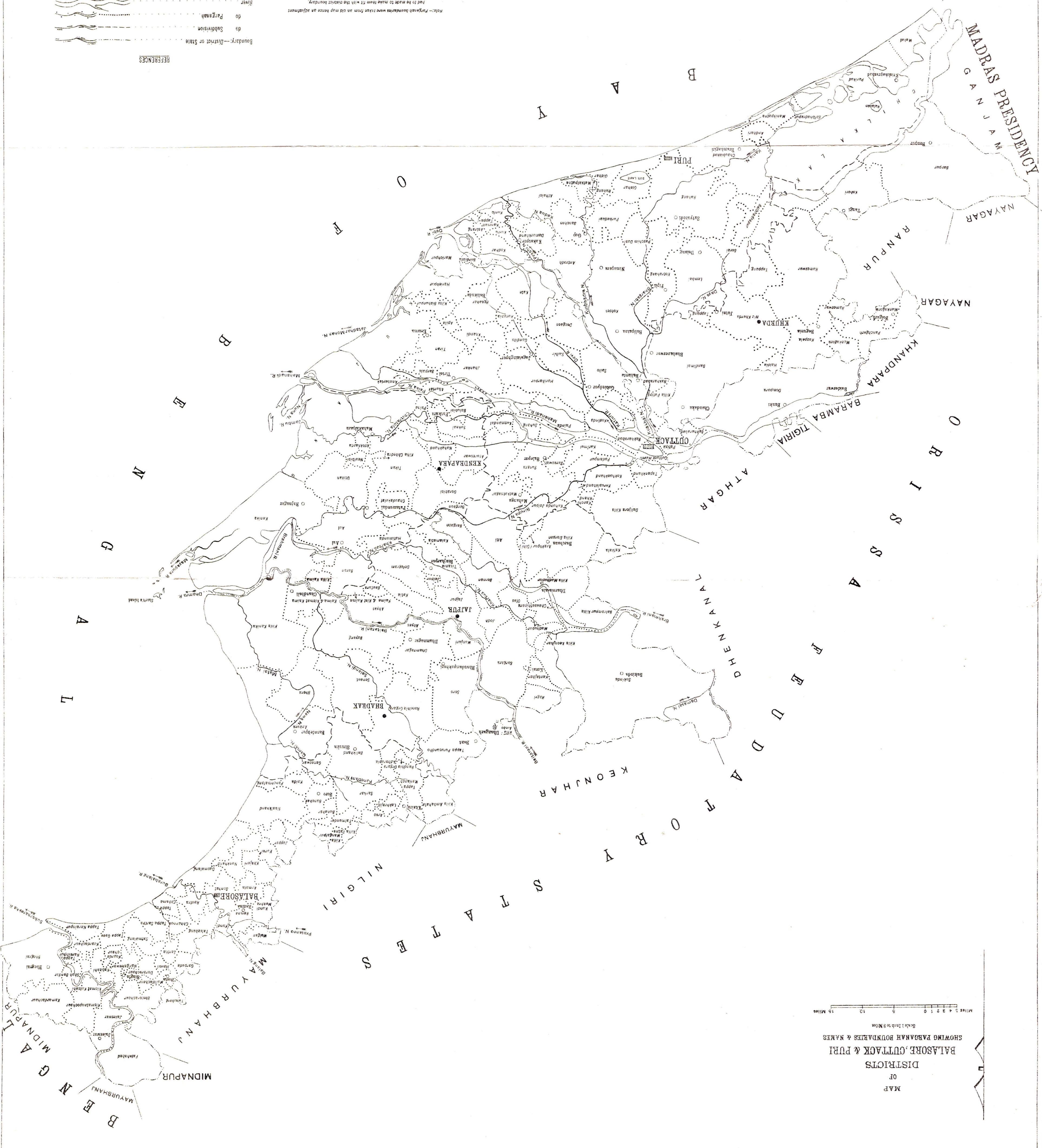
REFERENCES.

Boundary—District	.....
" Sub-Division	.....
" Rev Thana	.....
" Police Station	.....
Road—Metalled & Unmetalled	.....
Railway Line with Station	.....
Canal, Embankment	.....
River	.....
Inspection Bungalow	.....
Police Station	.....
Area excluded from Survey & Settlement of 1922-32	.....
Permanently Settled or Large Revenue free Area	.....
Temporarily Settled	.....
Khamsahal (in area included in the Settlement operations)	.....

Boundary:—District or State  
do Subdivision  
do Paraganah  
River  
District Head Quarters  
Subdivision Head Quarters  
Important Village  
Paraganah names

Note:—Paraganah boundaries were taken from an old map hence an adjustment had to be made to make them fit with the district boundary.

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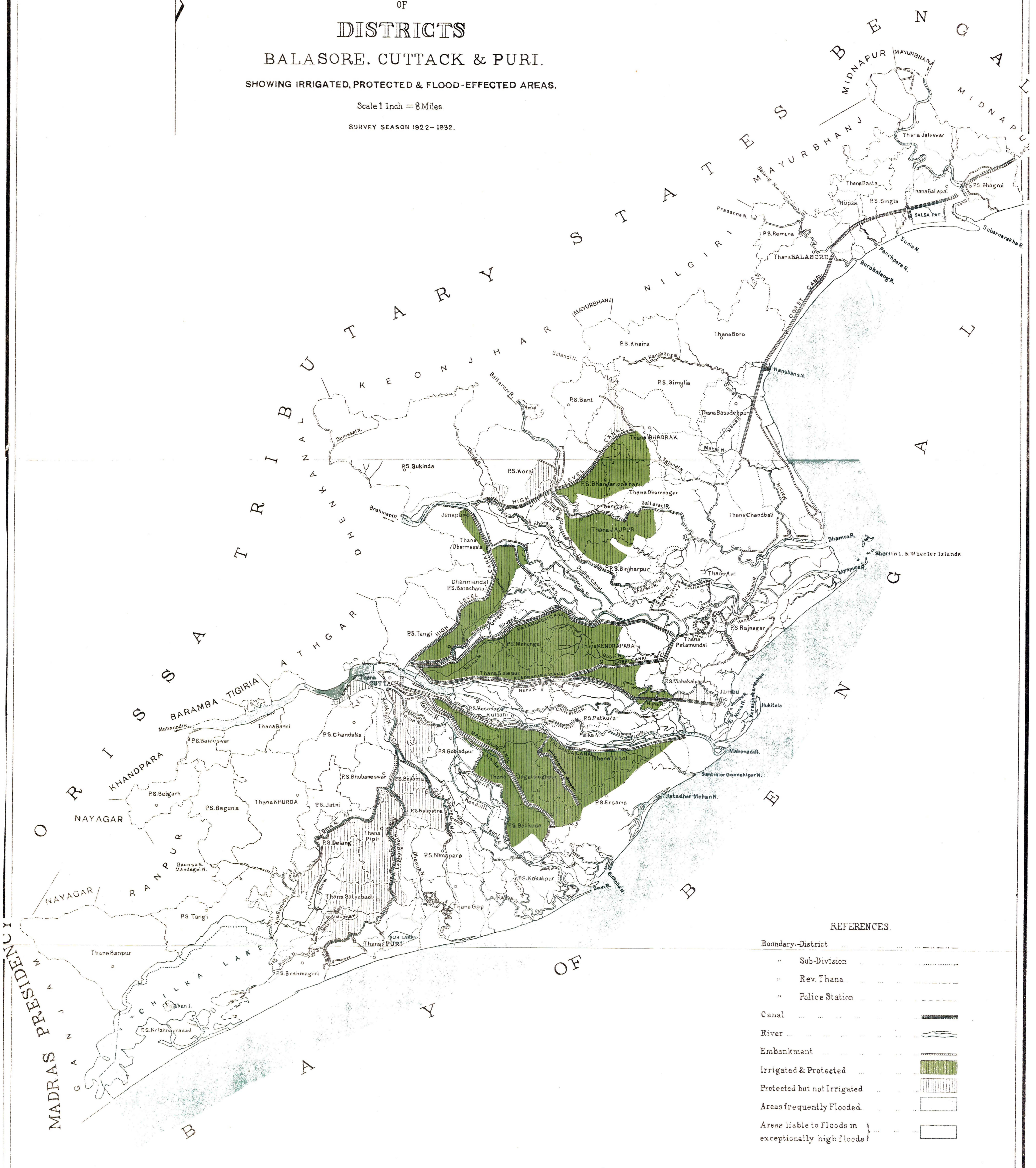


MAP OF DISTRICTS OF BALASORE, CUTTACK & PURI SHOWING PARAGANAH BOUNDARIES & NAMES  
Scale 1 Inch to 5 Miles  
Miles 5 4 3 2 1 0

MAP  
OF  
**DISTRICTS**  
BALASORE, CUTTACK & PURI.  
SHOWING IRRIGATED, PROTECTED & FLOOD-EFFECTED AREAS.

Scale 1 Inch = 8 Miles.

SURVEY SEASON 1922-1932.



REFERENCES.

Boundary-District	-----
" Sub-Division	.....
" Rev. Thana	-----
" Police Station	-----
Canal	-----
River	~~~~~
Embankment	-----
Irrigated & Protected	■
Protected but not Irrigated	▨
Areas frequently Flooded	□
Areas liable to Floods in exceptionally high floods	□

No. 863-T.

DEPARTMENT OF LAND RECORDS AND SURVEYS,  
BIHAR AND ORISSA.

FROM

P. T. MANSFIELD, Esq., I.C.S.,  
DIRECTOR OF LAND RECORDS AND SURVEYS,  
BIHAR AND ORISSA.

TO

THE SECRETARY TO THE BOARD OF REVENUE,  
BIHAR AND ORISSA.

*Dated the 28th November 1932,*

SIR,

I HAVE the honour to submit the Final Report on the recent Orissa Settlement, written by Mr. W. W. DALZIEL, I.C.S.

2. The post of Settlement Officer was held by Mr. Toplis (18 months), myself (3 years), Mr. Reuben (9 months), Rai Sahib Phanindra Nath Gupta (4½ months), Mr. Scotland (1 year and 4 months), Mr. Dalziel (2½ years) and Mr. Samuel Das (4 months). The operations began in 1922 and ended in 1932. The settlement was in the main a revision settlement, and one of the most important objects was the revision of the revenue settlement, which expired in 1927; but certain of the permanently settled estates, viz. Sukinda, Marichpur and Harishpur and the estates of North Balasore, as well as Patia, were surveyed, and a record of rights prepared for them under the Orissa Tenancy Act, for the first time. In Kanika and Kujang also, though maps and records had been prepared in settlements under the Court of Wards, this was the first authoritative record of rights under Chapter XI of the Orissa Tenancy Act. The programme included the whole of the three districts except Banki, but Darpatt, Madhupur, Dompara and the Jagir Mahals were subsequently excluded, as they had all been done within the last 20 years or so; the existing record was sufficiently up-to-date for all practical purposes, and there is no necessity to put the burden and expense of survey and settlement of estates at such short intervals if it can be avoided.

3. It was unfortunate that for the temporarily settled estates there were three surveys and settlements concluded at such short intervals as 1900, 1913 and 1932, and a suggestion was made to me by Mr. Toplis that, if it had been possible to secure an enhancement of revenue by agreement, there would have been no necessity for a revision of the record at so great a cost and so early a date. This did not appear practicable in the temporarily settled estates, especially as the operations had already started, but in 1927 I proposed that the resettlement of Khurda Government Estate was not necessary, if an enhancement of rent could be secured by compromise. The proposal was accepted; and after a great deal of hesitation, engineered by agitators, the tenants executed agreements for enhancement of their rents by two annas per rupee. Assistant Settlement Officers were gazetted as sub-registrars; the *kabuliats* were printed and were filled up in duplicate, and by these means the work was rapidly finished. The rents are still moderate, but the enhancement would probably not have been greater even if a settlement had taken place, and the expense and trouble of a settlement were avoided.

4. Even after the exclusion of the above-mentioned estates, the total programme was enormous. Maps and records were prepared for 11½ million

plots, rents were settled for nearly two million tenancies in the temporarily-settled estates alone, and revenue was settled for over 11,000 estates and over 3,500 sub-proprietors.

5. The difficulties in the first year were very great and Mr. Toplis and the few experienced officers with him had a trying time. The annual programme was too big (it was cut down in the third year, by extending the whole programme for a year longer); the staff was untrained; most of the Oriya staff had little or no knowledge of survey except by the pole, and the nucleus of Bihari staff was ignorant of the language; rules had to be framed; there was a severe epidemic of malaria; and the blue prints of the last settlement maps were so distorted that accurate survey was almost impossible.

6. Throughout the operations the annual programme was still so heavy that there was practically no recess. Camps were out all through the rains, and so-called recess work went on during the cold weather. It often happened therefore that between 2,000 and 3,000 men were employed. It is not surprising that there were some convictions (19), and dismissals (78), as well as scores of men removed from service. Two gazetted officers on probation, and four non-gazetted officers were also removed.

7. The difficulties were gradually overcome as the years went on. The difficulty about the blue prints was overcome by obtaining them from the maps of the Provincial Settlement of 1900, and not from those of the Revision Settlement, of 1912; the latter had apparently become 'distorted' by being carried about in the field by hand, instead of on the plane table. Classes were organized to train the staff. Mr. Scotland pointed out that even in the third year some of the Oriya *amins* were still doing too much of the survey by the pole instead of by the chain; and in the last three years survey by pole was forbidden, and all survey was done by *shikmi* lines. The main points to be attended to in *khanapuri* and attestation were reduced into a concentrated form which the *amins* had to learn. *Peshkars* and others were graded, and differential rates and rising scales of pay were introduced, in place of the old flat rates. In recess, work was stopped for a short interval daily, while officers instructed their staff in the rules. The work of the staff gradually improved and in the later years the general quality was good.

8. The variety in the classes of estates in Orissa made the settlement one of great interest, but complicated. There are *khas mahals*, temporarily-settled estates, permanently-settled estates, and revenue-free estates. Complications arise from the fact that in many respects the Tenancy Act makes different provisions for the temporarily-settled estates and those which are not temporarily-settled. To give only one example, in the former the rights of transfer of occupancy rights are laid down, and in the latter they are governed by custom, and the custom varies from estate to estate. Thus the rules had, in regard to several matters, to make one set of provisions for the temporarily-settled estates, and another set for the revenue-free estates mixed up in them, and for the permanently-settled estates. Some points in which amendment of the Orissa Tenancy Act is desirable are mentioned at the end of this review.

9. Peculiar statuses flourish in the soil of Orissa, and many which are not mentioned in the Act were found in the records of the last settlement, and also were found recognized in the locality in places where there had been no previous settlement. By the rules drawn up by Mr. Toplis the statuses in the former were condensed into the essential words required to show in which class of tenants recognized by the Tenancy Act each particular tenant falls, and no more; the same was also done for tenants in the permanently-settled estates. Thus to give one example, *pahi-shtitiban* and *thani shtitiban* tenants were all classed as *shtitiban*. There are certain different classes of sub-proprietors, but every one who is a sub-proprietor has been shown as such, the English word "sub-proprietor" being used for the purpose.

10. *Agriculture and economic condition* (Chapters II and III).—The census of 1931 shows an increase of population in the three districts of 5.6 per cent over the population of 1901. Making allowances for the difference in the areas covered by this settlement and previous settlements, it appears

that the total cultivated area has increased roughly in the same proportion, namely by 6 per cent in Cuttack, 9 per cent in Balasore and 4½ per cent in Puri. The proportion of rice land has increased from 88 to 93 per cent, and the twice-cropped area has increased from 8 to 11 per cent. Catch crops are rarely grown after the winter paddy in Orissa as they are in Bihar, and the Oriya cultivator is conservative, but there seems to be room for an increase in the twice-cropped area, for *rabi* crops will grow and are frequently grown in the years of flood when paddy crops have been washed away. There has been a marked increase in the area under valuable crops such as jute, sugarcane and *pan*, though the area is still small.

11. It is difficult to compare the prosperity of the Oriya *raiyat* since the recent heavy fall in prices which began in 1930, with his position at the time of the last settlement, when prices were much the same at the headquarters bazars as they are now. It is unfortunate that the fall in prices took place immediately after the rents had been increased, but the statistics collected before and during the rent settlement show that there had been a marked increase in the importation of articles such as kerosine oil, tobacco, and sugar. The consumption of opium was about the same as at the last settlement in spite of the enormous increase in prices, and the revenue from it went up from Rs. 6 lakhs in 1901 to Rs. 19½ lakhs in 1928-29. There was thus more purchasing power than there was at the Provincial Settlement. The usual statistics of the sale of *raiyati* holdings during the 12 years prior to attestation were collected, and these show that the average price of an acre of *raiyati* land had gone up from Rs. 58 to Rs. 103 in Cuttack, from Rs. 44 to Rs. 64 in Balasore and from Rs. 69 to Rs. 98 in Puri, as compared with the 10 years before the revision settlement of 1912. A great deal of money comes into Orissa by money-orders from those who emigrate to work in Bengal and elsewhere. The average receipts of money-orders in the three districts together amounted to Rs. 114 lakhs a year in the five years up to 1930.

12. *Labourers*.—The Oriyas freely emigrate to find work in Bengal, and I have heard the economic poverty of the Oriya *raiyat* pleaded on the somewhat circular argument that economic stress had reduced a number of *raiyats* to mere labourers; that these had been forced to emigrate in large numbers to obtain a livelihood; and that therefore the cultivators that remained were hard hit by the scarcity of labour. Careful enquiries were made as to the terms on which labourers are retained, and there is no system of life-long bondage like that of the *kamia* in Chota Nagpur.

13. *Reserved land*.—In the temporarily-settled estates the policy of the last revenue settlement was continued, of getting the landlords to agree to the reservation of a portion of the land, generally about five per cent, for grazing and other purposes. In the previous revision settlement friction had been caused by the somewhat indiscriminate recording of such land as *sarbasadharan*, irrespective of the landlord's consent. In the present settlement, therefore, the question was carefully gone into. In the ordinary waste land in a village in Orissa the tenants have the right to graze so long as it is waste, but so long as he has not agreed to reserve it the landlord has the right to let it out for cultivation. The word *sarbasadharan* has, therefore, been reserved for roads, cremation grounds, etc. in which it was held that the tenants or public had rights irrespective of the landlord's consent; while grazing grounds and tanks were recorded as reserved (*rakhit*) only if the landlord (proprietor or sub-proprietor) consented to reserve them as such. The reserved plots were specifically shown in the maps and mentioned in the revenue *kabuliats*. Income from trees or fisheries in reserved lands and tanks was exempted from revenue assessment. Over five per cent of the area has been reserved in this way.

14. Hundreds of small encroachments were found on the land reserved at the last settlement and were reported to the Collectors, who in many cases took action against the proprietors. Clause 8 of the revenue *kabuliats* embodies a new obligation on the proprietor to report encroachments, and to take action in the courts if required to do so. It is unfortunate that there



is no smaller penalty than cancellation of the *kabuliat* which could be imposed on landlords who knowingly or wilfully allow the reserved land to be cultivated; but action has actually been taken in one case to cancel the *kabuliat*. At one time it was proposed that under the *kabuliats* the Collector should be given power to impose a smaller penalty, a fine, but this was not approved. I agree with the view expressed in Chapter XIV that it would be advantageous if the Collector could be given summary power to eject those who make the encroachments. It is important that a watchful eye should be kept on the reserved lands, if they are to be preserved for future generations.

15. *Boundary disputes (Chapter V)*.—There were several boundary disputes with neighbouring States, which were decided by the Settlement Officer as Boundary Commissioner, and the boundary demarcated. There should, I think, be no room for actual disputes in any part of the boundary in future. Boundary disputes between villages were few, as the survey was mainly a revision survey, and the last settlement boundaries are taken as authoritative. Trivial alterations were made in the boundaries shewn in the last settlement maps, if it was found that they were incorrect and if the parties agreed; if the alteration was more than a chain no change was made except after regular proceedings, and then only if the parties agreed that the old map was wrong.

16. *Rent settlement. (Chapter VI)*.—*Temporarily settled estates*.—Attempts were made in Orissa at the previous settlement to settle rents by classifying the land. This was found impossible, and eventually rent settlement was done by accepting certain classes of competition rents as fair, and using them as a standard. Rents remained practically unchanged after that settlement until the present settlement. The method to be adopted and the amount of enhancement to be aimed at in the present settlement was the subject of discussion between the Director of Land Records and Surveys, Mr. Hubback, Mr. Toplis and myself during a tour in January, 1924. It was clear that an attempt to classify the land and fix rates for the different classes was as impracticable and unnecessary as in the last settlement; and that the most suitable method would be an enhancement on the ground of rise in prices. Actually the rise in prices would have legally justified an enhancement of 9 to 10 annas per rupee, but the general rate of enhancement proposed was four annas in the rupee. Mr. Hubback submitted proposals to the Board on these lines, which were ultimately approved by Government. Special provisions had of course to be made for rents of tenure-holders and *bajyastidars* and other special classes.

17. In practice four annas in the rupee was taken as the standard enhancement for rents of settled *raiyats* which had remained unaltered since the last settlement. Usually, but not always, all rents of settled *raiyats* in a given village were enhanced by the same number of annas per rupee. The enhancement to be allowed was fixed after taking into consideration the average rate of rent in the village, fertility, liability to flood or drought, the selling prices of *raiyati* land, and the rate of rent of recent settlements in the village. The uniformity of selling price in villages which are similar in quality is remarkable, and affords a good index to the relative incidence of a fair rent. These factors were drawn up in a statement by the attestation officer for each village, who proposed a certain rate of enhancement; the proposal was examined by the Charge Officer and orders passed by the Settlement Officer. But it was continually impressed upon every officer who was later deputed to do the actual settlement that he was responsible to see that the rents settled were fair, and if he considered that it was desirable to modify the rate of enhancement it was his duty to bring it to the notice of the Settlement Officer. In this way many of the proposals were subsequently modified. I deal with this point at length because I have always found it of great importance to see that rules and orders issued for the settlement of rents are not too rigid, and there must be a certain amount of discretion left to the officer who actually settles rents if he is to settle rents which he considers fair. The orders which were originally passed by Government for settlement of fair rents in Puri, as described by Mr. Dalziel in paragraph 271

laid down that a map should be prepared of flooded areas, and that in those villages no enhancement should be given. It was pointed out that it was impossible to treat the matter simply as a geographical one, or to tell whether floods in a particular village were sufficiently frequent to be injurious without considering all the factors described above, and that the orders gave no discretion to the Settlement Officer to take such factors into consideration. The orders were subsequently modified.

18. As a matter of fact floods are not necessarily injurious except in areas where they recur very frequently. There are some areas in Orissa which go under water almost every year, e.g., near the Salandi river in Bhadrak. In such places rents are low; land sells for barely Rs. 20 per acre, and as a rule no enhancement was allowed. The map accompanying the report embodies the results of the detailed inquiries made in the settlement. The Orissa Flood Committee's report was not published until the rent settlement was nearing completion, and the rents were settled on the assumption that conditions would remain much as they were in the past.

19. Rent settlement was done in 8,452 villages. Less than the normal enhancement was given in 1,809 villages, and more than the normal enhancement was given in 431 villages, while in the rest the normal enhancement of four annas per rupee was given. It can safely be said that full consideration was given to floods and other injurious or beneficial factors. Objections to the rents were few (only about 6 per thousand tenancies). The average rate of rent in the temporarily-settled estates in the three districts now comes to Rs. 2-12-0 per acre. Before the settlement it was about Rs. 2-4-0 per acre. The average rate in Cuttack is much higher than in Puri or Balasore, a large area being irrigated and protected.

20. The rents of *bajyafidars* and other privileged tenants were enhanced by about 50 per cent, but their rents are still far below those of the ordinary raiyats and amount to only Rs. 1-9-0 per acre. They were in fact limited to two-thirds of the village rate.

21. *Landlords and tenants in temporarily-settled estates.*—In general the relation between the landlords and tenants in the temporarily-settled estates is fair. Exceptions are found in the Rattan and Uttikan estates in Cuttack, and the Kothar estate in Balasore, described by Mr. Dalziel in paragraphs 211, 213 and 259 of his report. A very common complaint was that the landlords take more than the legal fee on mutations; frequently six annas in the rupee, and sometimes more. The common method is to postpone the giving of consent until the period of one year has elapsed, and then to demand more than the legal fee. To help the landlords and tenants to understand the settlement procedure, and their legal rights, a small book was written in Oriya by Babu S. C. Banerjee, Assistant Settlement Officer, and sold with the approval of the Settlement Officer in the camps. Rent receipts are still generally not given for produce rents.

22. *Rent settlement in permanently-settled estates.*—The average existing rent was about Rs. 2 per acre in the permanently-settled estates and about Rs. 2-6-6 in the petty revenue-free estates. Rents were settled under section 128 when the proprietor applied for it, but, as the report shows, in Sukinda, Kanika, Kalkala, and the Ekhrajat estate, extensive use was made of sections 136 and 137 under which rents were settled by compromise. Thereby a great deal of time and money and litigation was saved, with correspondingly less danger to the relations between landlord and tenant. The Settlement Officer has power under the law to prevent section 137 from being used unfairly.

23. *Crop-cutting experiments.*—The average outturn found as the result of several thousand crop-cutting experiments on winter rice, after allowing for ridges and dryage, is 16½ maunds per acre in Cuttack, 13½ in Balasore, and 13½ in Puri Sadr. These experiments were conducted in plots selected by the officers as average plots, over many years. The experiments by the random sampling method gave much higher figures, as shown in Appendix X-A. At present prices it may be said that the rent absorbs on the average one-seventh or one-eighth of the gross produce, excluding the straw.

24. For comparison, I give figures from other recent settlement reports:—

	Average rent.			Average outturn (paddy).
	Rs.	ā.	p.	
Saran (paragraphs 58 and 94).	4	7	0	9½ to 16½ maunds in different thanas.
Champanan (paragraphs 164 and 169)...	2	2	6	10 to 18 maunds in different thanas (generally 15).

It is difficult to compare with Chota Nagpur districts, owing to the system of classification of the land; but in Ranchi the proportionate rent on second class land, which is generally estimated to produce about 16 maunds per acre, was as a rule about Re. 1-4-0 at the last settlement.

25. Per head of the total population in each district, the nett cultivated area works out at about six-tenths of an acre in Cuttack, nine-tenths of an acre in Balasore, and three-quarters of an acre in Puri. There is clearly not much room for an increase in the population, except in the few places where there is room for an increase of cultivation. The high average fertility and density of population in Cuttack is of course influenced by the large area irrigated and protected. About 5.7 per cent of the cultivated area has been recorded as *nijjot* of the landlords, and 4.5 per cent as *nijchas* in the temporarily-settled estates.

26. *Commutation*.—Produce rents are not very common in Orissa, though it must be admitted that a great deal of the land recorded as *nijchas*, particularly in the Uttikan and Rattan and Kanika estates, is really held by tenants on produce rent. It is impossible to record tenants who refuse to be recorded. There were 7,266 applications for commutation, of which 3,500 were disallowed, largely because the applicants were prevailed upon by the landlords to withdraw them. The average rate fixed was nearly Rs. 3-4-0 per acre in Balasore and just over Rs. 6 per acre in Cuttack.

27. *Revenue Settlement (Chapter VII)*.—The main principles of the revenue settlement were prepared in 1925, and were approved by Government in 1926. The settlement runs in all cases up to 1957. As at the last settlement, 50 to 55 per cent was laid down as the normal percentage to be taken as revenue. A proposal to value *nijchas* and *nijjot* at a rate higher than the village rate was fully considered; it was pointed out that in that case it would be necessary to modify the assessment in the case of large numbers of small proprietors who were little more than *raiyats*; and Mr. Murphy observed that there was no reason to charge the proprietors more heavily to revenue if they chose to keep a reasonable proportion of their lands in their own possession. The proposal was therefore eventually dropped. The proprietors also got the full benefit of mutation fees which they are allowed to charge on transfers. These were excluded from consideration in calculating the assets, and since the statistics show that the legal fees amount to about 5 per cent of the rental the concession is considerable.

28. Particular attention was paid to the assessment of *sairat*, and under the instructions of Mr. Tuckey, proceedings were drawn up in each village for its assessment. The assessment is much higher than at the last settlement, but is still very moderate.

29. It would have been legitimate to take increased revenue retrospectively from the date of expiry of the previous settlement, in cases where assets had increased by extension of cultivation during the currency of that settlement, but Government decided not to increase the revenue until the new settlement of rents came into force.

30. The question as to whether the Collector's Register D would require rewriting was considered at about the same time. Formerly shares in estates were recorded as an entirely fictitious share in the whole estate, whereas actually the individual might have been in possession of specific villages or

parts of villages. In the present settlement actual possession was recorded. The existing orders of the Board were that whenever Register D was written it should be rewritten in the new form, which shows *mauzawar* possession. It was decided to rewrite the registers in the new form and since all the proprietors have to be summoned for revenue settlement, it was proposed that the settlement department should rewrite the registers at the time of revenue settlement, and this was approved. The *khowats* were taken as authentic information under section 22 of the Land Registration Act, and the procedure laid down in the Act was strictly followed. The registers for the permanently-settled estates were also rewritten by this department. The work was done at small cost, and it would be economical to follow the same practice in all settlements, if rewriting is necessary. It is not known whether the Collector's registers for revenue-free estates are to be rewritten, but if so it is suggested that a combined form for Registers B and D should be adopted, just as Registers A and D have been combined.

31. Revenue settlement began at Balasore in 1927, and proceeded throughout the operations with remarkable smoothness, for which a great deal of credit is due to Mr. Samuel Das and the other Deputy Collectors who conducted it. At first there was a little suspicion of the new method of registration in Register D, but eventually the proprietors appreciated that it represented the true facts better and would enable them to apportion the revenue more fairly among themselves. They realized in fact from the beginning that the old *mahaiwar* shares gave no idea of the true facts. All separate accounts had to be closed, but proprietors were given a certain time within which to open fresh ones free of charge. They were given and are given facilities to get copies of the statement of assets of each *mauza*, and a ready reckoner is being prepared in my office for calculating the value of shares, for use in the partition and land registration departments.

32. Much difficulty arose in apportioning the revenue in estates which had been partitioned since attestation, since the partition department's valuation of *nijchas* differs from that adopted in the revenue settlement. It would have been much more convenient for revenue settlement if partition cases had been postponed until the revenue settlement was over, as was constantly urged by the settlement department. As stated in paragraph 166 partition has proceeded very far in Orissa, and there are hundreds of estates with a revenue of less than ten rupees, in spite of the provisions of section 11 of the Partition Act. A proposal to allow proprietors to redeem estates with a revenue of less than one rupee was approved by Government, and 22 estates were so redeemed, at 25 years' purchase. But it is desirable that such small estates should not be created in future partitions. As suggested in paragraph 151, there seems little object in attempting to distinguish *chaukidari jagirs* at any future settlement.

33. In the last settlement, the increase in revenue was mainly brought about by the increase in the assets which had taken place in the previous 60 years, and not by an enhancement of rents at the time of the settlement. This naturally caused difficulty, as the increase in revenue reduced the proprietor's income. This was not the case now, as the increase in assets is mainly due to the settlement of rents. The proprietor's net income is in fact now 12½ per cent more than it was immediately before the present settlement. The terms on which settlement was given were moderate, and as observed in the report, objections were very few; in the vast majority of cases *kabuliats* were executed without delay. Applications for revision were extremely rare, and even though they were slightly more numerous towards the end on account of the financial depression, there were only 54 in all, of which only 9 were successful.

34. In paragraph 156 Mr. Dalziel has described some objections which were taken to the form of *kabuliat*: some slight amendments were made as a result, but in most cases an explanation of the meaning of the clauses was all that was required.

35. *Satais Hazari Estate (Paragraph 159)*.—Much confusion had arisen from the uncertainty of the real status of the Satais Hazari Estate of the Jagannath Temple, in respect of an assignment of revenue from the Rahang Estate in Puri. The estate was gradually establishing itself

as a kind of part proprietor, revenue-free, in that revenue-paying estate, and was collecting part of the rents direct. The real status was cleared up in a case under section 116, and the records now make it clear that the Satais Hazari Estate has no direct concern in the villages at all. Government accepted the proposal that the revenue paid by the Rahang Estate should be at such a rate as would include the assignment, and that the assignment should be paid over by the Collector. This is a satisfactory solution of the difficulties.

36. There are five *Killajat* estates—Mangalpur, Ambo, Balarampur, Ragri and Chausathipara—which were considered in the last settlement to have some claim to permanent settlement. The claim was not upheld, but they were leniently assessed to revenue. In the present settlement the proprietors urged that their position was most insecure because they never knew whether their revenue would not be enhanced up to the full normal proportion of the assets. It was, therefore, proposed by the Settlement Officer, and approved by Government, that the percentage taken as revenue in all settlements now and in the future, should not exceed half the rate taken in ordinary estates, provided the estate remained intact and followed the rule of primogeniture. This gives to the proprietors the sense of security which they desired.

37. *Sub-proprietors*.—Sub-proprietors (3,556 in number) are peculiar to Orissa, and their existence adds to the complications of revenue settlement. The status is highly prized, though actually the proportion of the assets left to the sub-proprietor under the system of revenue settlement is often considerably less than it would be if he were assessed to rent as a tenure-holder. He has, it is true, the advantage of being able to have land as *nijgot*, which the tenure-holder has not, but this is hardly in my opinion sufficient to account for the anxiety of the sub-proprietors to preserve that status; it is really a matter of prestige. The normal percentage of the assets to be allowed to each class of sub-proprietor was laid down at the last settlement, but concessions had frequently to be made. In the present settlement the percentages were brought more into accordance with the proper proportions. The distinctions between the different classes of sub-proprietors tend to disappear, a tendency which I think is all to the good.

38. *General results of revenue settlement*.—In round figures the total assets at the last settlement of all the temporarily-settled estates in the three districts were Rs. 38,29,000, and the revenue Rs. 20,67,000, or 54 per cent. The assets found existing at the present settlement were Rs. 42,16,000, and as a result of rent settlement increased to Rs. 51,35,000. The revenue settled is Rs. 27,53,000, or 53.6 per cent of the assets. The rents in the *khas mahals* excluding Khurda went up from Rs. 84,000 to Rs. 1,04,000; so that the total increase of revenue was Rs. 7,06,000. The increase secured by agreement in Khurda brings the total increase up to about Rs. 7,50,000.

39. *Cuttack town*.—The town was surveyed on the 64-inch scale, not under the Municipal Survey Act, but as part of the revenue survey and settlement. Disputes were very numerous, statuses were very involved and the work slow. In the temporarily-settled estates rent was settled in the ordinary way for those tenancies which came under the Tenancy Act; in the case of those governed by the Transfer of Property Act they were left untouched. There has been a great rise in property value, and a correspondingly large increase in the revenue of the estates falling in the town. The ultimate enhancement in the rents settled by the settlement department amounted to 49 per cent. In the cantonment and the *khas mahal* the record-of-rights was completed by the settlement department, and an Assistant Settlement Officer was gazetted as a sub-registrar to register the revised leases in favour of the *khas mahal*; but the record-of-rights was distributed to the tenants, whether they executed the leases or not.

40. *Permanently-settled estates*.—The report deals fully with the large *killas*, with which a permanent settlement was made when the country was taken over from the Marhattas. In the more remote ones which still remain in the family of the original proprietors, personal, almost feudal, relations still persist between the landlord and his tenants; one might almost say his

subjects. These estates have been dealt with at length, as in most of them no record-of-rights existed before. In Sukinda, which is still largely covered with jungle, the management was found to be haphazard and autocratic, but by no means oppressive. The proprietor attempts to preserve a portion of his forest, and there is much of it which would pay if put under regular reservation under the Forest Act. It is a matter for regret that the proprietor would not agree to do this. The tenants have certain rights of cutting in the unreserved jungle, in return for a certain number of days' labour; but they are not allowed to cut valuable trees such as *sal* and *piasal*. Certain *abwabs* known as *baje kharcha* were collected with the rent; these were amalgamated with the rent by agreement under section 137. No other enhancement was applied for and the resulting rents are moderate; cess was found to be levied at an illegal rate and was cut down. The system is not rigidly exacting, and in spite of the *abwabs* the relations of landlord and tenant remain good. In Kujang the management is reasonable and the relations satisfactory, though there was a big dispute about fisheries. There was no general application for an enhancement of rent. Tenants are allowed to use forest produce on payment of so much per hearth, the payment being made only if the produce is required. In Kalkala and Chhedra relations are satisfactory.

41. In Harishpur the landlords are absentees, and the relations between the agents and the tenants are not good. It was noticeable that in the adjacent estate of Bishunpur (in which this was not the first settlement as it was in Harishpur), the tenants were more advanced and aware of their proper rights. Marichpur has also passed into the hands of several co-sharer proprietors, and the management is not well organized but is not oppressive. Much of Aul is badly affected by floods, but it was noticeable that even inside the ring-bundh, the settlement costs were paid up by the tenants without any delay. Large numbers of people go from this estate and work in Calcutta. Scores of holdings were shewn in the books and even in the last settlement records as service holdings, and it was claimed that the holders were liable to dismissal by the estate. The proper status was the matter of careful enquiry in each case, and many of them were found to be settled raiyats. The relations with the landlord are not good, and the estate still realizes a large income from penalties imposed on social delinquents. The Ekhrayat Estate, formerly part of Khurda, is now a revenue-free estate of the Jagannath Temple at Puri. Relations with the management are on the whole good, and rents were enhanced by compromise under section 137. In Patia the relations between landlord and tenant are strained. The estate has passed gradually, and now entirely, out of the hands of the former proprietor.

42. In Kanika the strained relations between landlord and tenant gave the most trouble throughout the settlement. The management is highly organized; records are well kept and the books in perfect order. But fees of many kinds are conspicuous in the accounts, such as penal rent, damages, pasturage fees, *khala kar* (for use of waste land as threshing floors, etc.), *amin* fees, searching fees, copying fees, notice fees, fees for mutation of names of heirs as well as for mutations of transfers, and fees for correction of areas in the books. Thus the cost of maintaining the books is really borne by the tenants.

43. For transfers the mutation fee is usually four annas in the rupee on the valuation fixed by the estate for land in the particular village, but if the transfer was affected by registered deed the fee was six annas in the rupee. It was claimed that the public had no right of way over any roads in the estate, but it was often found that tenants whose land had been used for the purpose of making certain roads had got compensation at a lower rate than the valuation fixed for the purpose of mutation fees or transfers, and no reduction of rent. The rights of way were in many cases contested under section 116 and were generally found to exist. In Balasore one of the main bones of contention was the levying of forest cess from all tenants at half an anna per rupee of rent, the *rai'yats* stating that the jungles were so far away that they got nothing for it. It was commonly found that the land of tenants who did not pay their rents was resumed by the estate, and the

manager stated that this had occurred in some hundreds of acres near Motfo. The tenants stated that they were hindered from going to the ordinary courts for settlement of their own disputes.

44. In the attempt to compromise (mentioned in para. 307) all the main matters of dispute were taken into consideration, and terms of compromise were actually drawn up before me. Unfortunately although the terms were agreed to, something or other occurred as a result of which the compromise was never actually filed. In Cuttack there was an enhancement of rent in 1916, and where it did not exceed two annas per rupee this became legalized by three years' payment. In some cases the enhancement exceeded two annas per rupee, and was therefore not attested; but the enhancement was usually restored by compromises under section 137.

45. *Cost of the settlement (Chapter XIII).*—The gross cost of the settlement, including leave and pension contribution and other indirect charges, but excluding the expenditure on registration of *kabuliats* in Khurda, amounted to Rs. 62,99,234. Including Khurda it cost Rs. 63,31,641. The nett cost after deducting miscellaneous receipts such as remeasurement fees, court-fees, etc. amounted to Rs. 56,05,326. Out of this Rs. 11,93,803 was spent in the permanently-settled and revenue-free estates. Government contributed a portion of this as usual in the areas which were being settled for the first time, and the balance was recovered from the landlords and tenants; the total recovery being Rs. 12,34,169. The remainder, viz. Rs. 42,85,389 was therefore the nett cost of the settlement in the temporarily-settled estates. The nett cost works out at Rs. 893 per square mile against Rs. 634 at the provincial settlement. The cost of everything has gone up considerably since that date and moreover the number of plots has increased, and settlement costs depend much more on the number of plots than on the area. The number of plots to the acre in Orissa is about 3 and the gross cost rate per hundred plots is Rs. 55, while the nett cost rate is Rs. 49. In Manbhum the gross rate was Rs. 56 and the nett cost rate Rs. 51. In Ranchi the nett cost rate per 100 plots has now come down to about Rs. 40 to Rs. 45.

46. Several factors have to be recognized as peculiar to the Orissa Settlement, such as the enervating climate, which reduces the outturn of the Oriya staff; the extreme subdivision of holdings; the complications in the statuses and the difference in the legal procedure in the permanently-settled and temporarily-settled estates; the fact that in the temporarily-settled estates all the objections made before the final publication are made free of court-fees, which not only increases the number, but reduces the receipts in the shape of court-fees; the settlement of rents for two million tenancies in the temporarily-settled estates; the settlement of revenue for 11,000 *tauzis*, and the rewriting of the whole of the Collector's Register D. The general settlement of rents and revenue alone adds considerably to the cost in temporarily-settled estates, and to compare with the cost in permanently-settled districts some lakhs would have to be deducted on this account.

47. I agree with Mr. Dalziel's remarks in Chapter V that the essential thing is to get the record into an accurate form at the earliest possible stage, and to reduce the checks and processes at the later stages. One factor which always kept the work rather slow in Orissa was the apathy of the people at the early stages of survey and *khanapuri*. This persisted in spite of all efforts to secure their attendance; the difference between the attendance at *khanapuri* in Orissa and in other parts of the province is most marked. The result was that the attestation disputes were nearly always more than the number of disputes at *khanapuri*, and remeasurement fees paid by people who were not satisfied that their fields had been correctly surveyed at *khanapuri*, amounted in all to over 1½ lakhs of rupees. The fact that objections after draft publication are free in a revenue settlement also led to the unusual result that the number of such objections was higher again than the number of attestation disputes. The total number of such objections was 226,000, or about 2 per cent of the number of plots.

48. The Act provides another opportunity to object to entries in the record, namely under section 123. There were 79,000 such cases, of which

only 12,681 were actually concerned with the fairness of the settled rent. The Act requires amendment, so as to confine these objections to questions of rent.

49. As described in the report some of the customary processes of settlement were modified or cut out as time went on. Suggestions for improvement or economy were systematically encouraged by the offer of rewards, and many of the suggestions led to useful results, including even the abolition of certain posts. The amount of reference to and comparison with the last settlement record was gradually reduced. Where comparison had to be made (e.g. of revenue-free or privileged land) it was done carefully at the earliest possible stage; the *terij* and rent schedule prepared in recess, mainly for the detection of illegal enhancements, was considered to be not worth the time spent on it and abolished. The statutory rules were modified in two respects which considerably reduced the time spent in rent settlement. The processes of survey and *khanapuri* were separated in the last two years, as is done in original settlements, and, attention being concentrated on one thing at a time, I think the work was better done. The *janch* of the records after rent settlement was cut down to the minimum. The traditional process known as *moaina*, which is an examination of the record after fair copying, was held to be an illogical time to examine the record, which should be in perfect order before it is fair copied, and *moaina* was reduced to a mere comparison with the draft. A change introduced in the last year in the manner of putting up for orders the mistakes found in recess, caused a very substantial saving of time.

50. Improvements in the mere forms used, particularly the combination of the area slip and *parcha* into one, and reductions in size in other forms, resulted in realized savings of several thousands of rupees in the cost of forms alone, and more in time. The process of simplification has been carried still further in Ranchi as a result of a conference of all the Settlement Officers in 1929. In particular the opportunity for raising disputes has been reduced by a modification in the statutory rules, so that a dispute decided at *khanapuri* cannot be re-opened at attestation. This also came into effect in the last *khanapuri* year of the Orissa Settlement. The entry of areas in acres and decimals only familiarizes the people with a standard system of measurement (para. 94); and the dropping of preliminary *khewat* writing (para. 93) is an improvement.

51. *Tenancy law*.—In Chapter XIV, Mr. Dalziel deals with the working of the tenancy law. I only deal with some of the main points. I agree with his remarks in paragraph 436 that the people have hardly yet got used to the idea that occupancy rights can accrue to those holding on produce rent; in fact the settlement came as a surprise to many in this respect. But I think that the landlord is already sufficiently well able under the law to protect his *nijjot* if he wants to do so.

52. The subdivision of sub-proprietary tenures by civil courts has caused great difficulty, as described in paragraphs 438 and 449, since they were made without any relation to the revenue partitions of the estates themselves. It is difficult to see any remedy, unless partitions of sub-proprietary tenures were, by legislation, placed solely under the revenue courts.

53. There is no doubt that the statutory provision for the fee for mutation of transfers equal to one quarter of the consideration money in the temporarily-settled estates, encouraged landlords in temporarily-settled and permanently-settled estates as well to put their fees up to that amount. The matter should now certainly be regulated by law in both classes of estates. The present provision does not work well even where it is in force, and amendment is required. Various suggestions have been made, of which space forbids a discussion.

54. As regards appointment of common managers, there seems no reason to place the power in the hands of the Collector in respect of sub-proprietors, any more than in respect of proprietors. Similar arguments apply, though in different degrees, to both cases.

55. As regards the removal of embankments, it has already been stated that the rents were settled on the assumption that existing conditions would be substantially maintained.



56. The question whether the towns should be excluded from the operation of the Act raises a difficult question, as to how far exactly the Act does already apply in the towns, a question which it is perhaps better to leave alone. Personally I think it is not altogether inconvenient that the Act does, unlike the other Tenancy Acts, provide a status (*chandna*) which is applicable to urban tenants, and makes their rents liable to enhancement by the revenue authorities and no one else.

57. I have already remarked on the necessity for amending section 123, so as to confine it to questions of rent only. This applies to section 104-E of the Bengal Tenancy Act also.

58. In the greater part of Orissa rights in trees were not a matter of serious dispute, and as a rule detailed notes of possession were not entered in the *khatis*. A note of such possession was, however, made where any one other than the landlord and tenant of the plot concerned had any right in the trees. Rights in jungle were recorded in the village notes; but I must agree that it would have been better in some parts to have a regular forest *khatiun*, as in Chota Nagpur (para. 121).

59. I do not agree with the proposal to allow the landlord to charge special rents for special crops, as it would be contrary to the spirit of the Tenancy Act. In some cases special rents have been recorded for *pan* gardens, as these do alter the agricultural nature of the holding.

60. The question of reserved land has already been mentioned above. In the permanently-settled estates I doubt if any action could be taken against any one encroaching, except by the proprietor himself. In the temporarily-settled estates there is some consideration for the reservation, in the fact that any income derived from the plots (fishery income, or income from trees) is exempted from revenue assessment. This argument does not apply in the permanently-settled estates.

61. I hold the view that the servants of the community, who have been recorded as *deshheta jagirs*, are not liable to ejection from their holdings at the will of the landlord; and I understand that this view has recently been upheld by the Civil Court in a case under section 130.

62. In my opinion the most important amendments required are with regard to transfers. Secondly, the reason which existed at the time of the passing of the existing Act for excluding the permanently-settled estates from some of its provisions, no longer exists, and they should be brought more into line with the temporarily-settled estates.

63. As has been done in other settlements, some of the important correspondence relating to the settlement is being printed, for reference by officers who have to deal with the report, but not for sale to the public.

64. I endorse the remarks of Mr. Dalziel as to the officers who worked under him, and those who were promoted or received titles for their good work, and as to the acknowledgments due to Messrs. Hubback and Tuckey as Directors of Land Records. I would add that much was due to Mr. Toplis, who started the settlement on sound lines. As to the period before Mr. Dalziel took charge, much is due to the good work done by Mr. Reuben and Rai Sahib Phanindra Nath Gupta, as both Charge Officer and Settlement Officer, and by Mr. Senapati and Babu Nalini Kanta Ghosh. Throughout a long period as Charge Officer and Settlement Officer, the sound judgment of Mr. Scotland was of great value, while the success of the revenue settlement is due in a very large measure to Mr. Samuel Das, who brought the operations to a close as Settlement Officer. In conclusion, Mr. Dalziel himself has done good work during a period of nearly four years as Charge Officer and Settlement Officer, and has written a comprehensive final report which should be of great value.

I have the honour to be,

SIR,

Your most obedient servant,

P. T. MANSFIELD,

*Director of Land Records and Surveys.*

No. 17-20-1.

FROM

KHAN BAHADUR SHAMS-UD-DIN HAIDAR, O.B.E.,  
SECRETARY TO THE BOARD OF REVENUE,  
BIHAR AND ORISSA,

TO

THE SECRETARY TO THE GOVERNMENT OF  
BIHAR AND ORISSA, REVENUE DEPARTMENT.

*Dated Patna, the 8th February 1934.*

SIR,

I AM directed to submit the Final Report on the Orissa Settlement by Mr. W. W. Dalziel, I.C.S.

2. This is the third regular revenue settlement of Orissa, based on a detailed examination of the assets, though there had previously been a number of short-term settlements of a summary character, in which the assets were roughly estimated, and attention seems to have been largely directed to dealing with claims to hold revenue-free. The history of these settlements is to be found in previous reports and the present report goes but lightly over the same ground again. The first regular settlement was made by the Government of the East India Company and lasted, owing to the intervention of the Orissa famine, for 60 years. The second, known as the provincial settlement, was conducted under the direction of the Government of Bengal: there was then a revision of the record-of-rights, undertaken chiefly in connection with the now abandoned scheme of maintaining the record and finally the present operations conducted under the direction of the Government of Bihar and Orissa. Apart from the importance of the present operations as a settlement of revenue, this full and careful examination of the working of local customs and tenancy laws, undertaken at a moment when Orissa is about to take her future into her own keep, should be of great value to the administration who will be responsible for the welfare of her people and the next settlement of revenue. The work is now complete. The operations covered nearly the whole of the three coastal districts, Cuttack, Puri and Balasore, excluding only those areas where the record-of-rights is comparatively recent,—and there is now an up-to-date record for all parts, some of which obtain a record and others a legally authoritative record for the first time.

3. Chapter II deals with population and the material condition of the people and chapter III with agriculture, floods and the canal system. In these chapters the Settlement Officer has endeavoured to supplement, rather than to supersede, the full description of the country and its people contained in the report of Mr. Maddox and later reviewed by Mr. James. Other material was also at his disposal, in addition to the enquiries of the settlement staff, such as the results of the recent census, the Provincial Banking Enquiry Report, the Flood Committee's Report, and the work of the Agricultural Department on the special problems of the area. The opportunity appears exceptional for a comprehensive review of the economic development of last forty years, but this is neutralised by the fact that, while the recent fall in prices receives mention, the discussion is based entirely on statistics compiled before the agricultural depression set in. Much of it must be already out of date. For instance, Mr. Maddox had noticed that wages, as is usual, had lagged behind the rise in prices, and wages were found to have remained constant up till the time of the revision settlement, but after that, rose till 1924 and since then, the present report states, have remained at the same level. In spite of the normal lag of wages behind prices, it is difficult to believe that they have not fallen by now. Then again the recent increase in cash-crops such as jute and paddy, which is noticed in the report, can hardly have been maintained in the face

of the slump in trade and the decreased purchasing power of the people. In his covering letter the Director of Land Records and Surveys observes that it is difficult to compare the prosperity of the Oriya raiyat now, since the fall of prices in 1930, with his position at the time of last settlement when prices at the headquarters bazars were much the same as they are now. In fact the report, while noticing certain comparative figures, makes no attempt to do it. The flood problem is considered generally in these chapters, and more particularly in the chapters dealing with each district. Briefly, at certain seasons the natural drainage system of the country is unable to deal with the water entering the deltaic tract from the uplands of the Orissa Feudatory States and of Chota Nagpur, and this defect is aggravated by local attempts at protection by means of embankments. While this is a big factor in the economy of Orissa, it is not one with which a settlement report can deal. The isolation of Orissa seems to be breaking down to a certain extent, and the same social and economic tendencies are noticed there as exist elsewhere, but in a less marked and developed form.

4. A record-of-rights has been prepared for 6,273 square miles. Fair rents have been settled over approximately the same area, while about two-thirds of it consists of temporarily-settled estates in which there was also a settlement of revenue. For an area of 723 square miles original survey has been done, and a record-of-rights has been prepared for the first time for 1,271 square miles. The rest of the work was revision. The operations included three districts and the report deals in a separate chapter with each of these in addition to the general chapter. The difficulties at the outset were great. The staff were inexperienced, and many of the competent members of it ignorant of the language. The programme was too large even for a fully trained staff. The climate is unhealthy and as camps often lasted right through the rains, it is not a matter for surprise that casualties from sickness were heavy, nor that this reacted on the morale of the staff and led to unusually large number of dismissals and many convictions for malpractices. It is creditable to those immediately responsible for the operations that the difficulties were gradually overcome and that the general quality of the work was good. The gross cost of the operations was Rs. 62,99,234 and the net cost after deducting miscellaneous receipts was Rs. 56,05,326. As most of the area consists of temporarily-settled estates subject to a revenue settlement, the greater part of this cost fell on Government. The cost of the work is examined in Chapter XIII of the report and by the Director of Land Records and Surveys. The cost works out considerably higher than that of the provincial settlement of Orissa. For various reasons it cannot be profitably compared with the cost elsewhere. The comparatively high cost is explained by several factors, some peculiar to Orissa, others to the conditions in which the operations were begun.

5. Chapter V of the report is concerned in the main with certain technical aspects of settlement work, and is of more interest and value to a settlement officer than to the general reader. One or two points are of wide interest. The Director of Land Records and Surveys observes that owing to the small size of plots, it will probably be necessary to employ a larger scale than 16"=1 mile extensively in the maps of future settlements. Successful attempts were made to introduce more simple and less expensive methods of procedure, and the Settlement Officer's view that improvement must mainly be sought in the simplification of the processes leading up to draft publication deserves attention. A matter that certainly demands a remedy is the right of the parties to reopen, by way of objection to the settlement rent roll, disputes that have no connection with the fair rent and have already been decided at previous stages. It is recorded that more than five-sixths of the disputes decided under section 123, Orissa Tenancy Act, were of this character. The same criticism applies to the corresponding section of the Bengal Tenancy Act and has been noticed in other settlement reports.

6. The chapter on the record-of-rights deals mainly with the many curious forms of tenancy status found in Orissa. The present report perhaps adds little to the information to be found in the full examination of the matter by Mr. Maddox, nor have any substantial changes been made. Such change

as there has been, is in the direction of simplification, since it has been considered sufficient to describe each status by the term necessary to relegate the tenant to his particular class under the Orissa Tenancy Act, ignoring minor distinctions which have no legal significance. The peculiar classes of sub-proprietors are discussed and it is noted that distinctions between these are tending to disappear. The High Court has, however, felt bound to recognize the distinction between *maurasi* and *middi sarbarakars*, but has left to the revenue authorities a means by which the latter can be allowed to enjoy the privileges which have lasted for at least 90 years. The Board in a recent decision has decided to continue them for the period of the present settlement, and the position has been further challenged by the proprietor. A status, the incidents of which appear to be still unsettled, is *chandna*, which is regulated by local custom and usage. The courts in Jajpur are holding that the *chandnadar* in spite of his fixity of rent is a mere tenant-at-will, which is anomalous.

7. *Landlord and tenant—the right of transfer.*—In the temporarily-settled area the relation between landlord and tenant, except in a few estates, has been found to be good. In some of the permanently-settled estates, relations are still in a large degree feudal and personal, but while arbitrary, are not ordinarily oppressive. In some of the estates, however, there is friction arising from bad management and the survival of autocratic rule; in one estate in particular it is noted that the management is highly efficient but very oppressive. Illegal *abwabs* of large amount are found in some of these permanently-settled estates. One of the most vexed questions between landlord and tenant is the right of transfer. In the temporarily-settled area this is governed by law and in the permanently-settled area by custom. In the latter the consent of the landlord is usually required to the transfer of rent-paying lands, and the normal fee is 25 per cent of the consideration money, though in one or two cases higher fees are mentioned. It seems clear, however, that the law is indirectly tending to fix the fee even in areas to which it does not apply, and in some cases has resulted in raising it substantially (paragraphs 318, 355 and 416 of report). Section 31 has been held to apply to the Ekrajat mahal, and the fee here in consequence has also been much increased. This is one result of legislating about mutation fees which deserves consideration.

8. The law relating to the realization of transfer fees in the temporarily-settled estates is reported to be defective. The subject is a very thorny one, and cannot be discussed here. It may, however, be noted with satisfaction that the effect of granting a considerable degree of freedom of transfer has not been, as many feared, a marked incursion of tenants without agricultural aptitude.

9. The Board is inclined to agree that the landlord himself should be liable for neglect by an agent to deliver proper rent receipts, a provision which finds place in the Chota Nagpur Tenancy Act and does no more than place on the landlord a responsibility which he should be called upon to bear. The Board notes with interest the view of Mr. Dalziel that the limitation of suits for produce rent has been effective in saving the tenants from harassment. It is to be hoped that the enactment of the same period of limitation for Bihar will have the same result.

10. The problem of pasture land is growing more and more acute in the Orissa coast districts. It appears to be now too late, if indeed it was ever practicable and economically desirable, to reserve in each group of villages a sufficient area to allow the plough cattle to subsist mainly by grazing. But it is satisfactory to find that steps have been taken to safeguard to a much greater degree than heretofore the village common lands available for exercising the cattle. The position is, however, by no means fully secured and it would seem that legislation is required to provide some lesser penalty than the very drastic one of cancelling a revenue settlement against a landlord who prefers his private advantage to the needs of the community from whom he draws his income.

11. There are several other points put forward by Mr. Dalziel and the Director of Land Records, Mr. Mansfield, to which careful attention should be given when the Orissa Tenancy Act is examined with a view to its amendment.

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But since it is unlikely that this will be done until Orissa has her own legislature, there is little advantage in further expression of opinion at the moment. It is fortunate that the later stages of the settlement were under the direction of, and the review of this report was written by, an officer of Mr. Mansfield's sound judgment supplemented by experience of the problems of the settlement from almost its earliest stages. To him the Board thinks a large share of the credit for the success of this difficult operation should be assigned. Mr. Toplis started it on sound lines in circumstances which imposed a severe tax on his patience and a heavy strain on his physical energy. Messrs. Scotland, Reuben and Rai Sahib Phanindra Nath Gupta, both in subordinate and in superior charge, worthily maintained the reputation for zeal, thoroughness and fairness to all parties, which the public has learnt to assume as characteristic of officers employed on settlements in this province. Mr. Senapati and Babu Nalini Kanta Ghosh did first class work as Charge Officers, and Mr. Samuel Das especially distinguished himself in the difficult task of revenue settlement. The Board particularly commends the services of Mr. Dalziel himself, who has written a succinct and yet very valuable report on the operations which have now been brought to a successful close. The future Government of Orissa is fortunate in succeeding to the labours of these and the very many other deserving officers, whose work has enabled the new province to start with an up-to-date record of the rights of all persons having interest in the lands of the three coastal districts, and a full appreciation of the tenancy problems, which will no doubt come under review at an early date after the inception of the province.

I have the honour to be,

SIR,

Your most obedient servant,

S. HAIDAR,

*Secretary.*

No. 8137-S-3-34-R.

GOVERNMENT OF BIHAR AND ORISSA.

REVENUE DEPARTMENT.

RESOLUTION.

*Dated the 9th June 1934.*

READ—

The final report of the revision settlement of Orissa with the forwarding letters of the Director of Land Records and Surveys and the Board of Revenue thereon.

1. These operations, which formed the third regular revenue settlement of Orissa, were carried out between the years 1922 and 1932, and covered the whole of districts Cuttack, Puri and Balasore with the exception of the two large khasmahals of Khurda and Banki, the records of which were not in need of revision, and a few areas of minor importance. The first regular revenue settlement of the temporarily-settled estates was carried out in the years 1834 to 1843. In the course of that settlement all claims to hold lands revenue free were investigated. No other regular settlement took place until the year 1890, when the "provincial settlement" was initiated, the work being completed in the year 1900. A scheme of maintenance of records was tried but ultimately abandoned. The present operations have now given a complete record-of-rights in land in the three coastal districts of Orissa, with a careful examination of the local customs and tenancy laws, which should be of the greatest value to the administration of the new province.

2. The difficulties encountered at the outset of the operations and successfully surmounted are summarized in paragraph 4 of the letter from the Board of Revenue. The magnitude of the task can be judged by the fact that by the time the operations were completed, maps and records had been prepared for 11½ million plots. Owing to the heavy nature of the programme, the staff of the settlement had to remain in the field for nearly the whole year. The progress of the settlement was marked by a steady increase in accuracy and efficiency.

3. *Rent settlement, Temporarily-settled estates.*—In the previous settlement attempts had been made to adopt a system of classification of the land as a basis for land settlement, but in the end the attempts were abandoned and certain classes of competition rents were adopted as standards. In the present settlement also it was decided that enhancement on the ground of rise in prices should be allowed on the existing rents. The general rate of enhancement allowed was 4 annas in the rupee, but if the full enhancement justified by the rise in prices at the time of rent settlement had been allowed, the enhancement would have been 9 to 10 annas per rupee. The Settlement Officer rightly insisted that any rules relating to rent enhancement which might be made should not be rigidly interpreted and that full consideration should be given to factors such as liability to flood or drought in a village and the fertility of the soil. The average rate of rent in the temporarily-settled estates in the three districts is now Rs. 2-12-0 per acre, against Rs. 2-4-0 before the settlement.

4. *Permanently-settled estates.*—Considerable use was made of sections 136 and 137, under which rents were settled by compromise, with consequent saving of time and money.

5. *Government estate, Khurda.*—The Settlement Officer was successful, after a certain amount of opposition, in carrying through his proposal for enhancement of rent by compromise. The enhancement amounted to 2 annas in the rupee. The saving in time, money and litigation by this scheme must have been very great.

6. *Revenue settlement.*—As at the last settlement, the normal percentage of the assets to be taken as revenue was fixed at 50 to 55 per cent. In spite of considerable increase in revenue the proprietors' net income is now calculated to be 12½ per cent more than it was before the settlement. The new settlement runs in all cases up to the year 1957. The scheme of redemption of estates with a very small revenue was successful to the extent that 22 estates, with a revenue of less than one rupee, were redeemed by proprietors at 25 years' purchase.

7. *Killajat estates.*—The position of these estates has been finally settled. The share of the assets to be taken as revenue will not exceed half the share taken in ordinary estates, provided the estate remains intact and follows the rule of primogeniture.

8. The general results of the revenue settlement are that revenue from the temporarily-settled estates has increased from Rs. 20,67,000 to Rs. 27,53,000. The total increase in revenue, including the rents of the Khūrda Government estate and other khasmahals, amounts to Rs. 7,50,000.

9. The policy of inducing the landlords to agree to the reservation of a portion of the land in each village, generally about 5 per cent, for grazing and other purposes, was continued with considerable success, and the status of land of this kind was clarified.

10. *Crop-cutting experiments.*—The Settlement Officer and the Director of Land Records both observe that the experiments done under the random sampling method give higher figures than those done under the ordinary method. This is not altogether borne out by the figures given in Appendix X-A of the report. In Jajpur in the years 1924 to 1926, the results under the random sampling method were uniformly lower than those under the ordinary method. It is possible that officers using the ordinary method are inclined to select too good plots in a bad year and too bad plots in a good year.

11. The relations between landlords and tenants in the temporarily-settled estates were on the whole found to be good. A certain amount of friction was observed in some of the permanently-settled estates and the practice of levying illegal abwabs still goes on. One source of friction between landlord and tenant in Orissa, as in other parts of the province, is the question of the right of transfer and transfer fees. The fixing of the fee in the Tenancy Act is having the effect of raising the fee to the level of 25 per cent, even in places where the section does not apply and where the transfer fee was formerly lower. It is satisfactory to note that no special tendency for lands to pass into the hands of non-agriculturists has been noted. The report that limitation of suits for produce rents has been effective in saving tenants from harassment, is also a matter for satisfaction.

12. The Governor in Council fully endorses the commendation of the Board on the work of the officers who were responsible for the successful carrying through of these operations, and notes particularly the good work done by Mr. Toplis at the beginning of the operations, by Mr. Mansfield during his three years as Settlement Officer and later as Director of Land Records and Surveys and by Messrs. Scotland and Dalziel.

By order of the Governor in Council,  
J. W. HOULTON,  
*Offg. Secretary to Government.*

MEMO. NO. 8138-39-R.

*Dated the 9th June 1934.*

Copy [with a copy of the final report] forwarded to the  
[To Appointment only.] Secretary to the Board of Revenue, Bihar and Orissa,  
Appointment Department [with  
special reference to paragraph 12 of the  
Resolution].

R. C. DAS GUPTA,  
*Assistant Secretary to Government.*