

CHAPTER XI

REVENUE ADMINISTRATION

HISTORY OF LAND REVENUE ADMINISTRATION

Land revenue constituted the principal source of income to the State even from the day of Manu, the ancient law giver, though the pattern and process of its assessment and collection have varied from one political era to another. The traditional Indian conception is that the king, as the owner of all land, has an undisputed right to a share in the produce of the land. This has run through several centuries binding the native monarch and the foreign conqueror alike to this immutable state policy. A narration of the varying pattern of land revenue administration under the Mauryas, Kharavela, the Kushanas, the Marathas, Gangas, the Raja of Vijayanagar and the Mughals, all of whom had highly developed and probably even sophisticated systems is outside the scope of this Chapter. It is sufficient for our purpose to commence the chronicle from the days of British occupation of this part of the country. The circumstances leading to British occupation of the district have been dealt with exhaustively in the Chapter II (History) of this Gazetteer.

When the British occupied this part of the country, Ganjam district as it originally existed was the northern-most district of the Division of the Madras Presidency called the Northern Circars. The district was divided into three Divisions (the charge of a Sub-Collector or Subdivisional Officer in Madras are known as Divisions and not Subdivisions) namely, Ghumusar, Chicacole and Brahmapur. Each of these Divisions contained a Government Taluk, besides a number of zamindari estates and in each of these Taluks, as a matter of course, there was a Tahasildar assisted by the following Deputy Tahasildars for the revenue and magisterial work:

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| (a) Ghumusar Tahasildar | Sorada Deputy Tahasildar |
| (b) Chicacole Tahasildar | Tekkali and Narasanapeta Deputy Tahasildars |
| (c) Brahmapur Tahasildar | Ganjam, Purusottampur, Ichhapur and Sompeta Deputy Tahasildars |

Besides these, there were the Brahmapur Town Magistrate, the Sub-Magistrate of Asika and the Sub-Magistrate of Paralakhemundi. A Magistrate was also stationed at Udayagiri in Pedakimedi Maliahs, i.e., at R. Udayagiri. Subsequently two Divisions, namely, Chhatrapur

Division consisting of portions of Brahmapur and Ghumusar Divisions and Baligurha Division consisting of the whole of Ganjam Agency excepting the Paralakhemundi Agency were created. It is necessary to describe the history of the district as an administrative unit and the changes in its component parts in some detail for a proper understanding of the revenue systems prevailing in the district in the past.

The district, as it stood on the 1st April, 1936 after its separation from Madras when the province of Orissa was created, comprised the whole of Ghumusar Division, Chhatrapur Division, Baligurha Division, part of Brahmapur Taluk and part of Ichhapur Taluk in Brahmapur Division, part of Paralakhemundi Plains and the whole of Paralakhemundi Agency in Chicacole Division. The old Taluks of Chicacole (Srikakulam, Sompeta and Tekkali) and portions of Paralakimedi, Ichhapur and Brahmapur Taluks were retained in the erstwhile Madras Province. The Paralakimedi Taluk consisting of a portion of Paralakimedi plain and the whole of Paralakimedi Agency was first included in the district of Koraput on the creation of Orissa for seven months and was then retransferred to Ganjam.

Before creation of Orissa, the whole of the Ganjam Agency area was divided into three Taluks, namely, R. Udayagiri, G. Udayagiri and Baligurha and was known as the Baligurha division. A Revenue Divisional Officer, designated as the Special Assistant Agent Baligurha, held charge of the Division. After formation of the province of Orissa on the 1st April, 1936 R. Udayagiri Taluk was transferred to Brahmapur Division and Baligurha Division was left with the two Taluks of G. Udayagiri and Baligurha with its headquarters as before at Russelkonda (now Bhanjanagar) which was also the headquarters of Ghumusar Division. The Agency areas were then administered under a set of special rules of administration framed under provisions of the Ganjam and Vizagapattam Act, 1839 and the Collector of Ganjam as "Agent" to the Governor (from which the word 'Agency' has been derived) was in charge of enforcing the Special Rules of administration.

On the formation of the province of Orissa, the Khondmals Subdivision, which was separated from Anugul by the princely State of Boudh, was constituted into a separate district for the purpose of the Khondmal Laws Regulation, 1936, but was tagged on to the district of Ganjam with the Collector of Ganjam as its *ex-officio* Deputy Commissioner for administrative purposes. The Special Assistant Agent, Baligurha, with his headquarters at Russelkonda,

was appointed *ex-officio* Subdivisional Officer of the Kandhamals Subdivision of Ganjam district with a Second Officer stationed at Phulabani to assist him in discharging routine duties. From 26th January, 1941, the office of the Special Assistant Agent, Baligurha, together with his headquarters was shifted to Phulabani.

The historic event of the merger of the princely States of India originated in Orissa on the 1st January, 1948, thereby necessitating some changes in the existing boundaries of the district. On the 1st January, 1948, the ex-Feudatory state of Boudh merged in Orissa and the district of Phulabani consisting of Baligurha Division, Kandhamals Subdivision and Boudh Ex-State, was formed. A separate Deputy Commissioner was appointed for the Kandhamals with effect from the 1st January, 1948 and the merged State of Boudh was formed into a district for the purpose of criminal administration. The Deputy Commissioner of the Kandhamals was appointed as the *ex-officio* District Magistrate of the Boudh district. So the Collector, Ganjam ceased to function as the Deputy Commissioner of Kandhamals district. Although the Subdivisional Officer, Phulabani ceased to be under his administrative control, still in his capacity as Special Assistant Agent, Baligurha, he continued to remain under the judicial control of the Collector, Ganjam, because the Ganjam and Vizagapatnam Act, 1839, specifically provided that the Collector, Ganjam would be the "Agent" for enforcing the special rules of administration. Subsequently in February 1949 the Deputy Commissioner of the Kandhamals-Phulabani was appointed as Additional Agent of Baligurha Division with powers to function as the Agent to the Governor with only a few limitations till the designations of "Agent" and "Special Assistant Agent" were abolished, due to repeal of the Ganjam and Vizagapatnam Act by the Koraput and Ganjam Agency (Repealing and Extension Laws) Regulation, 1951 (Regulation V of 1951) which came into force on the 1st January, 1953. Therefore, there was de jure separation of Baligurha Division from the district of Ganjam only on the 1st January, 1953. Since then there has been no further changes in the boundaries of the district.

On 1st April, 1936 the area of Ganjam district was 7,398 sq. miles (19,161 sq.km.) consisting of 17,143 sq. km. of Ganjam district and 2,018 sq.km. of Kandhamals Subdivision. On 1st January, 1948 the area of Ganjam district was 4,725 sq. miles (12,238 sq.km.) excluding Baligurha Division which was 1,894 sq. miles (4,905 sq.km.).

During the British period and until abolition of the estates under the Orissa Estates Abolition Act 1951, there were three

systems of revenue administration prevailing in the district, i.e., Zamindari, Raiyatwari and Agency. A background history of the tenure of each system is given in the following paragraphs.

Zamindari Tenure

Most of the zamindars of Ganjam derived their power and estates from the Gajapati kings of Orissa on condition of feudal service and for keeping in check, the wild aboriginal tribes of the hills, namely, the Khonds and Savaras. Owing to the inaccessibility of their estates, the zamindars gradually arrogated to themselves a rude kind of petty sovereignty and frequently waged war against one another. Many of them appear to have been nominated to their estates by Gajapati Purusottam Dev who ruled over Orissa between 1479 and 1504. (In fact the zamindars of Paralakhemundi, Badakhemundi and Sanakhemundi claimed descent directly from the ancient Gajapati kings of Orissa). In Ganjam there were two classes of zamindars, namely, ancient zamindars and proprietors of Haveli estates. When the English began to use the power that devolved on them by the firman of the Delhi Emperor of 1766 of taking over the management of Government of the Northern Circars, they found the lands that were under cultivation divided into Haveli lands and the lands under the management and control of the zamindars (the Haveli lands consisted of the old domesne or house-hold lands of the sovereign and tracts near to towns resumed by the Muhammadans and appropriated for the peculiar support of the numerous garrisons and establishments. These lands, the local Faujdars and Nawabs always retained under their immediate management parcelling out the rest of the country into zamindars. The "Haveli" lands mostly were concentrated in Chicacole Division of the then Ganjam district, and the rest of the country consisted of the ancient zamindars). The old Ganjam district consisted of the following estates (ancient zamindaris and proprietary estates), besides the Raiyatwari areas and the Malfahs or Hill tracts otherwise known as Agency areas :

1. Khallikot, 2. Athagarh, 3. Palur, 4. Biridi, 5. Huma,
6. Dharakot, 7. Badagada, 8. Seragada, 9. Pratapgiri of Chinakimedi or Sanakimedi, 10. Vijayanagar or Padakimedi or Badakimedi,
11. Chikiti, 12. Surangi, 13. Jarada, 14. Asika, 15. Kuria,
16. Debabhumi, 17. Kalingia, 18. Paralakimedi, 19. Jalantora,
20. Budarsing, 21. Mandasa, 22. Tarla, 23. Barua and 24. Urian.

Out of the above estates, serials 1 to 10 and serials 12 to 17 remained fully in Ganjam district when Orissa was created. A part of Chikiti Estate (Sl. 11) named as Tala Tampara Mutha

consisting of 43 villages having an area of 10 sq.miles (25.90 sq.km.) which was in Sompeta Taluk was excluded from Ganjam district. The area remaining in Ganjam district out of this estate was 1,082 sq.miles (2802 sq.km). The area of Paralakhemundi estate, (Sl. 18) as it existed in the old Ganjam district, was 639 sq.miles (1,655 sq.km.), besides Paralakhemundi Agency which covered an area of 354 sq.miles (917 sq.km.). The portion of Paralakhemundi estate that remained in Ganjam district after creation of Orissa had an area of 201 sq. miles (520 sq.km.), besides the whole of Paralakhemundi Agency. Serial 17 remained solely in Ganjam Agency. Serial 19 to 24 went fully to Madras. All the ancient zamindaris except Athagarh were impartible estates (descendable to a single heir and governed by the law of primogeniture) under Section 3 of the Impartible Estates Act, 1904.

Besides these, there was existing at the beginning of the 19th Century Ghumusar zamindari which was the most ancient in the district. When that zamindari was declared by a proclamation in 1836 to have been forfeited for rebellion, the ruling family of Bhanjas traced back their descent for a period of 875 years, and the greatest Oriya ancient poet Kavi Samrat Upendra Bhanja, as he is popularly called, was the Raja of this family. Sorada zamindari had been purchased by the Ghumusar zamindar at a public auction for arrears of revenue in the year 1833 and along with the latter it escheated to Government and became a raiyatwari area. The country around Asika used to be a large zamindari but before the English established themselves in Ganjam it was subdivided among Ghumusar, Badagada and Athagarh zamindaris. The ancient Mahuri zamindari was purchased by the Government in 1850 for heavy arrears of revenue and was converted into the raiyatwari area of Brahmapur Taluk. Athagarh estate became the property of the neighbouring Raja of Khallikot by purchase in public auction in the year 1854. The zamindars all held under a "Sanada-i-milkiyat istimerar" which is a persian term meaning a title deed or grant of perpetual ownership granted by the Government at the time of permanent settlement. There were only three small proprietary estates in Ganjam district, namely Asika, Kurla and Debabhumi (The proprietary estates of Barua and Urlam were retained in Madras). These estates were carved out of the "Haveli" lands by the British Government and sold to the highest bidders in 1803 and 1804 and were permanently assessed after the model of the permanent settlement under Regulation XXV of 1802. They were originally ten in number (out of 47 proprietary estates in old Ganjam district, 37 were retained in Madras). Most of them were over-assessed and gradually

reverted to the Government for arrears of revenue leaving only three such estates as stated above. The proprietary estates were registered but unlike zamindari estates they had no Sanads.

The zamindars in the Northern Circars, of which Ganjam formed a part, were managers appointed by the rulers to manage different divisions or parganas of the conquered country and collect revenue payable to the ruling power. He was only a Manager of a division on behalf of the Ruler having no sovereign or proprietary right in the soil. He continued to be such for a long time even after the East India Company took charge. The zamindars were in possession of the "Haveli" lands leased out to them for a term of years. By the year 1765 the Madras Government entered into management of the Northern Circars. The Bengal Government had assumed that of Bengal, Bihar and Orissa (1760) and the experiments conducted in the latter case were very much the same as in the former. When Lord Cornwallis arrived in India in 1786 the plan of permanent settlement with the Bengal zamindars had already been arranged and by the Bengal Permanent Settlement Regulation, 1793, the zamindars were virtually made the proprietors of the soil and the revenue payable by them to Government was fixed for ever which is known as the Permanent Settlement and this was fixed by a rough estimate at 10/11th of the assumed assets of the estate at that time.

Pressure was brought to bear on Madras by the Bengal Government to adopt the same policy and the Court of Directors sent out orders to that effect in 1795. The Madras Government was at first not willing to apply the permanent settlement to Madras. But in 1799, firm orders were issued from England that Lord Cornwallis Permanent Settlement was to be adopted throughout Madras Presidency. A Special Commissioner was appointed and between the years 1802 and 1804 the northern districts of Madras were permanently assessed under the Permanent Settlement Regulation XXV of 1802. The lands already in the hands of the Zamindars were confirmed to them in perpetuity. The assessment being fixed at 2/3rd to half of the gross produce, worked out at an average of the previous 13 years. While, however, the amount of assessment then fixed was unalterable, no increase ever being leviable on account of extension of cultivation to waste lands, the disposal of which was left entirely in the hands of the zamindars. The zamindars were able to gradually appropriate as rent a larger portion of the produce of each field. The crown or Haveli lands were parcelled out into estates of convenient size and assessed in a similar manner and sold as permanently settled estates to the highest auction bidder. Regulation XXV of 1802 applied to both

these descriptions of land holders, i.e., ancient zamindars and the proprietors. This is how the zamindaris and the proprietary estates in Ganjam came under the permanent settlement.

Even though it was the very basis of permanent settlement that it would in no way affect the rights of the raiyats and other persons interested in land, yet section 2 of the permanent settlement regulation could be interpreted to mean that the raiyat was at the mercy of the zamindar. The Madras Permanent Settlement (Interpretation) Regulation 4 of 1822 had, therefore, to be passed declaring that the Permanent Settlement Regulation was not intended to affect the rights of anybody else. There were subsequent regulations for regulating relationship between zamindar and the tenant, and ultimately Act VIII of 1865 defining a number of points including the landlord tenant relationship was passed. But the provision of this Act relating to exchange of Pattas and *muchalikas* had a ruinous effect on the rights of the raiyat. The *Patta* which was intended to be a mere memorandum of the extent of land under cultivation in the year and of the particular crops harvested was interpreted by the High Court in 1817 to be a yearly lease. On this interpretation the High Court ruled that by the acceptance of the yearly *Patta* the presumption was that the *Pattadar* would be a yearly tenant and nothing more. This ruling had far-reaching consequences. The zamindar managed to procure from his raiyats *pattas* in which a clause was inserted to the effect that the zamindar was at liberty to lease out the land to anybody at pleasure. The tenant faced a very difficult situation and to avoid eviction he had to pay heavy rent. The legal disadvantage of the tenants subsequently was corrected when a self-contained agrarian code governing the landlord tenant relationship was enacted in the shape of Madras Estates Land Act, 1908.

The Madras Estates Land Act was the first enactment defining the substantive rights and liabilities of landholders and raiyats in the districts of Ganjam and Koraput. It made a general declaration of the existence of occupancy right of the raiyat and proceeded on the footing that his title to the land arose from occupation and gave legislative sanction to the ancient Hindu Law doctrine that Government or its assignee, the zamindar, was entitled only to a share of the produce (*Melvaram*) and not to the possession of cultivated lands (*Kudivaram*). The Act made elaborate provisions for enforcement of the rights and in this respect, it more or less followed closely the Bengal Tenancy Act. Its provisions relating to "private land" of the landholder were more or less similar to those of the Bengal Tenancy Act. The Act made provision for survey, preparation of record-of-rights and settlement of rent,

But these provisions had not been availed of in most of the estates till the creation of Orissa. Even where a survey had been made or a record-of-rights prepared or rent settled, the work was generally unsatisfactory.

The Act was, in short, the product of the anxiety on the part of the Government to protect the interests of helpless millions of the cultivating population. The Bengal Tenancy Act had almost been the model for the copy. But the Act took peculiar circumstances in Madras into consideration, made provision for the same and to that extent differed from the provisions of the Bengal Tenancy Act. For example, the institution of 'tenure holders' that played a very important part in the tenancy system of Bengal did not have any recognition in the Madras Estates Land Act except to the limited extent that a permanent under-tenure under certain circumstances would come within the definition of "estate". Similarly whereas the Bengal Tenancy Act recognised three kinds of raiyats, namely (i) raiyats at fixed rates, (ii) occupancy raiyats and (iii) non-occupancy raiyats, this Act put all raiyats in one class with right of occupancy. The idea of a settled raiyat which is definitely foreign to the Indian soil and which crept into the Bengal Act X of 1859 as an after-thought but continued to hold the field in all subsequent tenancy legislations was not to be found in the Madras Estates Land Act. The notorious institution of *pattas* and *muchlikas* which had no merit except its survival for a century continued to be recognised in this Act in spite of the fact that the institution had been utilised to rack-rent the raiyats. There was no recognition of under-raiyats. On the other hand, section 19 of the Act specifically excluded such tenants from the scope of the Act. The Act defined whole-village Inams as 'estates' only if the grant of its land revenue was made, confirmed or recognised by the British Government. Other Inams were left out of the scope of the definition of "estates" presumably because the idea of landlord and tenant was opposed to cases where the grant was not of land revenue alone. In respects of other details the Act followed more or less the pattern of the Bengal Tenancy Act.

After 1908 certain defects and difficulties inseparable in a first attempt in the field of land legislation were disclosed by numerous decisions of the Privy Council, High Court and the Board of Revenue. In 1913 and 1914 some Bills were introduced for amending the Act. But before the Bills could be passed in the Legislature, the First World War intervened and its consideration was postponed. In 1922 and again in 1924

Committees were constituted for considering the amendments necessary to the Act. The amending Bill was ultimately introduced in the Council in 1932. This Bill ultimately became law and it contained some major improvements over the previous Act. The more important clauses were (a) the conferring of occupancy rights on persons in unauthorised occupation of raiyati land for a continuous period of 12 years, (b) improvements of the provisions of the Act relating to communal lands, (c) making commutation compulsory, (d) giving powers to Government to direct a settlement of rent on their own motion, (e) abolition of the distinction between old waste lands and other waste lands, etc.

INAMS

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

The *inams* could be broadly divided into two categories, namely, enfranchised and unenfranchised (in Ganjam they are called (ପ୍ରଭବନା ଜନାମ ଓ ପ୍ରଭବନା ହୋଇନଥିବା ଜନାମ) according as they have been made into free holds either on payment of quit rent or on redemption or not. They are also divided into two other categories, namely, pre-settlement and post-settlement (also known as *Darmila inams*) according as they had been granted prior to the Permanent Settlement Regulation of 1802, or after. But a more interesting division of the *inams* was into two categories, namely, major and minor. No land tenure in Madras created so much controversy or gave rise to so many case laws as the dispute regarding the rights of parties in such *inam* villages. The major *inams* consisted of the grant of whole villages whereas minor *inams* consisted of isolated fields or plots. According to the Hindu law, there are two beneficial interests in the lands, namely, (a) that of the sovereign or his representative (land revenue or *melavaram*) and (b) that of the cultivator (land proper

or Kudivaram). The cultivator's right arose from the occupation of lands. Thus the grant of *inams* could not affect the cultivator's right in the land except in rare cases where the grant or the grantee was also holding the cultivator's interest or that it was waste at the time of the grant. The Madras Inams Act, of 1869 (Act VIII of 1869) specifically provided that the enfranchisement of an *inam* or the grant of a title-deed to the *inamdar* was not to be deemed to define, limit, infringe or destroy the rights of description of holders or occupiers of the land or to confer on the *inamdar* any rights in the land which he would not otherwise possess. Thus, the right of an *inamdar* did not ordinarily extend to the occupancy right on the land in the case where an *inam* consisted of an entire village. Under the Madras Estates Land Act, as it stood in 1908, where the grant of a village as *inam* was of the land revenue alone to a person not owing kudivaram, then the village was an estate and so the tenants of the *inamdars* in such villages had occupancy rights. The Government and the Courts had held until the 1st July, 1918 that there was always the presumption to the effect that all *inams* were grants of land revenue only and that the burden of proving that any *inams* included grant of land also was on the *inamdar* claiming this. But this presumption was upset by a decision of the Privy Council that no such presumption existed and each case has to be decided on its own merit. This decision of the Privy Council together with similar decisions of later years completely reversed the law as it had been understood interpreted, and implemented till 1918. This resulted in rapid growth of litigations which were ended in disastrous results on either side. The *inamdars* treated their tenants as tenant-at-will. Government decided to amend the Madras Estates Land Act so as to remove the effect of the Privy Council's decision that was operating very heavily in favour of the *inamdars*. A Bill was introduced in the Madras Legislature in 1933 for amending certain provisions of the Madras Estates Land Act and also for amending the definition of the word "estate" in the Madras Estates Land Act so as to include within its scope all categories of whole *inam* villages—whether the grant of land revenue (*melavaram*) alone or both land revenue and land, so that the tenants in all such villages might have occupancy rights. This was passed as the Madras Act VIII of 1934. But as a result of the violent opposition, the provision regarding amendment of the definition of the term "estate" and other provisions relating to *inamdars* were not assented to by the Governor, who after giving his assent to the remaining provisions of the Bill recommended that the provisions regarding *inamdars* should be made into a separate Act. Pending

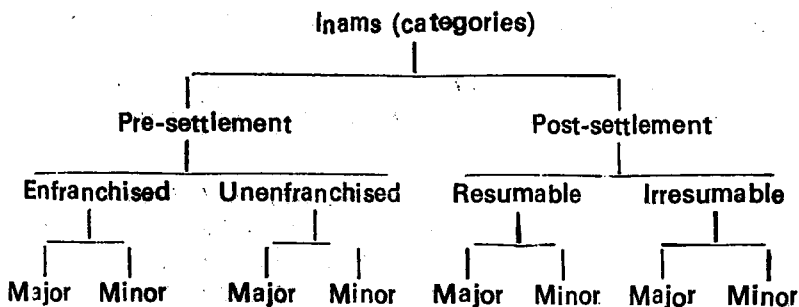
finalisation of the main question Madras Act VIII of 1934, however, contained temporary provisions giving protection against eviction to the tenants of the *inamdars*. As recommended by the Governor, a separate Bill regarding definition of 'estate' and consequential provisions regarding the *inamdars*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

Thus it will be seen that the pre-settlement whole *inam* villages became estates as late as 1947 when occupancy rights of the tenants of the *inamdars* was statutorily recognised. That is why when the major settlement operations started in the year 1938, settlement of the whole *inam* villages was not included in the programme. The operation in *inam* villages was taken up after Act XVII of 1947 came into force and it included 368 pre-settlement whole *inam* villages and 150 post-settlement whole *inam* villages. Only the irresumable post-settlement *inam* villages were treated as estates and the resumable ones became parts of the main estate. After abolition of the *inam* estates the *inamdars* of 127 whole *inam* villages filed suits or writs against abolition claiming that they were not estates under the Madras Estates Land Act, and hence could not be abolished under the Estates

Abolition Act. The definition of "estates" in the Estates Abolition Act as originally enacted was more or less synonymous with that in the Madras Estates Land Act. Subsequently by the Orissa Estate Abolition (Amendment) Act XVII of 1954 all *inams* of whatever category were brought under the definition of "estates". Out of 127 cases, the law courts held 39 to be not estates under the Orissa Estates Abolition Act and hence they could not be treated as estates under the Madras Estates Land Act. As they were not estates under the Madras Estates Land Act, the entire settlement operation was without jurisdiction as the operation was conducted under the Madras Estates Land Act which applied only to estates. Subsequently survey and settlement operations in these villages were taken up under the Orissa Survey and Settlement Act, which applies to all kinds of lands whether Government or non-Government.

Before creation of Orissa there was one more important amendment to the Madras Estates Land Act, by Act VI of 1936 by which section 39-A was inserted as a result of the introduction of non-official Bill in the Legislative Council in 1935 by Shri M.G. Patnaik of Ganjam which mainly intended to meet the situation caused by the phenomenal fall in the prices of staple food crops after the year 1931. By this amendment the raiyats were entitled to proportionate reduction of rent on application, where the rent of the holding had been enhanced under section 30 or commuted under section 40 or settled under Chapter XII on the ground of reduction of prices by not less than 18½ per cent. A majority of the zamindari raiyats in Ganjam did not, however, derive much benefit out of this provision as most of them were paying rent in kind.

The incidence of tenure of various classes of *inams* was as follows category-wise:



(i) *Pre-settlement inams*: The pre-settlement Inam tenures may be either rent-free or held on payment of quit-rent. The *inams* that had been granted before the permanent settlement of

the estates in 1802 are known as pre-settlement *inams*. Government were interested in the pre-settlement *inams* as its assets were excluded from the total assets of the estates when the land revenue of the estates was permanently fixed. Hence, these *inams* are also sometimes referred to as Government interested lands, i.e., G.I. lands. The pre-settlement *inams* are further subdivided into enfranchised and unenfranchised *inams*. Enfranchised *inams* are in the same position as raiyatwari lands in respect of succession, transfer, subdivision and sale for arrears of quit-rent. They may also be accepted as security for any purpose in the same manner as raiyatwari lands. The right of unenfranchised *inamdars* is restricted in these respects and those *inams* are liable to resumption and to assessment of full rent by Government on infringement of the conditions of the sanads or title deeds confirming the *inams*. The following kinds of pre-settlement *inams* were enfranchised *inams* :

(a) *Village Service inams*—*Inams* granted to village officers and village servants such as Karji, Karanam, Dandasi and Taliyari for revenue and police services.

(b) Some personal or subsistence *inams*, such as Brahmadayam *inams* (also called Agraharam or Srotriem) granted by former Government for remuneration for service in the Revenue or Police Department which were no longer rendered or required but had been declared enfranchised in the title-deeds granted by the Inam Commissioner. *Inams* granted to religious persons such as Brahmins or persons well versed in Vedas also come under this category.

The following pre-settlement *inams* were unenfranchised *inams* :

(a) Religious and Charitable *inams* (also called DebadaYam or Dharmadayam)—These were grants to religious and charitable institutions made for the performance of service to these institutions.

(b) Village Artisan *inams*—These are held by barbers, carpenters blacksmiths, washermen, potters, purohits (priests), astrologers and temple servants, etc.

(c) Some personal or subsistence *inam* and *inam* granted by former Government for the remuneration of services in the Revenue or Police Department which were no longer rendered or required and which had not been declared to be enfranchised in the title-deeds granted by the Inam Commissioner. None of these three classes of *inams* could be alienated in whole or in part in any way. Succession in the case of *inams* of class (b) above was governed by the law of primogeniture.

Whole *inam* villages were otherwise known as major *inams*. A pre-settlement whole *inam* village in order to qualify for "estate" does not necessarily mean that all the lands of the village must form subject matter of the grant. One has to look to the wording used in the grant. If it is expressed to be a named village the area covered by the grant shall be deemed to be an "estate" under explanation (1) to section 3 (2) (d), notwithstanding that it did not include certain lands in the village of that name which had already been granted on service or other tenure or been reserved for communal purpose. Subsequent partition among the grantees or their successors-in-title did not affect the character of the "wholeness" of the *inam* village. If a portion of the *inam* village had been resumed by Government the remaining portion is also regarded as an 'estate' and the resumed portion is converted into ralyatwari tenure.

(ii) *Post-settlement. (subsequent or Darmila) inams* : Post-settlement *inams* came under two categories, viz., post-settlement major *inams* and post-settlement minor *inams*. The former category covers grant of whole villages and the latter covers grant of lands of a part of the village. Post-settlement whole *inams* of irresumable nature have been treated as "estates" under section 3(2) (e) of the Madras Estates Land Act and post-settlement whole *inams* of resumable nature and post-settlement minor *inams* have been treated as parts of the parent estates. After abolition of "estates" the distinction between resumable and irresumable whole *inam* villages has lost its significance.

The following kinds of post-settlement *inams* were noticed:

(a) *Inams* granted to religious or charitable institutions (b) personal or subsistence *inams* and (c) *inams* granted for service to be rendered to the land-holder or to the village community. The land-holder's right to grant *dermila inam* of classes (a) and (b) was curtailed under the provisions of the Impartible Estates Act (Act II of 1904). Under that Act the proprietor of an Impartible Estates was incapable of alienating or binding by his debts, such estate or any part thereof beyond his own life-time unless the alienation was made, or the debt incurred, under circumstances which would entitle the managing member of a joint Hindu family not being the father or grand-father of the other coparceners to make an alienation of the joint property or incur a debt, binding on the shares of the other coparceners, independently of their consent. But the proprietor of an Impartible Estate was authorised to grant sites for public charitable and public religious institutions and to grant leases of home-farm lands for terms not exceeding fifteen years. Under the provisions of section 3 (16) (c)

of the Madras Estates Land Act service *inams* granted by the land-holders were quite legal, if granted rent-free or on quit-rent before the passing of the Estates Land Act or if granted rent-free after the passing of the Estates Land Act. (All the ancient zamindari estates of Ganjam excepting Athagarha were impartible under Act II of 1904).

Ghoomsur Inam

Ghoomsur Paik *inam* deserves some special mention. They should not be confused with the *inams* situated in the zamindari areas. They are more akin to *jagirs* like *chowkidari chakran jagirs* of North Orissa. After termination of the Ghoomsur campaign in 1837 it was not considered advisable to deprive the *paiks* who were the armed retainers of their service lands upon which most of them were dependent for their livelihood. This body of men were part of the feudal system which formerly prevailed in Ganjam. They were originally appointed to protect the plains against the inroads of the Kondhs of the adjoining hilly tracts. They also attended the Raja's person and his family and assisted in collection of revenue by watching over the crops and seeing that the raiyats did not make away with them before the zamindar's share was secured. Mr. Russel re-modelled the establishment in 1837 and re-distributed the lands over the entire Subdivision. Some 10,000 acres of land were made over to the *paiks* free of rent or at a small quit-rent among some 1,244 peons. In 1867, the question of their enfranchisement by the Inam Commissioner was taken up but it was decided that for the time being they were to be left untouched and no subsequent orders were issued. The *Paiks* held their land during the life, dependent upon their good conduct and faithful discharge of their duty of doing armed service when called upon. When the armed service was not required they were later utilised as guards in the salt factories in the manufacturing season. But subsequently they were not required for any service except for being utilised as peons or *mulias* of the Tahasildar and the Subdivisional Officer. Their descendants continued to hold their lands and were formally appointed by the Subdivisional Officer till their posts were abolished and the service lands were settled with them with right of occupancy.

Darmila *inams* of classes (a) and (c) could not be alienated but *inams* of class (b) could be alienated subject to the conditions of the grant. Class (c) is nothing but ordinary *jagirs* of North Orissa granted by the zamindars for service to themselves or to the community.

A Short history of estates

(i) **Khallikote**—The Khallikote zamindari consisted of 309 raiyati villages and 38 (32 pre-settlement and 6 post-settlement) *inam* villages. The approximate area was 238.24 sq. miles (876 sq.km.). It formed the northern boundary of the district, adjoining the Banpur Thana in Puri district. The yearly *peshcush* payable was Rs.18,482-1-2 (or Rs.18,482.07). The Khallikote family is said to have been founded by one Rama Bhuyan who exerted himself to clear the jungle and found the villages. Purushottam Dev, Gajapati king of Orissa, was an eye witness to Rama Bhuyan's ability and confirmed him as Zamindar of the area. At a later period the then Zamindar received credit for keeping the Marhattas out of the district and obtained the title of Mardaraja Deo for his valour. The adjoining estate of Athagarha was bought by the Khallikote zamindar in 1854 in public auction sale for arrears of land revenue. The estate vested in the State Government on the 1st June, 1953. The last zamindar was Rajabhadur Shri Ramchandra Mardaraj Deo. The Estate comprised the following Muttahs :

(1) Pankalo Muttah, (2) Chatra Muttah and (3) Boranga Muttah.

(ii) **Athagarha**—Athagarha was a partible state and was perhaps the finest in the district. Its area was about 293.42 sq.miles (760 sq. km.). It contained 221 raiyati and 71 (41 pre-settlement and 30 post-settlement) *inam* villages divided into three Muttahs, viz., (1) Koladi, (2) Polasara and (3) Borida Khandl.

The yearly *peshcush* payable was Rs. 59,919-10-8 (of Rs. 59,919.72). The estate vested in the State Government on the 1st June, 1953. The estate was sold by auction for arrears of tribute on the 15th July, 1854. The estate was at first declared to have been bought by the Government on the ground that the Khallikote zamindar, who was actually the highest bidder, had not complied with the terms of the sale and had not paid the prescribed deposit. Against this decision of Mr. Frendorgast, the then Collector, the Raja of Khallikote appealed to Government and the Government ordered that the amount of his bid should be accepted and the estate made over to him. The transfer of Athagarha to the Khallikote Raja, in spite of his being a nephew of the last zamindar of Athagarha, caused a great deal of dissatisfaction amongst the people and some disturbances took place. The causes were alleged to have been oppressive management. In 1875, the feeling of discontent

culminated in the murder of Unnuva Rama Lingam Pantulu, the zamindar's manager. He was way-laid at night by a band of armed malcontents, some 30 in number, and stabbed to death in the neighbourhood of Boirani while on his way to Brahmapur. Unfortunately the murderers were not convicted in spite of the exertions made both by the Police and the Magistracy.

The founder of the ancient family of Athagarh is said to have been one Jagga Daso, a hermit and the family was held in great esteem by the kings of Orissa. One of the Rajas of Athagarh gave shelter to the Raja of Puri and Lord Jagannath. The last zamindar was Rajabahadur Shri Ramachandra Mardaraj Deo.

(iii) *Palur* :—It was a small zamindari being about 29.00 sq. miles (75.11 sq.km.) in extent. It consisted of 20 raiyati and 4 *inam* villages (2 pre-settlement and 2 post-settlement) lying to the south of the Chilka Lake. The yearly Peshcush payable was Rs.18-0-10 (Rs.18.05). The zamindari is said to have been presented to Dasarathi Soor, a sirdar, by Purushottam Gajapati Deo, king of Orissa in A.D. 1489. The last zamindar purchased it from the zamindar of Tarla in Tekkali taluk of Chicacole district, she having got it from the original zamindar of Palur. The estate vested in the State Government on the 1st June, 1953. The last zamindar was Shri Ananta Pratap Singh Deo.

(iv) *Biridi (Birudi)*—It is contiguous to the Khallikot zamindari and like Palur, also impinged upon the southern extremity of the Chilika lake. The village Rambha which from time immemorial had been the principal port of the Chilika, is in this ex-zamindari. Its approximate area is 60.13 sq. miles (155.74 sq. km.) and the number of villages is 71 raiyati and 12 *inam* (7 pre-settlement and 5 post-settlement). The Peshcush payable was Rs.4,275-1-0 (Rs.4,275.06). The last zamindar was Rajabahadur Shri Rama Chandra Mardaraj Deo. Like the other zamindari tracts lying contiguous to the Chilika lake the estate owes its origin to Purushottam Gajapati Dev, king of Orissa, who granted it to Balaram Soor, one of his Sirdars, in the year A.D.1489. The present zamindar obtained this by purchase from the zamindar of Bobbili who had brought it from the zamindar of Biridi. The estate vested in State Government on the 1st June, 1953.

(v) *Humma*—It is situated near Ganjam and was the smallest zamindari in the district. Its approximate extent was 6.57 sq. miles (17 sq. km.). The estate contained 6 raiyati and 2 pre-settlement *inam*

villages. The last zamindar was Shrimati Vairicherela Chandramani Patta Mohadebi and the Peshcush payable was Rs. 637-80. Humma was formerly situated in the midst of a thick jungle which was the resort of thieves and plunderers. In order to protect travellers who passed along the high road adjoining it, Kapilendra Deo, king of Orissa, is said to have appointed one Madan Mohan Samant to be the zamindar with the title of Samant Raya Mahapatra (A. D. 1228). The ex-zamindar came into possession by virtue of purchase of the estate. The estate vested in the State Government on the 1st June, 1953.

(vi) *Dharakote* : The Dharakote ex-zamindari is situated about 8 miles (12.87 km.) from Asika in a north-westerly direction and adjoins Bodogada on the north and Ghumusar on the east. It contained 165 raiyati and 42 *inam* villages. Its approximate area was 125 sq. miles (323.75 sq. km.). It is traversed throughout its entire length by Rushikulya river which meets its principal tributary, the Mahanadi not far from Asika. The zamindari was divided into three Muttahs, viz., Jahada, Konunagodo and Sahasranga. The estate vested in the State Government on the 1st June, 1953. The last zamindar was Shri Padmanabha Singh Deo. The Peshcush payable was Rs. 23,470-13-5 (Rs. 23,470.84). Dharakote formerly was a part of the ancient Khidsinghi zamindari together with the neighbouring divisions of Sorada, Bodogoda and Sheragada. The name of the first Raja of Khidsinghi was Sobab Chandra Singh, who is said to have received the favour of the king of Orissa and ruled over the country for 39 years (A. D. 1168 to 1206). After seven generations had passed away, Boliar Singh, a member of the ancient family, thought it proper to divide the Khidsinghi zamindari. To Damona Singh, the son of his eldest son Gangadaro Pattu Kumonaro, he gave Bodogoda Taluk. To his second son Haddu Singh, he gave Dharakote, to his third son Sunda Danoo Singh he gave Sorada, keeping Sheragada for himself. This division took place in A.D. 1476.

(vii) *Bodogoda*—This ex-zamindari adjoined the former zamindari of Sorada, later incorporated with the Ghumusur territory. It is one of the widest parts of the district. Attached to the zamindari is the contiguous Bodogoda Maliaha. The country is for the most part hilly and overrun with jungle. Its area was 166.92 sq. miles (432.32 sq. km.). There were 127 raiyati and 16 *inam* villages (7 pre-settlement and 9 post-settlement) and three Muttahs, viz., Kota, Jagari and Korada Kona. The estate vested in the State Government on the 1st June 1953. The last zamindar was Shri Kishore Chandra Singh Deo. The yearly Peshcush payable was Rs. 3,770-15-3 (Rs. 3, 770.95).

(viii) *Sheragada*—The area though small was very fertile. Its approximate area was 29 sq. miles (75.11 sq. km.). The Peshcush payable was Rs. 4,950-4-3 (Rs. 4, 950.26). The estate vested in the State Government on the 1st June, 1953. It contained 29 raiyati and 10 *inam* villages (8 pre-settlement and 2 post-settlement). It lies south-east of Dharakote and north-east of Sanakhemedi.

(ix) *Sanakhemedi*—This formerly was a part of the adjacent zamindari of Vijayanagar or Badakhemedi and along with that estate originally belonged to Parlakhemedi. In 1407, the then Parlakhemedi Raja had two sons. To the younger son, Anango Bhim Deo Kesari, he gave that portion of his estate called Ananga Bhima Deo Khemedi and this estate was subsequently subdivided into Vijayanagar or Badakhemedi and Pratapgiri or Sanakhemedi. In 1768, when Mr. Cotsford took possession of Ichhapur Province, he found the united estate in the hands of Bhima Deo, the most troublesome zamindar of the district. After his death in 1776 one of his sons, Moni Deo kept Vijayanagar or Badakhemedi and the other son Jagannath Deo succeeded to Pratapgiri or Sanakhemedi. Since that date there were feuds and disturbances of a more or less serious character between the two families, till a decision (1876) of the Privy Council decided that the estate was to be made over to the adopted son of the late zamindar's widow who was a sister of the neighbouring zamindar of Badakhemedi. The litigation between the different claimants continued in some form or other till recent times. By the time the estate vested in the State Government on the 1st June, 1953 it was under the Court of Wards. The Peshcush payable was Rs. 19,104-1-5 (Rs. 19,104.07). The area was 180.61 sq. miles (416 sq. km.). The number of villages was 181 consisting of 130 raiyati and 52 *inam* (18 pre-settlement and 33 post-settlement). The Zamindar's Goda or Fort is situated at Pudamari where the zamindar used to live. The old buildings of the zamindar at Pattapur is in ruins. The cultivation of Indigo was attempted in this estate with European Capital and the quality of the Indigo made was excellent but the enterprise was abandoned in consequence of the litigation and distracted state that prevailed. The Godahado river flows through the zamindari and joins the Rushikulya river down Hinjili. The extensive Sanakhemedi Maliahs which were formerly attached to the zamindari were resumed by Government and their ancient feudal connection with Sanakhemedi terminated. The major portion of these Maliahs were transferred to Phulabani district. Pudamari is a big village in this ex-zamindari. The Brahmapur-R. Udayagiri Road passes through this village. It is a business centre as it is at the gate way of the Agency and all agency products were being stocked here by merchants who export them to the plains.

(x) *Badakhemedi*—The Raja claims descent from the ancient king of Orissa being a member of the younger branch of the Paralakhemedi family. The residence of the zamindar was at Digapahandi. Ever since the last zamindar took over charge of the estate, he spent a lot in dismantling the fort and shifted his residence to his building at Brahmapur named 'Ananda Bhavan'. Its approximate area was 224.01 sq. miles (580 sq. km.). It contained 178 raiyati and 50 *inam* villages (31 pre-settlement and 19 post-settlement) divided into 4 muttachs, viz., Khati Muttah, Adupada, Nuapada and Gopalpur. The estate vested in the State Government on 1st June, 1953. Shri Ramachandra Deo was the last zamindar. The yearly Peshcush was Rs. 22, 464-10-9 (Rs. 22,464.67). The Raja held Government Sanad for the Badakhemedi Maliahs which was independent of the zamindari and covered an area of 377 sq. miles (976.43 sq. km). The two important towns are Nuapada and Digapahandi.

(xi) *Chikiti*—This ex-estate was situated to the south-east of Badakhemedi with an area of 110.82 sq. miles (287 sq. km.). It is watered by the Bahuda river which flows past Ichhapur. The number of villages is 151 of which 124 are raiyati and 27 *inam* (18 pre-settlement and 9 post-settlement) and the estate was divided into 6 muttachs, viz., Krishnapur, Bodopolonka, Jayantipura, Kotilingi, Patrapura and Talatampara. The Talatampara Muttah is now in Somepeta in Andhra State. The last zamindar was Shri Sachitananda Deo. The Peshcush payable was Rs. 30,045-0-7 (Rs. 30, 045.04). The Raja's residence is at Chikiti. A king of Cuttack is said to have granted this zamindari to one Kasano, a Sirdar who conquered the country from the primitive tribes and built a fort in A. D. 881. The estate vested in the State Government on 1st June, 1953.

(xii) *Surangi*—This ex-zamindari was situated south of Badakhemedi and had an area of about 81.92 sq. miles (212.17 sq. km.). The number of village was 129 consisting of 117 raiyati villages and 12 *inam* (7 pre-settlement as 5 post-settlement). That part of the Eastern Ghats known by the name of the Surangi Mala adjoins the zamindari. The name of the last zamindar was Shri Purna Chandra Harichandra Jagat Deo. Its *peshcush* was Rs. 3,628-13-4 (Rs. 3,628.83). Surangi is at a distance of about 12 miles (18 km.) from Ichhapur. The ex-zamindar's Godo or Fort lies in a narrow gorge or recess at the head of a small valley. The estate vested in the State Government on 1st June, 1953.

(viii) *Jarada*—This was a small zamindari adjoining Surangi and is towards south-west of Chikiti. It had an area of 48 sq. miles (124.32 sq. km.). The area is hilly interspersed with forest but is tolerably well watered by a small stream that falls into the Bahuda

river. It contained 59 villages consisting of 52 raiyati and 7 *inam* (5 pre-settlement and 2 post-settlement). The estate vested in the State Government on 1st June, 1953. The name of the last zamindar was Shri Prasanno Chandra Samantaray Deo who was the son of the Raja of Talcher and he came to possession of the estate by virtue of adoption. The *Peshcush* of the estate was Rs. 1,951-9-10 (Rs. 1,951·61).

(xiv) *Parlakhimedi*—This estate was the largest and the most important in Ganjam. Its area was 639 sq. miles (1,655 sq. km.) But the entire zamindari was not in Orissa as it was bifurcated on the formation of Orissa Province in 1936. The area of the zamindari which remained in Orissa is 201 sq. miles (520·59 sq. km.) consisting of 188 raiyati and 60 *inam* villages (44 pre-settlement and 16 post-settlement). The yearly *peshcush* payable was Rs. 38,371-8-11 (Rs. 38,371·55). Adjacent to the estate, but above the Ghats are the Parlakhimedi Malihas inhabited by Savaras. The Malihas cover an area of about 354 sq. miles (916·86 sq. km.). The chief town Parlakhemundi remained in Orissa. It is the Subdivisional and the Taluk headquarters. Parlakhimedi is connected by a light railway (narrow gauge) from the main line at Naupada on the South Eastern Railway. The cost of laying the line was borne by the Maharaja. This was subsequently acquired by the Railway authorities. The zamindari is full of hills, between which are numerous, extensive and fertile valleys.

The highest mountain in the estate is Deodangar (also called Ojjaigoda) 40,54 feet above the sea level and there are some good sal-wood forests near Serango. The whole country is singularly favoured by nature and the mango and jack topes are the finest in the district. It is well served with rivers, channels and tanks. There are two teak plantations in the estate, one at Vallada and another at Kimedi. Since its administration by the Court of Wards the estate steadily increased in value. The lie of the country between the hills is particularly favourable for the construction of large reservoirs. The Vansadhara and Mahendratana river flow through the estate. There are many fine tanks of large size in Parlakhimedi amongst which are the Rama Sagar and Sita Sagar near Kimedi, Brundaven Sagar near Upalada, Krushna Sagar near Gopilli and Chaitanya Sagar north-west of Parlakhimedi. At Parlakhimedi, baskets, mats and other articles of fine texture are woven from the bark of a species of wood and are much esteemed in the district. It is also noted for its fine horn works. The word Parlakhimedi is said to be a corruption of the word "Pravala Khimundo", the coral headed and coral eyed one which was the name of the last of the tribal rulers of the tract. He was subdued by Collahumber, a son of Kapilendra Deo of the

royal family of Orissa. This prince is said to have taken up his residence at Bisam-Cuttack, then the chief town of Jeypore. The estate vested in the State Government on the 1st June, 1953. The last zamindar was Maharaja Shri Krushna Chandra Gajapati Narayan Deo.

(xv) *Proprietary Estates*—The three proprietary estates still left were Asika, Kurla and Devabhumī and were known together as Asika Malukdari (a corrupt form of Malguzari of C. P. system). These estates were formerly under one proprietor, the Asika Malukdar. They were liable for a total quit-rent of Rs. 19,065-2-4 (Rs. 19,065.14)

The quit-rent was composed of as follows:

Rs. 8,449-2-3 (or Rs. 8,449.14) .. for Asika

Rs. 5,477-11-1 (or Rs. 5,477.69) .. for Kurla

Rs. 5,188-5-0 (or Rs. 5,188.31) .. for Devabhumī

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

- | | |
|------------------------|----------------------|
| 1. Kurla | 15. Sunambo |
| 2. Devabhumī | 16. Kalasandhapur |
| 3. Torasingi | 17. Mentapada |
| 4. Kumbhari | 18. Pakalapalli |
| 5. Alipur | 19. Haridapodar |
| 6. Gottagam | 20. Padhalo |
| 7. Nuagoda | 21. Kaparanuvagam |
| 8. Maguru | 22. Jaypur |
| 9. Khaspa | 23. Venkataripalli |
| 10. Chadiyapalli | 24. Bodalundi |
| 11. Narasingapalli | 25. Singupur |
| 12. Asika Damodarpalli | 26. Asika |
| 13. Niralo | 27. Khambeswaripatna |
| 14. Boisipalo | |

The total quit-rent payable by all these estates was Rs. 21,781-9-3 (or Rs. 21,781.58) as recorded in the record-of-rights prepared for each of the above estates as against Rs. 19,063-2-4 (Rs. 19,065.14) before fragmentation.

RAIYATWARI TENURE

It has been stated earlier that Ghumusar zamindari along with Sorada was forfeited owing to rebellion of the Raja and Mohuri zamindari was taken over for arrears of revenue. Some more zamindars and proprietors also fell into arrears of revenue between 1809 and 1850. The estates one after another eventually reverted to the Government and formed the Government Taluks known as raiyatwari areas.

Doubts as to the desirability of extending permanent settlement to the new territories that had been added from time to time to the Company's possession were expressed as early as 1808, the main objection being the possible loss of revenue. The principles of permanent settlement were called into serious question and were considered to be detrimental to the prosperity of the country and happiness of the people. The Court of Directors, therefore, prohibited further extension of permanent settlement to any other part of Madras. Thereafter the system of village settlement was introduced and finally in 1812, the Court of Directors ordered that in all the areas that had not come under the permanent settlement the raiyatwari system should be introduced and that where rent on any other principle had been fixed it would be terminated at the end of the term.

Thus, we find that in the Ganjam plains, two revenue systems were prevailing till the abolition of the zamindaris under the Orissa Estates Abolition Act in the year 1953—one was the zamindari system and the other the raiyatwari system.

In 1820, Munro became the Governor of the Madras Presidency and he took his seat in time to preside over the final establishment of the raiyatwari system. The intention of the framers of the raiyatwari system was to make the assessment on the land permanent. Colonel Read who first introduced the system in Madras issued a proclamation at the time of its introduction declaring that the assessment was fixed forever and Sir Thomas Munro once declared that it was "fixed" and "permanent." Subsequently, however, a change of view had come upon the authorities in England arising from the loss of prospective income to the State. Finally, in 1883, the idea of permanency of the raiyatwari assessment was formally abandoned.

It is difficult to define the raiyatwari tenure in one or two words. Even the Bombay Revenue Code which was the law governing similar tenures in that Presidency avoided a definition of the tenure and merely described certain of its incidents, attributes and limitations. In Madras there was and still is no law on the subject, regulation XXV of 1802 having never been held to be applicable to the raiyatwari lands. The difficulty of definition arises from no other cause than the inapplicability to oriental tenures of the phraseology of European landed property. The terms of the engagement can easily be enumerated and these terms are sufficiently well understood and practically acted upon by the persons concerned. They have since been embodied in a set of executive instructions of the Board, called the "Board's Standing Orders" which although is not based on any statute, still by usage and practice, has been regarded as having a statutory force. No serious difficulty has ever arisen owing to any difference of opinion as to the interpretation of the raiyatwari contract. In raiyatwari tenure, Government deals with an individual who is technically assumed to be acting on his own account and not through a middle man. He is given a document called a *patta* which records the extent and assessment of each survey field or a portion of a field in his occupation. The *patta* does not assume to confer any title, but is only a document indicating certain fiscal arrangements between the Government and the individual mentioned in it. No document of acceptance is received by the Government from the raiyat as it is considered unnecessary, the law making the land and its produce liable to attachment for arrears of land revenue in preference to any other claim on the land. The occupant pays the revenue assessed on the area actually occupied by him and this area may be constant or may be varied from year to year by the relinquishment of old fields or taking up of new ones which are either available as waste or in consequence of having been given up by someone else. The *patta* is liable to revision every year so as to bring it into par with the actual state of affairs. The occupant thus enjoys all the rights of absolute ownership subject only to the payment of revenue due on the lands levied during the year. When he becomes a defaulter, the Government merely sales such portion of his land as is sufficient to cover the amount due and it does not dispossess him by any form of eviction other than that provided by the legislature under the Madras Act II of 1864 (The Revenue Recovery Act). The land can be inherited, sold or burdened for debt in precisely the same manner as a proprietary right, provided that the person in whose name the land is registered in the Government account pays the revenue due to the State. Principles of raiyatwari settlement in the past will be given subsequently in this Chapter.

TENURE IN AGENCY TRACTS

The Agency tracts known as Malihās (or high lands) are the irregular chain of the Eastern Ghats that lie to the south-west of the district. The people are mostly Adivasis who were in the past driven away from the plains to the fastnesses of the hills by the Aryan conquerors. The hills are inhabited by Khonds, Sauras, Gonds, Oriyas, and Panas. Owing to predominance of Khonds and Sauras in these scheduled tracts the entire agency area is included within the definition of the Scheduled Area as given in the Constitution (Scheduled Area) Order, 1950 under the Constitution of India. Under the Government of India Act, 1935 this was also declared as a Partially Excluded Area. The Scheduled District Act, 1874 also included the entire Agency area as a Scheduled district to which application of normal laws was barred.

In the Northern Circars the Muslim Rulers recognised two classes of zamindars, namely, the hill zamindars occupying the Eastern Ghats and zamindars on the plains. On account of turbulent nature of the tribals inhabiting the hills and the unhealthy climate therein, the hill zamindars had always been treated differently from the zamindars of the plains. Though the general policy of the British Government was to treat all zamindars alike they wanted to know more details about the hill zamindars of Ganjam district before going in for a formal settlement of these tracts. A sort of stand-still agreement was, therefore, reached by the Government with the hill zamindars making them liable to pay Peshcush. With the exception of the hill zamindars of Karada, Ranaba and Katingia, all others had zamindaris in the plains also which had already come under the permanent settlement and in the usual course the hill zamindaris would have come under it. But the Ghumusar rebellion turned the course of events. In 1836 disturbances broke out in Ghumusar when the Raja refused to pay Peshcush. He fled to the Malihās and the troops followed him. There the Khonds inhabiting the Ghumusar Malihās became turbulent and it took sometime before peace was restored. Ghumusar and Sorada Zamindaris belonging to the Raja of Ghumusar were forfeited to the Government and with them the Ghumusar and Sorada Malihās were also forfeited. (The plain portion of the area was subsequently settled under the raiyatwari pattern as stated earlier). Mr. Russel's Report on the Ghumusar rebellion drew the attention of the Government to the rites of human sacrifice known as "Meriah" which commonly prevailed in all the hilly tracts of the Agency Areas inhabited by Khonds and some other tribals. ('Meriah' is the name given by the Britishers to the custom of human sacrifice practised by the Khonds and some other tribals under the superstitious belief that the sacrifice would bring them good crops, season and health. For a detailed account of the 'Meriah' sacrifice and its suppression

by the British, a reference is invited to Chapter IV on "Maliahas" given in the Ganjam District Manual by Mr. T. J. Maltby). With the Ghumusar and Sorada Maliahas coming directly under the Government it was considered to be an urgent necessity to stamp out this evil practice. In order to achieve this objective and for securing better administration of the hilly tracts Captain Camble was appointed as Assistant to the Collector, Ganjam with special charge over the Khonds of Ghumusar and Sorada. The Ghumusar rebellion clearly brought out that the Khonds were extremely loyal to their zamindar and the zamindars as a class were not to be too much relied upon until the administration was properly organised and the country fully subjugated. To effectively deal with emergencies in these tracts, Government decided to remove the hill zamindaris from the jurisdiction of the normal administration and put them under the special control of the Collector as Agent to the Government with an Assistant Agent to help him in administering these areas. Since then these areas have been termed as "Agency" (derived from the word Agent in whose special charge these tracts were placed). To give statutory recognition to this arrangement the Ganjam and Vizagapatnam Act, 1839 was passed. Section 3 provided that the administration of civil and criminal justice including superintendence of Police and collection and superintendence of revenue of every description in the Agency would vest in the Collector and would be exercised by him as Agent to the Governor. Section 4 authorised the Governor to prescribe such rules as may be deemed proper for the guidance of the Agent and of all officers working in the Agency. In exercise of these powers, known as the Agency Standing Order or simply A. S. O. (to rhyme with B. S. O. i. e., Board's Standing Order, applicable to administration of raiyatwari areas) were framed from time to time and the administration became the special responsibility of the Agent. With the passing of the Ganjam and Vizagapatnam Act, 1839 the Agency was divided into four administrative units and three officers holding direct charge of three of these units were designated as the Principal, Senior and Special Assistant Agents and the fourth officer holding fourth administrative unit was the General Deputy Collector, Ghumusar. The Senior Assistant Agent's Agency consisted of Paralakhemundi Maliahas with an area of 354 sq. miles (917 sq. km.). It contained 360 villages of which 122 were below the Ghats. The Principal Assistant Agent's Agency consisted of Jalantara, Budarsingi and Mandasa Maliahas with an area of 50 sq. miles (130 sq. km.). The General Deputy Collector, Ghumusar was in charge of the Pandakhol Muttah (now in Phulabani district) with an area of 104 sq. miles (269 sq. km.), the Adiguda and Minnajodi Muttahs of Sorada Maliahas. The Special Assistant Agent's jurisdiction covered Badakhimedi,

Sanakhimedi, Surangi, Ghumusar, Badagada, Katingia and Sorada Maliahas including Karada and Ranaba. The Special Assistant Agent's Division had an area of 3,250 sq. miles (8,417 sq. km.) and as per 1891 Census the population consisted of 40,000 Sauras, 1,40,000 Khonds, 25,000 Oriyas, 25,000 Panas and 12,000 others who were chiefly artisans, Headmen and Gonds. This vast jurisdiction was divided into three Taluks-Balligurha, Ghumusar-Udayagiri and Ramagiri-Udayagiri with headquarters at Balligurha, G. Udayagiri and R. Udayagiri respectively. It was reshuffled on the 1st April, 1936 with the creation of Orissa and then again on 1st January, 1948 with the creation of Boudh-Khondmal (Phulabani) district. But this change was not very much relevant for the purpose of the revenue administration of the Agency area.

By this time the Government had decided that grant of zamindari rights to the hill zamindars was out of question, but that they should be formally recognised as service holders and the Maliahas in their possession as service grants. Between 1874 and 1881 Sanads were granted to the Rajas of Badakhimedi, Badagada, Katingia, Mandasa, Jalantara, Budarsingi, Jarada, Karada and Ranaba and they executed *kabuliats* in exchange. (A sample copy of such *Kabuliat* is enclosed as Appendix I). The Sanads granted to these hill zamindars (or hill chiefs technically known as Muthadars) clearly mentioned that they were to hold the Muthas as service tenures on payment of a fixed amount of Nazarana (tribute). The Paralakhemundi Maliahas were resumed in the year 1894 and Jalantara Maliaha was resumed in 1910. Ghumusar and Surada Maliahas had already been annexed along with Ghumusar Taluk. Others were recognised by special Sanads, and they continued for a long time till they (Badakhimedi, Badagada, Mandasa, Budarsingi, Jarada and Surangi) were resumed by the Government with effect from 30th March, 1954. Under them were Patros, Bissoyis or other heads of Muthas and their subordinates who held service lands of different kinds. The income of these Muthadars and Muthaheads consisted of *mamools*, i.e., customary perquisites in money and in kind and partly in *inam* or lands. They were responsible for maintenance of peace and order in the Agency. This responsibility was gradually withdrawn from them and was given to the normal administrative machinery.

The system of land revenue administration that thus emerged in different parts of the Agency by force of historical circumstances was neither uniform nor simple. One point was, however, definite and that is, Government could be taken as the proprietor of the entire area and there were no estates in the sense which that term usually bears. The largest portion of this area was occupied by the Khond

and Savara peasantry who used to pay no rent but *mamools* described more fully in the succeeding paragraphs.

The Khond lands above the *ghats* were held for the most part by Khonds free of rent. A proclamation approved by the Government of India in 1845 was issued to the effect that Government did not intend either then or thereafter to impose any tax on the hill race. But this solemn promise was circumvented by an indirect and executive system of 'Mamools' described in succeeding paragraphs. In course of time some of these lands passed on to the non-hill people of the plains by process of alienation. To put a stop to such alienation, the Agency Tracts Interest and Land Transfer Act I of 1917 was passed prohibiting all transfers from hillmen to non-hillmen without express permission of the prescribed authorities. But this Act had hardly any effect on the land-owning system in the Agency areas of Ganjam.

Each Maliaha was in charge of a non-Adivasi Chief known as Muthadar with Muthaheads stationed in the locality. The Muthadars were of the princely families of the plains area of the district and the manner in which they subjugated the areas is shrouded in doubt and speculation. They were functioning as Lords Marches, paying casual visits to the Adivasi areas where their deputies under the designation of Muthaheads were keeping the unruly Adivasis under control. The Maliahas were subdivided into Muthas and each Mutha was in charge of a Muthahead variously called Patro, Bissoyior Naik, etc., according to the custom prevailing in each Maliaha. The number and names of Muthas contained in each Maliaha is given in Appendix II. Below the Muthaheads, there were Godadars and below this class of feudal officers there was a class of Paiks or Peshnias. Each Mutha consisted a number of villages. There were thus three main classes of tenure holders—(1) Muthadar or Hill Chief who held Agency Sanads, (2) Patros, Bissoyis or Naiks who were heads of Muthas and their subordinates and (3) the cultivating class who were chiefly Kondhs and Savaras.

Class I—Hill chiefs held the Muthas on service tenure and their position was defined in the Sanads they held from the Government of Madras. The revenue of the hill tracts formed no part of the assets of the respective zamindaris to which they were attached. The need for having such Hill chiefs with regular hierarchy of subordinate local officials was no doubt a necessity during the early part of the 19th century. But as times advanced, the Muthadar lost gradually his contact with the Adivasis. The resumption of Paralakhemundi, Sanakhimedi and Jalantara Maliahas seems to have had a depressing effect on Hill

Chiefs and their visit to the interior of the Agency areas became less and less frequent. The Ganjam and Vizagapatnam Act read with the Scheduled Districts Act was a very strong weapon in the hands of the executive and the Special Assistant. Agents who were solely meant for these areas were responsible in no small way for the reduction of the prestige and power of the Hill Chiefs in these areas. They were permitted to receive fixed amounts of Nazarana either from the Muthaheads or from the Paiks in certain cases. The only function of these Muthadars was to assemble Paiks at times of emergencies and Bhets (Durbars) held by the Agent to the Governor.

Class II - The Mutha heads, going by the designation of Patro, Bissoyi or Naik, etc., got into closer contact with the administration and exhibited their loyalty to their Hill-Chiefs up to the extent of payment of the fixed Nazarana. In all other respects they were functioning as the local officers of the Government. They were collecting in return for the services rendered by them. 'Mamools' from the Adivasis. This was allowed to them at the rate mentioned in the Taylor's Memoirs, as revised from time to time by the Agent to the Governor, under powers delegated by the Government. The Muthahead was the Patriarch of the area, though a non-Adivasi by caste. The Muthaheads were being assisted by Hodadars who were in-charge of definite duties and at many places were assigned revenues of some villages, besides substantial land which they held under the name, 'Inam land'. No personal service was required of these Hodadars but it was through them that *bethi* service (free labour) from the Adivasis on the roads, and buildings, etc., was extracted. In dealing with the local disturbances and in conducting local enquiries, etc., the help of the Muthaheads and the Hodadars was invariably requisitioned. They were the interpreters and by habit the Adivasis would act only on the word of a Muthahead or his Hodadar. Below this class of feudal officials, there was a class of Paiks and Peshinias who were once the non-Adivasi militia in the areas and who assisted the Meriah Agency in suppressing Meriah sacrifices. Subsequently this militia became a class of part-time peons or Paiks and assisted the Patro in getting the Adivasis to work on the roads and buildings and in collecting the 'Mamools' of the Patros and those of the Hodadars. In remuneration of these services they had small extent of lands, known as 'Inam lands' and were also allowed certain 'Mamools' from Adivasi villages. Although not a regular army with fire arms, this militia continued to have a grip over the Adivasis on account of the traditional hold it had over them. Unlike the Madras Estate Land Act there was no agrarian Code defining the relationship between the actual cultivating class, who were chiefly the Khonds and the Savaras, and their so called landlords, namely the Muthaheads

and Muthadars. (Strictly speaking the Kondhs and the Savaras were the original proprietors of the soil, which they cultivated in absolute freedom from all taxation. But the introduction of the Oriya element as time went on led to the alienation of some lands from the original proprietors who remunerated the Patros and their descendants for the services which they were called upon to render. The latter were the descendants of the immigrants who came there centuries ago to be controllers of the Kondhs or they were invited by the Kondhs to help them in their inter-tribal fights, settle their disputes or to serve as intermediary between them and the 'Sahibs', to convey the wishes of the 'Sahibs' to them and their wants to the 'Sahibs'.)

Mamools

The hierarchy of feudal officials were allowed besides cash payments and land grants, certain payments in kind. All payment including cash came under the broad heading of 'Mamools.' They consisted of several items, such as grains, goat, honey, paddy straw, red gram, Jhudanga, onion, cured fish, Jhuna, tamarind, orange fruits, vegetables etc. These so called good-will presents included almost all items which an Adivasi was considered capable of growing on the hill slopes or on the dry or wet lands. There were a few items such as onions or dry fish, etc., which it was expected that an Adivasi would be getting from the plains area in barter of this agricultural produce. The 'Mamool' system based as it was on the Taylor's Memoirs was a feudal system, although its origin meaning routine, ordinary or customary was based on voluntary payment given with pleasure and accepted with thanks. But in course of time, the word 'Mamool' gathered weight, importance and sanction by virtue of executive enforcement and patronage by the Britishers. But the sole object of its continuance was to keep the Adivasis under check and control through the agency of the non-Adivasi chiefs, i. e., Muthaheads. It became more or less a flexible term of taxation, and its payment, if not made voluntarily, was being enforced either through the Civil Court or under Provisions of the Madras Revenue Recovery Act (Act II of 1864) or simply by force of Arms. The cash Mamools and the Sanja Mamools were believed to have relationship with paddy lands in a village although it stands nowhere explained as to what the ratio and the proportion was. These cash and Sanja Mamools were authorised as there was mutual agreement between the parties regarding the total payment. The assessment or payment whether in cash or kind was capricious and there was no principle underlying such assessment except a single fact namely, agreement, between the giver and the taker. There was no evidence to show that this alleged agreement was

ever properly tested or that there was any proper enquiry by the officials who recorded these Mamools. The Mamool system was so very exhausting that it never gave a chance to the Adivasis to improve their lot. Emigration to Assam hills was very common and sale of lands by Adivasis to non-Hillmen was very frequent. Continued indebtedness kept them on the verge of starvation in spite of the fact that the Adivasi was an intelligent and hardy agriculturist.

In pursuance of the recommendation of the Partially Excluded Areas Committee, the State Government ordered a survey of the Mamools prevailing in Ganjam Agency. In the year 1946 a Special Officer was appointed (Shri U. N. Patnaik) for this purpose. After careful consideration of the report of this Special Officer, Government issued orders in the year 1949 that all Mamools which did not have any relation to the land should be abolished. The question of dealing with Sanja Mamool and Cist Mamool which had relationship though indirectly with land was left to be decided at a later stage. In the year 1952 another Special Officer was appointed to report on the possibility of doing away with even these two Mamools. This Special Officer submitted his report in 1953. Government after careful consideration ordered that commutation of this Sanja Mamool payable by the Adivasis should be taken up. Notices were issued to the Muthadars and Muthaheads to show cause why the Mutha held by them should not be resumed and after perusal of the objections filed by the Muthaheads, orders were passed that commutation of "Sanja Mamool" should be taken up. In the year 1953, there was a sort of re-awakening among the Sauras of R. U dayagiri taluk. There was an instant demand from them that the rank renting Sanja Mamools should be abolished. There was also cry that although miscellaneous Mamools had been abolished in the year 1949, they still lingered in the area on account of the power which continued in the hands of Muthaheads. Some of the members of the Orissa Cabinet visited the area and studied the conditions prevailing there. Smt. Malati Choudhury was invited by the people of the area and her help was eagerly sought by the Adivasis in their attempts to break through the influence of the Patros. There was a memorable meeting at Gooli during the year where about 10,000 Adivasis gathered. It was for the first time in their history that the Adivasis demanded in that meeting that the Sanja Mamools system should be abolished. Social workers of the Navajivan Mandal came to the area to help the Sauras mainly to get over the inferiority complex under which they had been labouring. This agitation over-emphasised the urgent need for action in the directions of rationalising the Sanja Mamool which had been fixed most capriciously in the past. Government decided in January, 1954

that among other things, conversion of produce Mamool to cash in the entire Ganjam Maliah should be immediately undertaken. It was proposed that commutation of produce rent (Sanja Mamool) should be roughly at the rate of Re. 1 per acre of wet lands. This was strongly protested by the Muthaheads on the following grounds:

- (1) That the acreage contemplated was not capable of being checked as the area was un-surveyed.
- (2) That the lands were their own and they should get what is legally payable under the Orissa Tenancy Protection Act.
- (3) That similar lands in Paralakhemundi plains had been assessed at the rate of Rs. 11-00 per acre.
- (4) That the Muthaheads had to pay fixed Nazarana to their overlord, that is, the Hill Muthadar and that the proposed rate of assessment would not cover the entire amount of Nazarana so payable.
- (5) That a flat rate for all kinds of paddy lands would be unfair.

After detailed enquiry by the regular field staff it was held that the objections of the Muthaheads were not valid. Orders were passed commuting all Mamools recorded in Taylor's Memoir (as subsequently revised) taking into the cash and Sanja Mamool into consideration and fixing commutation rate at Re. 1 per acre of wet land. The announcement of the commutation order was more interesting because it was then that the Kondhs and Sauras realised that they would no longer pay heavy Sanja Mamool but pay in cash in lieu thereof, a small fraction of what they were hitherto paying.

The Special Officer appointed for commutation of Sanja Mamools also recommended for abolition of the Muthahead system as it had outlived its utility. Public and Civil works after Independence were being executed either departmentally or through contractors. There was no dearth of labour which was the only justification for Bethi system. So the Muthahead system was recommended to be abolished in its entirety. This will be dealt with in subsequent paragraphs.

Village Officers System

Unlike the Bengal system, the institution of village officers played a very prominent role in the Madras system of administration. Ganjam being a part of Madras for a very long time inherited this

system. These Village Officers were variously known as Village Munsif, Village Accountant, Karana, Karji, Vetty, Dandasi or Talyari, etc., and each such village officer had specific statutory duties to perform. Each village in Ganjam district had a Karji, a Karana, and a Talyari. They were statutorily recognised and their emoluments consisted of money salaries and/or lands in a few cases. The Madras Proprietary Estates Village Service Act, 1884 governed the law relating to Village Officers (their appointment, remuneration, disciplinary control, regulation of duties, etc.) in the permanently settled estates and in Inam villages, i.e., in respect of areas governed by the Madras Estates Land Act and the Madras Hereditary Village Officers Act, 1895, governed the law relating to such officers in raiyatwari areas. The proprietor of the village in case of zamindari areas and Collector in case of raiyatwari areas, was the appointing authority and unless disqualified for other reasons, the succession was to devolve on the eldest male surviving heir according to the law of primogeniture, i.e., the posts were hereditary in nature. Even in zamindari areas they were acting as representative or the agent of the Collector. The job of the Karana was to maintain village accounts, collect revenue, maintain village records, keep a close watch over encroachments on Government lands and keep crop statistics, etc. The job of the Karji was similar to that of the Chowkidar in northern Orissa. He was to maintain peace and order in the village and report criminal activities to the Police. The Talyari was to help the Karana and the Karji in performance of their duties. None of these Acts except Section 5 of the Madras Hereditary Village Officers Act, 1895 (the emoluments of the Village Officers were not liable to transfer or attachment under this section) applied to the Agency areas. By virtue of this provision, the Muthaheads were treated as village officers under the said Act and it was decided by Government that their emoluments would be recoverable as arrear of land revenue under the Madras Revenue Recovery Act (Act II of 1864). So for all practical purposes the Muthaheads, the sub-Muthaheads, the Hodadars and Paiks etc., in Agency areas of Ganjam were also treated as hereditary.

The trio of Karji-Karana-Talyari was a very useful and healthy institution not only from the point of view of general and revenue administration of the village, but also from the point of view of the larger benefit it was rendering to the villagers. Unlike village heads, like Gountias, Padhans and Serbarkars elsewhere in the State who were not merely rent collectors but also holders of some proprietary right in the village, these officers in Ganjam were not exploitive in nature as they were statutory representatives of the Government in the villages getting salary from the treasury.

Even in zamindari villages the Collector had control over them. The Karji, besides keeping peace and order in the village, used to act as village Munsif deciding petty disputes. The services of the Karanas was invaluable to the villagers as all landed and crop statistics, etc., were at his finger tips. Either by formal training or through practical experience over the years, which was being handed down from father to son, he was also an expert in survey and land records management. The manual of village accounts prescribed all the registers to be maintained by him and it was his duty to keep them up-to-date. The Karanas were also custodians of village Chowtries (Rest House) which almost every village had. In these Chowtries Government and Estate Officers used to stay during their tours and inspection of the villages. Besides, travellers passing by the villages would spend their nights with safety. This coupled with the system of Jamabandi (annual settlement of accounts) which the Collector/Divisional Officer had to complete before the end of the Fasli (Agricultural year ending 30th June) made the revenue administration of the village as satisfactory as possible.

(The Jamabandi comprised a detailed scrutiny of the village and Taluk registers with the object of ascertaining whether all items of land revenue including the demand for zamindaris, *inam* villages and minor *Inams* have been properly determined and brought to account and whether the statistics prescribed for economic and administrative purposes have been correctly compiled, whether all Taluk authorities from the Tahasildars downwards had, during the *fasli* been doing all that was expected of them by Government, particularly in respect of (a) careful inspection of cultivation and of Poromboke (communal) lands, (b) prompt and proper disposal of encroachments and of *darkhasts* (application for lease of land), (c) transfers, succession and relinquishment, of land i. e., mutations, (d) examinations of cash accounts, (e) claims to remission and (f) refusal of over payments.)

The Village Officers system and the Jamabandi continued in Ganjam even after Independence and enforcement of the Constitution. The hereditary character of the posts was ultravires of the provisions of the Constitution. Therefore, and also as a measure of land reforms, the Village Officers posts together with incidents thereof were abolished under the Orissa Hereditary Village Officers (Abolition) Act, 1962 (Act 12 of 1962) with effect from the 1st February, 1963. On abolition of the Village Officers all incidents including the right to hold office, receive emoluments, or perquisites in money or in kind, and the liability to render service were extinguished. The holder of the hereditary village

office could either be appointed in suitable posts under the Government or be paid by way of solatium a gratuity equivalent to three times the monthly emoluments together with 3/4th of such emoluments for each completed year of service. On the appointed day i.e., on the 1st February, 1963, there were in Ganjam 3,724 hereditary Village Officers in both raiyatwari and zamindari areas who were abolished under provisions of this Act. Out of these 249 were absorbed in suitable posts in the district and 2,358 were given solatium of Rs. 8,18,961. 292 Village Officers did not apply for solatium and 824 cases were rejected on merit.

Along with abolition of Village Officers, the system of Jama-bandi and maintenance and upkeep of Chowtries also fell into disuse and was ultimately abandoned with disastrous results as no alternative arrangements, statutory or administrative was made for village level revenue administration.

So far as Agency area is concerned, the number of Village Offices was quite large beginning from Muthahead and Sub-Muthaheads to Naik and Dalai, etc. All such offices (65 in number) were abolished under the Ganjam and Boudh (Village Offices Abolition) Act, 1969 (Act I of 1970) with effect from 1st January, 1971. On abolition, their service tenures were abolished and their service lands were resumed and settled with them with rights of occupancy. If no land was attached to any such office, the Village Officer was to be paid by way of solatium a lumpsum grant equivalent to rupees fifty for every completed year of service if he had not been appointed to any suitable post under the State Government before expiry of six months from the date of abolition. In the entire Agency area of Ganjam altogether 2616 village offices were abolished. All of them were settled with lands on occupancy right, as Inam lands. Inam (service) lands were attached to these posts. Hence it was not necessary to pay any solatium to any of them and none of them also claimed or qualified to hold posts under the State Government. In fact, *pattas* were issued in favour of 3132 persons involving 6617 acres of such service lands.

RENT SYSTEM DURING THE BRITISH PERIOD (Zamindari Areas)

In the zamindari areas of Ganjam district the following rent collection systems were in vogue during the British period which continued till the estates were abolished.

- (1) Kost Royani
- (2) Mustajari
- (3) Cash rent
- (4) Assamwari

(i) *Kost Royani system*—This was a system under which the entire body of raiyats of a village or a section of them on behalf of the whole body, agreed to pay a lumpsum in cash to the landholder in lieu of the produce rents payable by them in respect of all crops.

The way in which this system worked is that the value of the gross produce of a village was estimated annually by estate servants and village assessors. The lease amount was fixed as a result of haggling. The raiyats then paid as rent the cash value of the share of the produce which was customarily due from them as rent. The shares varied from village to village. In case of bad crop the raiyats approached the estate authority for remission. No outsider was allowed to compete with the raiyats. This system was in force in some villages of estates Athagada, Khallikote, Chikiti and Surangi.

(ii) *Mustajari system*—Under this system lease for realising the raiyati rents of a village for one year or for a term of years was given to a lessee or a body of lessees, who might be either raiyats of the village or outsiders. The lessee or body of lessees were known as Mustajar and a certain amount was paid to the land-holder as consideration for the lease, sometimes with reference to the crop outturn of the village, sometimes arbitrarily and sometimes by auction. The lease was usually granted in auction to the highest bidder. The auction took place before the commencement of the agricultural operation of the year in April or May. In years when there were no rival bidders or the bid amount was not upto the expectation of the land-holder the leasing out was kept in abeyance till the crops were ready when the auction was held with brisk bidding. In years when no bid was offered by anybody to the satisfaction of the estate, the estate kept the village for direct realisation of the rents from the raiyats by the sharing system.

The Mustajar collected rents from the raiyats by taking a share of all kinds of crops grown on produce rented lands. Cash rents were realised by the Mustajar in the ordinary way. The Mustajars seldom granted receipts for the dues received by them. Mustajari system was prevalent in some villages in estates—Athagada, Khallikote, Badakhemedi, Chikiti, Dharakote, Sheragada, Badagada and Sanakhimedi.

(iii) *Cash rent*—Cash rents had been fixed in a number of villages by the land-holders by commutation of produce rents. These were at times revised by the land-holders. In some cases cash rents were either concessional or privileged in consideration of special factors such as supply of labour and various articles of consumption, lands enjoyed by the deities etc. Cash rent was

prevalent in some villages of estates-Athagada, Khallikote, Biridi, Dharakote, Sheragada, Jarada and Aska Malukdari. Besides, there were 276 villages in which cash rents were settled in the minor settlement operation under provisions of the Madras Estate Land Act in estates-Athagada, Khallikote, Dharakote, Jarada, Surangi and Badakhemendi.

(iv) *Assamwari system*—According to this system the estate directly recovered rent from the raiyats. These rents were either cash fixed with reference to the value of a certain proportion of the crop outturn or produce rents. This rental system was prevalent in some villages of estates-Athagada, Khallikote, Badakhemendi, Chikiti, Jarada, Paluru and Humma. In case of produce rents a share of the by-products (straw, etc.) was normally taken by the land-holders.

The worst of the above rental systems was the Mustajari system as it did not maintain direct relation between the raiyats and their landlords. The Mustajars who were worst speculators collected rents from the raiyats without having any regard for their welfare. They often took advantage of their position and were often alleged to have taken illegal exactions from the raiyats and harassed them, whenever they could and exact *bethi* service for their private purposes. With the abolition of the estates and fixation of cash rent, the system has died a natural death.

Mamools such as Khala Mamools were occasionally allowed to raiyats by the Mustajar and even by the estates in the years when the collections were directly made by the estates at varying rates of the gross produce of paddy and raggi. (This is not to be confused with Mamool system in the Agency areas). The Mamools varied from estate to estate and from village to village. Mamools were separated from the gross produce before division of the crops and were taken by the raiyats. Besides the rent mentioned above, in almost all the estate areas *abwabs* or illegal exactions in some form or other were in vogue, the nature of which varied from estate to estate as given below :

(i) In connection with the Car Festival of Lord Jagannath—Felling of trees in the forest for constructing Ratha of Lord Jagannath, supply of logs at the Ratha Padia and supply of ropes of "Siali Lata", etc. The above services were realised from some raiyats without payment of any remuneration.

(ii) *Halachina*—Originally this meant dues realised by the estate for each plough owned by the raiyats as rent. But in course of time this was realised in addition to the legal rent payable by the raiyats.

In some estates this was realised at the rate of Re.0-12-0 (Re.0.75) per each unit (called Kania) of raiyati land, the unit being an original share in the total raiyati land of the village.

(iii) *Sithobasan*—This was imposed by the land holder of a particular village for the remuneration of the service of a Paik. The Mustajar used to pay up the same to the estate at the rate of 5 *bharans* of paddy and a sum of Rs. 7 and he realised the same from the raiyats at the rate of 2½ *adas* of crop other than paddy.

(iv) *Laxmipuja dues*—The raiyats of the village used to pay Rs. 2 each to the Mustajar for this festival.

(v) Construction of a residential house for the Mustajar at the Khala—The Mustajars used to levy Rs. 0-1-0 (Re.0-06) per each Bharan of land (1/5th of an acre) on the raiyats for construction of a house for his residential purpose in the Khaladuring the harvesting season. (Bharana is both a square measure as well as volume measure in Ganjam).

(vi) *Heta Halachina*—The land holder used to realise an excess amount of Re.0-8-0 (Re. 0.50) above the rent for cultivation of his private land for each plough possessed by the raiyat.

(vii) *Khajana Rasam*—In case of a cash-rented village the land-holders used to realise an excess of 6 pies (Re. 0.03) in a rupee in addition to legal dues of the estate. In some estates also a sum of Rs. 3 was realised for collection of Rs. 100.

(viii) *Halabhada*—In case of each rented village if there was a bumper crop in the village the land-holder used to realise 4 to 8 annas (Re.0.25 to Re.0.50) per rupee in addition to cash rent.

No case of action under section 136 of the Madras Estates Land Act by a suit before the Collector for recovery of such illegal exactions and penalties seems to have been filed in Ganjam against any of the land-holders.

Raiyatwari Settlement

The early raiyatwari settlement had many defects, one of which was that there was great inequality in the incidence of rent as the rent was not co-related to the extent and productivity of the lands owing to absence of any accurate survey and classification of lands. It was calculated that on the average, Government at that time took as its share 50 percent of the gross produce on irrigated lands and 25 percent of the gross produce on unirrigated lands. Government decided in 1854 that a general revision should

be made of the assessment of the Presidency founded on what seemed to be the only right basis of land revenue settlement—an accurate survey and more or less exact classification of soils. Survey and Settlement Department was then re-constituted in Madras and certain rules were framed regarding the procedure to be followed for fixing the net produce on each classification of land. Assessment was made on the net produce, i. e., after deducting the expenses of cultivation and a percentage for vicissitudes of season, unprofitable areas, etc. In 1864 Government share of the net produce was fixed at one half of the net produce. The term of the settlement was to be 30 years. The settlement of Ganjam district on the above raiyatwari principles in areas held directly by Government was undertaken in Fasil 1287 (1877 A. D.) and finished in Fasil 1289 (1879 A. D.). In some areas it also extended up to 1884. The rates for wetlands varied from Rs. 5-8-0 to Rs. 1-4-0 (Rs. 5.50 to Rs. 1.25) and for dry from Rs. 4-0-0 to Rs. 0-4-0 (Rs. 4.00 to Re. 0.25) per acre. The revision settlement in raiyatwari areas was completed between 1904 and 1910. As stated previously the Karanam was the village officer entrusted with the responsibility of collecting the assessed rent from individual raiyats and crediting the same in the Taluk treasury. There was no intermediary between the Government and the raiyat in the matter of assessment or collection of rent.

Agency Settlement

In Agency areas strictly speaking there was no rent. But the Mamools referred to in the earlier paragraphs were for all practical purpose treated as rent and its payment enforced by the Muthaheads and Paiks as mentioned earlier. The entire area was unsurveyed and no record existed regarding the extent of land possessed by individuals. Neither the Board's Standing Order nor the Madras Estate Land Act, 1908 which prescribed principles for rent settlement was applicable to the Agency area.

Attempt at rationalisation of rent

In the zamindari areas the share of rent was generally half the gross produce. But in the neighbouring raiyatwari areas the raiyats paid much less as the principle was half the net produce as embodied in the Board's Standing Order No. 1 (3). As the rent realised in the zamindari areas appeared oppressive there was discontentment among the zamindari raiyats and agitation was started under the leadership of zamindari raiyats association. In 1937 the Congress Ministry framed a Bill for reducing the rent of the zamindari raiyats. According to this Bill in zamindari areas

the rates of rent should not exceed more than 25 per cent of the rates prevailing in neighbouring raiyatwari areas. The Bill was passed by the then Legislative Assembly but it did not get the assent of the Governor as the zamindars sought the protection of the Governor on the ground that their income would be greatly reduced if the Bill was to become law. The Governor of Orissa Mr. Hubback forwarded this Bill for consideration of the Governor General of India. In 1941 the Governor General Mr. Linlithgo vetoed the Bill on the ground that the zamindars promised to reduce the pitch of the then existing rent and that the effect of the Bill had not been investigated by the Provincial Government.

According to the assurance given by the zamindars, the Rajabhadur of Khallikote to some extent reduced the rates of rent settled in the minor settlement. He also fixed cash rents in the *mustajeri* and *kostroyani* villages by commutation process. The other zamindars, however, did not appear to have taken up similar steps. Therefore, discontentment continued to exist. A conference of raiyats, land holders and representatives of Government was held early in January 1948 under the presidentship of the then Minister of Revenue, Shri Nabakrushna Choudhury, in which the zamindars gave an assurance to reduce the rents in their estates.

As it was found by the Government that the zamindars have not fulfilled their assurance, the Government introduced the Madras Estates Land Act (Amendment) Bill so as to empower the Rent Settlement Officer to commute the existing produce rents during Rent Settlement and reduce existing cash rents wherever they were found to be high. Later on this Bill was passed by the Legislative Assembly as the Madras Estates Land (Orissa Amendment) Act XIX of 1947.

As the settlement operations were closed during the period of war it was found necessary to resume the settlement operations so that rents could be settled according to the provisions of section 168-A of the Madras Estates Land Act which was inserted by the Orissa Act XIX of 1947. From the middle of 1947 the settlement operations were resumed. Rent settlement was first taken up in the estates where the zamindars did not act up to their assurance. Khallikote, Athagada and Paralakhemedi estates were left out of rent settlement operations at the first instance as the Rajabhadur of Khallikote gave certain concessions and as the cash rents in Paralakhemedi were not so high when compared with the adjoining raiyatwari areas.

Act XIX of 1947 provided that while commuting produce rents the prices prevailing in the abnormal years to be declared by the Government under section 40 (3) of the Madras Estates Land Act have to be excluded besides the famine years. The statutory rules framed under section 168-A required that while fixing rent, not less than $33\frac{1}{3}$ per cent of the gross produce has to be given as deduction towards cultivation expenses. Besides, concession on account of vicissitudes of season and merchant's profit should also be allowed while fixing fair and equitable rent. Under the old section 168 the existing rent or the rates of rent was presumed to be fair and equitable until the contrary was proved. But under Act XIX of 1947, a proviso was added to the effect that they would not be deemed to be fair and equitable if the previous rent had been fixed on the basis of half the gross produce or any portion of the gross produce regardless of the cost of cultivation. Section 168-A gave power to the Collector to reduce even the existing cash rents if they were fixed without having regard to cultivation expenses or were unfair and inequitable otherwise. Government declared the years 1941 to 1956 as abnormal years on the recommendation of the Settlement Department and the Collector of Ganjam.

Government at first directed fixation of fair and equitable rent in all the raiyati villages in the zamindari areas excluding the villages of Athagada, Khallikote, Biridi and Parlakhemedi estates. Subsequently Government also ordered that rent settlement should be taken up in the raiyati villages of Khallikote and Athagada, Biridi and Parlakhemedi. The rent settlement operation in all the raiyati villages were then taken up and completed by following the statutory principles prescribed under the Madras Estates Land Act for fixation of fair and equitable rent. Although the notification directing rent settlement operation of Parlakhemedi estate was issued in 1951, the same was not taken up under Government orders. Simultaneous operation for survey, preparation of record-of-rights and settlement of rent under section 36 of the Orissa Survey and Settlement Act was taken up in all the raiyati villages of Parlakhemedi from the field season of 1961-62.

The Madras Estates Land Act did not provide for issue of Government orders for rent settlement of a village without the record-of-rights being previously finally published. This lacuna in law has since been removed by the Orissa Survey and Settlement Act, 1958. Therefore, although the *inam* estates had been taken up for settlement operation from the year 1948, still no rent settlement noti-

fication was issued as record-of-rights had not been finally published. By the time they were ready for final publication, the decision of the High Court invalidating the settlement procedure came in the year 1954 and so the operations were stopped. After passing of the Validation Act, the settlement operations were resumed and the Government ordered for rent settlement in the *inam* villages also. The history of settlement operations will be dealt with separately in this Chapter.

Principles followed in settling rent

In the minor settlement operation, 276 villages were completed from rent settlement. While fixing rent, no uniform principle was followed and the rates of rent in different estates were fixed on different principles. This procedure naturally gave rise to inequities. The existing rents in the zamindari areas were far higher than those prevailing in the neighbouring raiyatwari areas. It was, therefore, necessary to lay down certain principles to be followed by the Rent Settlement Officers in order to avoid anomalies as far as possible. The Government in the first instance ordered that the general rent incidence in the proprietary areas should not be higher than that prevailing in the neighbouring raiyatwari areas plus whatever enhancement might be due since last assessment of rent in raiyatwari tracts under the existing rules in force for settlement of rent in that area. The rents in the raiyatwari tracts of ex-Madras areas were under the existing rules, liable to enhancement during the Settlement Operations by $18 \frac{3}{4}$ per cent due to rise in price of staple food crops. The last raiyatwari rent settlement took place between the years 1904 to 1910. There was no statute governing rent settlement in the raiyatwari areas until passing of the Orissa Survey and Settlement Act, 1958. The Settlement Officer was guided by departmental rules embodied in the Board's Standing Order which is a set of executive instructions. The jurisdiction of civil courts over the question affecting the rates or the amount of assessment was saved by section 58 of the Revenue Recovery Act (I of 1864). The general price index in August 1955 was 357.3 per cent as compared with the base year of 1939. On the ground of rise in prices an enhancement higher than $18 \frac{3}{4}$ per cent could be justified if it were permissible under the rules. So the principle of assessing the rents in

zamindari areas so as not to exceed ordinarily by more than 25 per cent of existing rates in the neighbouring raiyatwari areas was quite sound and at the same time quite fair and equitable. Considering the high pitch of rent in ex-estate areas, there has been an over-all reduction of rent in almost all zamindaris and proprietary estates except in a few cases.

In the *inam* villages situated in the ex-zamindari areas, where rent had been settled under section 168-A of the Madras Estates Land Act, rates of rent for different classes of lands were fixed broadly in accordance with the rates fixed for similar classes of lands in the adjoining raiyati villages. In the *inam* villages situated in the Parlakimedi ex-zamindari area the rates adopted in the *inam* villages which generally lie in the plans were based on the rates prevailing in the surrounding raiyati villages. When, however, an *inam* village adjoined Doratanam villages, the rates of rent prevailing in the latter category were taken into consideration. In the whole-*inam* villages situated in raiyatwari areas, the average rates for the different categories of land were so fixed as not to exceed by more than 25 per cent the rates of rent prevailing in the surrounding raiyatwari villages.

During the course of the rent settlement, some difficulty in maintaining the principle of parity with incidence and rates of the neighbouring estate raiyati or raiyatwari villages as per rent settlement policy approved by the Government was felt. Government ordered that the rates of rent of the *inam* villages situated in the zamindari areas should be so fixed as to be almost equal to those of the adjoining villages, provided that these villages stood at par so far as soil, situation of the land, irrigation facilities, etc., were concerned as ascertained during local enquiry. In case of *inam* villages situated in raiyatwari areas the same principle was to be followed except that the rents of the *inam* villages would be so fixed as to represent 25 per cent enhancement over those prevailing in the adjoining raiyatwari villages.

Lands belonging to deities were ordered to be assessed at half the rates applicable to similar lands in the villages.

A uniform law prescribing principles of rent settlement was passed in the Orissa Survey and Settlement Act, 1958, (Orissa Act 3 of 1959) which applied equally to all areas of the State (whether raiyatwari, zamindary, Agency or otherwise) and it came into force in the district of Ganjam with effect from 15th December, 1960. This Act followed more or less the same principles as were prescribed under the Madras Estates Land Act for fixation of fair and equitable rent.

Survey, Record-of-rights, and rent settlement

Enjoyment of the rights of the tenants conferred by any statute with respect to their lands is dependent on the availability of record-of-rights based on correct survey. It has been stated earlier that the raiyatwari tracts in the district of Ganjam were completely surveyed and settled. But the Agency tracts could not be surveyed owing to difficult nature of the country and absence of any landed right or land revenue proper. In respect of all the zamindari tracts of Ganjam, the position was very unsatisfactory. The provisions of the Madras Estates Land Act, 1908 regarding survey, record-of-rights, and settlement of rent were not availed of in most of the estates till the creation of Orissa. At the initiative of some zamindars and raiyats survey operations had been undertaken from time to time. Being isolated attempts made at different times, they were not governed by any general policy or uniform procedure. The law provided that the record-of-rights operations could be initiated either by Government *suo motu* or on application by the party. But Government never bothered to apply *suo motu* provisions of the law in any of the estates as Government were not entitled to enhance revenue from these permanently settled estates. No landlord would like to apply for survey and record-of-rights operations as there were definite possibilities of the gross rental being reduced. The raiyats were not organised in such a way as to apply for survey and settlement operation thereby incurring the displeasure of the zamindars who were considered to be men of importance by the Government. The provisions of the law that the party applying for survey and record-of-rights operation would deposit the cost of operation in advance meant negation of the rights of the raiyats. Everywhere the zamindars claimed the right to half the gross produce of the land as legal rent excepting Paralakhemundi where the rent have been commuted to cash rent long ago in 1860. In Paralakhemundi survey operation, record-of-rights and settlement of rent operations were done under provisions of the Madras Estates Land Act in the year 1913 and the revision settlement was done in the year 1939. Generally speaking, the landlords were satisfied with a survey operation only which also prescribed preparation of a Survey Land Register (S.L.R.) without settling rent because the subsequent operation would hit at the source of their income. The legal provisions under which survey work in Madras Presidency was conducted were contained in the Act XXVIII of 1860 and in Act II of 1884. These two Acts were repealed by the Madras Survey and Boundaries Act IV of 1897. This was again repealed by another Act called Madras Survey and Boundaries Act, 1923., and this Act was the law governing survey when the Province of Orissa was created. When the Ganjam settlement operation started in the year 1938 this law was applicable both to the raiyatwari as well as estate

areas so far as survey including S.L.R. part of the work was concerned. Seragada estate was surveyed in 1901, Chikiti in 1918 and Badakhmedi, Khallikote and Athagada in between. When Orissa was created in 1936 a minor settlement operation under the Collector of Ganjam was in progress. It covered Blocks of villages in Khallikote, Athagada, Dharakote, Surangi, Jarada, Badakhmedi and Parlakhemundi estates. A special Officer designated as Special Revenue Officer was in direct charge of the operation. In the later part of 1937, Mr. J.R. Dain, the then Revenue Commissioner made an intensive tour of the district, particularly in the estates where the minor settlement operation was in progress and in his inspection note discussed at length the agricultural, social and economic conditions prevailing in Ganjam estates, the provision of the tenancy law, the Madras procedure then followed in survey, record-of-rights and settlement of rent operation and the cost incurred in the operation etc. He was of the opinion that the cost involved in the Madras system of survey and settlement was prohibitive and not commensurate with the results achieved. He opined that the entire zamindari area in the district should be surveyed, the record-of-rights and rent settlement operations conducted on the Bihar and Orissa pattern. This was the turning point in the history of settlement operations in the district. Valuable suggestions made by the Revenue Commissioner set the ball rolling. The suggestions of the Revenue Commissioner were duly considered by the Government and the Council of Ministers decided on 9th April, 1938 that settlement operations should be taken up *suo motu* by Government in all the estate areas on the Bihar and Orissa pattern. A programme for settlement of the estates of Ganjam district covering the period 1938 to 1944 was approved by the Government. From 1st December, 1938 the Major Settlement operation concerned itself solely with the zamindari areas. The Minor Settlement operation then continuing was merged in the Major Settlement operation. The operation continued at different stages in Blocks A, B and C till they were temporarily closed due to war emergency in June 1942. The settlement office with all papers and records were shifted to Jeypore in Koraput district. After closure of the War, Government ordered in December 1946 to resume the Ganjam Settlement Operation. During 1947 to 1954, the Major Settlement Operation continued in different stages in Blocks A, B, C and D covering zamindari and *inam* estates till the operation was again suspended suddenly on account of Badagada Writ case O. J. C. No. 64/52 declaring the settlement operation illegal. The operation was again resumed after passing of the Ganjam and Koraput Survey and Settlement (Validation) Act (Act VI of 1956).

According to the earlier programme 1604 villages (1577 zamindari villages and 27 *Darmila inam* villages) lying in different zamindari

and proprietary estates were taken up in Blocks, A, B and C. After passing of the Madras Estates Land (Orissa Second Amendment) Act, 1946 (Orissa Act XVII of 1947), all the pre-settled *inam* villages came under the definition of "estates". As the tenants of *inamdars* were mostly paying kind rent and *inam* villages were generally unsurveyed, Government decided to start survey and settlement operation in those villages. 511 *inam* villages (each of them was an estate) were included in the programme to be taken up in Block D from the year 1948. They were scattered villages lying within the geographical boundaries of the zamindaris or the raiyatwari areas. In the meantime, the Madras Estates Land (Orissa Amendment) Act, 1947 (Act XIX of 1947) was passed inserting section 168-A to the Madras Estates Land Act, 1908 with a view to fixing fair and equitable rent in cash in the estate areas including *inems* and reducing rent wherever they were found unfair and inequitable. In various notifications issued from time to time the Government ordered fixation of fair and equitable rent in all the raiyati villages of zamindari areas excluding Parlakhimendi. Rent Settlement operation in *inam* estates were not taken up owing to Badagada writ case declaring settlement illegal. After passing of the Validation Act in 1956, rent settlement in 538 *inam* villages were also ordered to be taken up. So in all rent settlement was taken up in 2115 villages (i.e., 1577 zamindari and 538 *inam* villages) and completed in different periods.

Great difficulty was experienced from the beginning of the settlement operation in having an up-to-date list of estate raiyati villages, pre-settlement whole *inam* villages and Darmila whole *inam* villages. Neither the landholder nor the Collector was in possession of any current and up-to-date information. The reason for this is that the definition of "village" as given in the Madras Estates Land Act was very elastic. It included hamlets also and a new village was created when a new hamlet sprang up or a separate land account was opened by the landholder. The pre-settlement *inam* and Darmila *inam* villages were scattered all over the zamindari and raiyatwari areas. Only a few *inam* villages had been surveyed and majority of them had remained unsurveyed.

In the earlier programmes of settlement, the raiyati villages of Paralakhemundi zamindari which had been surveyed and settled before and the raiyatwari villages which were also similarly surveyed and settled were not included. There was no order of the Government for taking up Agency areas for survey, record-of-rights and settlement operation. Subsequently a programme for survey and preparation of record-of-rights and settlement of rent in the raiyatwari areas and raiyati villages of Paralakhemundi zamindari

and in the Agency areas was approved by the Government to be taken up for simultaneous operation under section 36 of the Orissa Survey and Settlement Act, 1958. The operation in the former two areas commenced from the field season of 1960-61 and 1961-62 respectively. The operation in the Agency areas commenced from the field season from 1963-64. The present progress of settlement operation, the number of villages as finally ascertained, the number completed and the number pending are given below:

	No. of villages	Area in hectare	No. com- pleted from settlement operation	Number pending	Reasons for pendency in brief
1	2	3	4	5	6
1. Zamindari area	2115	4,41,433	2,104	11	9 villages transferred to consolidation organisation. 1 village (Kaithada) not notified for Settlement 1 village (Balta) omitted in Boundary change.
2. Raiyatwari area	1203	2,68,218	1,090	113	98 transferred to consolidation, 14 involved in Boundary change proceeding, 1 (Venkatpur) involved in Inter-State boundary dispute.
3 Agency area	1466	336,453	1,429	37	31 villages involved in Inter-State Boundary dispute, 6 villages held up for traverse revision.
Total	4,784	10,46,104	4,623	161	

Rent settlement in Ganjam district has been done in respect of most of the zamindari villages under provisions of the Madras Estates Land Act and in the remaining areas of the district under the provisions of the Orissa Survey and Settlement Act. The principle for fixation of rent under both statutes is more or less the same. The villages are divided into groups taking into consideration factors like situation of the village, communication and marketing facilities, depredation by wild animals, liability to vicissitudes of season. To remove disparity in grouping of villages all villages are simultaneously considered on a common standard. Lands in a village are classified and plot numbers are allotted to each such classification of land belonging to each individual raiyat or group of raiyats. Lands are classified taking into consideration crop or crops grown, nature of the soil, situation of land in the village sources of irrigation, etc.

Fixation of rent is based on the productivity of the lands ascertained during crop cutting experiments. Value of rent produce is arrived at after deducting the cost of cultivation. The Settlement Officer submits rent proposal to Government through the Board of Revenue for approval of the proposed rates of rent to be fixed at a certain percentage for the net produce of the land keeping in view the rent fixed earlier elsewhere in the district. While approving the proposal of the Settlement Officer Government keeps in view the rates of rent approved for similar lands elsewhere in the State to avoid great disparity in the incidence of rent prevailing in different regions. After the proposals are approved by Government the rent on the individual holdings is fixed by the Assistant Settlement Officer and incorporated in the rent roll which is draft published for inviting objections. Thereafter the rent is finally fixed to take effect from the beginning of the agricultural year next after the date of final publication. The rates of rent so far fixed for different classification of lands in different areas of the district are given in Appendix III.

For lands which are used for non-agricultural purposes in urban areas, the rent was fixed as a percentage of the market value under an executive order which got statutory recognition by an amendment of the Orissa Survey and Settlement Act in the year 1975. The rents for such lands are fixed at one per cent of the market value per acre for lands used for industrial, commercial and trade purposes, and 0.25 per cent for residential purposes, public institutions, educational and charitable institutions.

Under the Madras system, village-sites are treated as Poromboke, i. e., communal lands and therefore homesteads of individual persons within village-sites are not assessable to rent, unlike Bengal system in North Orissa where house-sites are treated as part of agricultural holdings of the raiyat. The homesteads in the village sites, therefore, do not form part of the raiyati holdings and therefore, the occupants do not have transferable right over such homesteads although they can transfer the super structure. But in practice transfers do take place of homestead in village-sites. In 1975 the Survey and Settlement Act was amended authorising Government to fix rent on homestead lands both in urban and rural areas. That is why Government have recently ordered survey of individual occupations within the village-sites as during the last survey operation, detailed survey of individual occupations within the village-site was not done and the entire village-site was surveyed as one plot. By the Orissa Government Land Settlement (Amendment) Act, 1990 (Orissa Act 1 of 1991) Poromboke lands have been brought within the definition of "Government

land which can be settled with persons in occupation on raiyati basis in rural areas and on "lease-hold" (ଢ଼ାଡ଼ା) basis in urban areas.

In 4,623 villages completed from record-of-rights and rent settlement operation in the current settlement the, total rent settled comes to Rs. 59,60,173 against the previous rental of Rs. 26,22,678. The total effect of rent settlement will be known after the Settlement operation in the remaining villages is completed. The extent of land recorded under different status in those villages (excluding 107 villages transferred to Consolidation Organisation) are as follows:

1. Raiyati	..	3,87,562	hectares
2. Jagir	..	40,575	Do.
3. Bebandobasti	..	34,690	Do.
4. Abad Jogya Anabadi	..	1,18,233	Do.
5. Abada Ajoyga Anabadi	..	1,88,275	Do.
6. Rakshit Anabadi	..	91,932	Do.
7. Sarbasadharana	..	53,323	Do.
8. Departmental lands	..	7,667	Do.
9. Pattadari	..	6,435	Do.
10. Gharbari	..	1,197	Do.

No under raiyati or Bhagchasi status has been recognised or recorded .

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LAND REFORMS

With the attainment of Independence in August 1947 the abolition of intermediaries was the settled policy of the Government. Sensing danger, zamindars started large scale alienation of forests and private lands under their control to defeat the provisions of any legislation that was intended to come in not very distant future. After Independence the progressive legislation in the field of tenancy system began with the Orissa Preservation of Private Forest Act, 1947 which provided for preservation of private forests to prevent their indiscriminate deforestation. This was followed by the Orissa Communal, Forest and Private Lands (Prohibition of Alienation) Act, 1948 (Act 1 of 1948) which was enacted to prohibit alienation of all communal, forest and private lands without prior permission of the Collector. It had retrospective effect from 1st April, 1946. The Orissa Tenants Protection Act, 1948 was enacted in 1948 to protect *Bhagchasis* from arbitrary eviction by their landlords and limiting the quantum of rent to 1/6th of the gross produce if they were occupancy raiyats in the districts of Ganjam and Koraput and 1/5th of the gross produce if they had no right of occupancy in the land. As stated previously neither the Board's Standing order nor the Madras Estates Land Act recognised any tenancy below the raiyat and so under raiyats or *bhagchasis* had no occupancy right. This Act was substituted by a more progressive legislation covering all temporary tenants and tenants who were liable to pay produce rent by the Orissa Tenants Relief Act of 1955. This Act made more stringent provision against arbitrary eviction of share-croppers and further reduced the quantum of *bhag* to 1/4th of the gross produce subject to over all limit of 4, 6 and 8 standard mounds of paddy or value thereof respectively for dry land, wet land and land growing cash crops. The actual effect of these beneficial legislations on the tenants of the district could not be ascertained owing to non-availability of information in the Ganjam Collectorate at this distance of time. But there is no doubt that they had some wholesome effect on the land reforms measures of the district.

These measures were temporary pending enforcement of comprehensive land reforms measures. Land Reforms in proper sense began with the enforcement of the Orissa Estates Abolition Act (Act 1 of 1952) which may be considered as the greatest revolutionary measure in the field of land reforms. This Act intended to abolish all intermediaries between the State and the raiyat. It provided for abolition of all rights in the land of all intermediaries by whatever name known between the raiyat and the State. On publication of the notification the entire estate vested absolutely in the State Government

free from all encumbrances and the intermediary ceased to have any interest in the estate other than the interest expressly saved by or under the provisions of this Act for which he got compensation as fixed under the Act. What was saved in favour of the intermediary was the homesteads in his Khas possession on the date of vesting together with the structures thereon which the intermediary retained on payment of rent as an occupancy raiyat under section 6 of the Orissa Estates Abolition Act. Besides, he retained all lands used for agricultural or horticultural purposes which were in his Khas possession on the date of vesting which was settled with him on raiyati status on payment of fair and equitable rent under section 7 of the Orissa Estates Abolition Act. Temporary lessees under the intermediaries and jagir holders who were village servants were deemed to be tenants under the State Government to hold their lands under the same terms and subject to the same restrictions and liabilities under which they held the lands before the date of vesting (All such tenants were to get raiyati status under the provisions of the Orissa Land Reforms Act). All *jagir* holders for rendering personal service to intermediaries were discharged from the conditions of such service and lands in their possession were settled with them under the raiyati tenure except temporary *jagir* holders in Trust Estates. All persons claiming raiyati status under the Act were to apply for settlement of land before the Tahasildar within a prescribed period. As many persons failed to apply within the period prescribed Government extended the period from time to time by executive instructions and ordered to treat the applications for settlement as lease applications. The Collector was given the authority to cancel any lease given or transfer made of any land by the intermediary at any time after 1st January, 1946 if such lease or transfer was made with the object of defeating the provisions of the Act or for obtaining higher compensation thereunder. The cases instituted and disposed of by 31st March, 1989 under different sections of Orissa Estates Abolition Act in the district are given below:

	Instituted	Disposed of	Pending
1. Cases under sections 6,7	28,647	28,560	87
2. Cases under section 8	21,927	21,675	252
3. Cases under section 8-A	38	38	Nil
4. Lease applications under executive order	34,082	33,086	996

During settlement operation conducted after abolition of estates, the lands in Khas possession of the intermediaries and of the personal service holders were recorded as raiyati if they had been settled with them by the Tahasildars concerned. If not, they were recorded in a separate Khata called "Bebandobasta" meaning that their status and rent had not been determined. In this way some 18,698 Khatas involving 16,922 acres were recorded as 'Bebandobasta' out of which 13,347 Khatas involving 16,063 acres have since been settled by the concerned Tahasildars by 31st March, 1989 either under the Orissa Estates Abolition Act or as lease cases. There are still 5351 Khatas involving 859 acres continue to be recorded under "Bebandobasta" status involving considerable loss of revenue to Government.

The date on which each zamindari was abolished has been mentioned against each estate. In the next batch of estates notified for vesting were a large number of *inams* in the district of Ganjam. But writ petitions were filed challenging inclusion of "*inams*" in the definition of estates. This lacunae was removed by necessary amendment to the definition of "estates" and "intermediary" in the Orissa Estate Abolition Act. The number of zamindaris and *inams* that vested in the Government in the district are given below :

1. Zamindaris	..	614
2. Inams	..	23,083

In the Agency areas, the tenures of Muthadars being service tenures, they were resumed under executive orders and their subordinate officials including Muthaheads were abolished in the year 1971 under the Ganjam and Boudh (Village Offices Abolition) Act, 1969.

So far an amount of Rs.73,03,870 has been paid to 604 zamindars and Rs.68,73,232 paid to 22,785 *inamdars* as compensation under the Orissa Estate Abolition Act.

Orissa Land Reforms Act, 1960

This Act came into force with effect from 1st October, 1965 except Chapters III and IV. Chapter III providing for resumption of land from temporary tenants for personal cultivation and for giving raiyati rights on the irresumable lands to such tenants became effective from 9th December, 1965. Chapter IV relating to fixation of ceiling and disposal of ceiling surplus land became effective from 2nd October 1973. The main features of the Act as subsequently amended from time to time are summarised in the following paragraphs — Chapter II relates to raiyats and the tenants under them. It enumerates the different categories of persons who shall be deemed to be raiyats for the purposes of the Act. In addition to all the persons

having right of occupancy, the temporary lessees in personal cultivation of lands in vested estates or their successors-in-interest would also be treated as occupancy raiyats on application to the Tahasildar within a prescribed period for settlement of the land on payment of compensation at the rate of eight hundred rupees per standard acre of land to be paid in five equal instalments as may be fixed by the Tahasildars. 3189 persons got raiyati right over 724,761 acres (293.52 hectares) of land in Ganjam district under this provision of law. A raiyat shall have no right to lease out his lands unless he is a person under "disability" or is a "privileged raiyat". The right of transfer of raiyati land has been made void from 1976 for a period of ten years from the date of settlement without obtaining prior permission from the Tahasildar in respect of lands settled for agricultural purposes, except transfers made in favour of Scheduled Bank or a Co-operative Society by way of mortgage. He is liable to eviction if he :

(a) has used the land comprised in his holding in a manner which renders it unfit for the purpose of agriculture; or

(b) has leased out the land in contravention of the provision of the Act, or

(c) has used the land for any purpose other than agriculture. Conditions (b) and (c) are new obligations of the raiyat which was not there previously either in the Board's Standing Order or in the Madras Estates Land Act. Although *bhagchas* has been prohibited since 1st October, 1965 raiyats who are neither "persons under disability" nor "privileged raiyats" continue to lease out their raiyati lands in full or in part to tenants and are realising about fifty per cent of the produce with impunity. Not a single case has been started for eviction of the raiyat for leasing out his land in contravention of the law. Nor the tenant is willing to enforce his right of acquiring raiyati right over such land by applying to the Tahasildar for fear of being evicted by the land lord. The cost of personal cultivation has become prohibitive owing to sharp increase in cost of agricultural labour and inputs. Bhagcha is likely to continue indefinitely till personal cultivation continues to be unremunerative and till the tenants remain unconscious of their rights or are unwilling to enforce them. Similar is the case with regard to use of land for purposes other than agriculture. Although large scale conversion of agricultural land for non agricultural purposes has taken place, no effective step has yet been taken for evicting the raiyats. These two provisions of law have, therefore, remained inoperative in practice.

The transfer of land by a raiyat belonging to a Scheduled Tribe/Caste shall be void unless it is made in favour of a person belonging

to a Scheduled Caste/Tribe or with the previous permission in writing of the Subdivisional Officer (now Sub-Collector). The Revenue Officer shall not grant such permission unless he is satisfied that a purchaser belonging to a Scheduled Tribe/Caste and willing to pay the market price is not available. The Subdivisional Officer *suo motu* or on application by any person interested shall cause restoration of the property thus illegally transferred to the transferer or his heirs after causing necessary enquiry. The transferee after being evicted from such land shall not be entitled to the refund of any amount paid by him to the transferer by way of consideration money. Similar provisions apply to unauthorised occupation of the whole or part of holding of a Scheduled Caste/Scheduled Tribe raiyat by way of trespass or otherwise. 3,548 cases were started in the district for restoration of Scheduled Caste/Scheduled Tribe lands illegally transferred or forcibly occupied, out of which 3,456 cases had been disposed of by 31st March, 1989 in which 414.216 hectares were restored in favour of 1,556 persons.

A person having no permanent and heritable right in respect of any site on which his dwelling house or farm house stands is entitled to get raiyati right on it or on a portion thereof not exceeding 1/5th of an acre. 13 such persons have got rayati rights over 0.663 hectares of homestead lands under this Act upto 31st March, 1989 in the district.

A tenant with temporary right (Bhagchasi) shall not be liable to pay more than 1/4th of the gross produce of the land or value thereof as produce rent subject to a maximum of 8,6,4,2 standard mounds of paddy or value thereof respectively for 1st, 2nd, 3rd and 4th class of land. This right has been made heritable (but not transferable) under the Orissa Land Reforms (Amendment) Act, 1976. The landlord has right to evict such a tenant only if the tenant :

- (a) has used the land in a manner which renders it unfit for the purpose of agriculture, or
- (b) has failed to cultivate the land properly, or
- (c) has failed to pay or deliver to the landlord the rent within a period of two months from the last date by which it becomes payable, there being no dispute regarding the quantum of such rent.

Besides, the tenant shall also cease to have the right to cultivate the land if the landlord is a "person under disability" at the end of the

year during which the disability ceases or if the landlord being a "privileged raiyat"/person under disability ceases to be the landlord. A person under disability is defined as a

- (a) widow, unmarried or divorced woman
- (b) minor
- (c) person incapable of cultivating by reason of some mental or physical disability.
- (d) a serving member of the Armed Force
- (e) a person the total extent of whose lands held in any capacity does not exceed three standard acres

A standard acre is defined as equivalent to one acre of Class-I land (irrigated land capable of growing two or more crops a year), $1\frac{1}{2}$ acres of Class-II land (irrigated land in which not more than one crop could be grown in a year), three acres of Class-III land (unirrigated land capable of growing paddy) and $4\frac{1}{2}$ acres of Class-IV land (any other land). A privileged raiyat is defined as (a) a Co-operative Society, (b) Lord Jagannath and his temple, (c) any trust or other institution declared as such under the Orissa Land Reforms Act before commencement of the Orissa Amendment Act 17 of 1971 or by a competent authority under the Orissa Estates Abolition Act or by the Tribunal to be a religious or charitable trust under section 57-A or any public financial institution. Only 66 persons have been declared as persons under "disability" and 199 institutions have been declared as "privileged raiyat" in the district.

Chapter III provided for resumption of land by the landlord for personal cultivation. Protection to temporary tenants from arbitrary eviction had continuously been given since 1948 when the Orissa Tenancy Protection Act was passed. A right to resumption of land for personal cultivation upto seven standard acres was given under the Orissa Tenants Reliefs Act, 1955. But the time allowed for exercising the option was very short. Under the Orissa Land Reforms Act provision was made to the effect that landlord wishing to resume land for personal cultivation should indicate his desire to do so both to the Tahasildar and to the tenants concerned within a specified time. This right of resumption was somewhat restricted in the sense that a landlord was entitled to resume not more than a fixed portion of the land from the tenant. Where the landlord failed to cultivate the land personally after resumption, the land would revert to tenant who can acquire raiyati right on payment of compensation. If the tenant does not acquire tenancy right in the resumable land which is not resumed by the landlord on payment of compensation within a specified

period the land will revert to the landlord. A tenant was also given similar right to apply for raiyati right on non-resumable land. Besides, the Tahasildars were given *suo motu* powers to confer raiyati rights on tenants, if they failed to apply in time. Bhagchas having been prohibited with effect from 1st October, 1965 except by persons under disability or by 'privileged raiyats', any tenant to whom land is leased out after 1st October, 1965 in contravention of the provisions of the Act is entitled to get raiyati right either on application or by *suo motu* action by the Tahasildar. An extent of 1,177,744 hectares have been settled on raiyati basis in favour of 2,757 tenants till 31st March, 1989 under Chapter III of the Orissa Land Reforms Act in the district.

Chapter IV relates to fixation of ceiling and disposal of ceiling surplus lands. As originally enacted, the ceiling was 20 standard acres per person which included within its definition a joint Hindu Mitakhyara family. But its operation was stayed as the ceiling limit was considered excessive which would defeat the objective of distributive justice. To prevent transfers of surplus lands in excess of the reduced ceiling to be fixed later, an Ordinance was promulgated with effect from 17th July, 1972 prohibiting transfer of lands by owners having more than ten standard acres. After effecting necessary amendments, the amended Act became effective from 2nd October, 1973 in which the ceiling limit was fixed at 10 standard acres for a family of not more than five members. Where a family consists of more than five members, the ceiling area will be increased by two standard acres for each member subject to a maximum of 18 standard acres. A "family" in relation to individual means the individual, the husband or wife, as the case may be, of such individual, and their children, whether major or minor but does not include a major married son who as such had separated by partition or otherwise before 26th September, 1970. After determination of ceiling surplus lands in the prescribed manner by filing returns within a prescribed period or *suo motu* by the Tahasildar, as the case may be, the said lands shall vest absolutely in the Government free from all encumbrances, for which the owners will get certain amounts (not compensation) at the rate of Rs. 800/- per standard acre depending on the extent of ceiling surplus land to be vested. 70 per cent of the ceiling surplus lands will be settled with persons belonging to Scheduled Tribes and Scheduled Castes and 30 per cent in favour of others according to a certain order of priority, preference being given to landless agricultural labourers, up to 7/10 standard acres of land on payment of *salami* at the rate of Rs. 400/- per standard acre of land. Payment of *salami* had been ordered to be waived with effect from 31st October, 1985, the date of first death anniversary of the late Prime Minister, Indira Gandhi. Till 31st March, 1989, 4822.576 hectares of land have been declared as ceiling surplus in

year during which the disability ceases or if the landlord being a "privileged raiyat"/person under disability ceases to be the landlord.

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- (a) widow, unmarried or divorced woman
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- (c) person incapable of cultivating by reason of some mental or physical disability.
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period the land will revert to the landlord. A tenant was also given similar right to apply for raiyati right on non-resumable land. Besides, the Tahasildars were given *suo motu* powers to confer raiyati rights on tenants, if they failed to apply in time. Bhagchas having been prohibited with effect from 1st October, 1965 except by persons under disability or by 'privileged raiyats', any tenant to whom land is leased out after 1st October, 1965 in contravention of the provisions of the Act is entitled to get raiyati right either on application or by *suo motu* action by the Tahasildar. An extent of 1,177.744 hectares have been settled on raiyati basis in favour of 2,757 tenants till 31st March, 1989 under Chapter III of the Orissa Land Reforms Act in the district.

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the district out of which 2005.618 hectares have been allotted in favour of 5417 beneficiaries of whom 3017 are Scheduled Castes and 750 Scheduled Tribes. To raise the poor landless allottees above the poverty line a central scheme of financial assistance for improvement of the allotted land and for purchase of inputs is in operation from the year 1975-76. The quantum of assistance which was Rs. 1000/-per hectare has been raised to Rs. 2500/-per hectare from the year 1983-84. Till 31st March, 1989, an amount of Rs.17,58,730 has been released in favour of these allottees both by the Central and by the State Government on 50:50 basis.

BHOODAN

In the early part of fifties, Acharya Vinoba Bhave initiated a movement called Bhoodan Yagna for acquisition of land through voluntary gift with a view to distributing the same to the landless persons. To facilitate donation of lands in connection with Bhoodan Yagna and to provide for distribution of such lands and for matters ancillary thereto, the Orissa Bhoodan Yagna Act was enacted in 1953 which if implemented with the spirit with which the movement was ushered in, would have brought in a revolutionary change in the idea of land ownership. It provided for the establishment of a Bhoodan Yagna Samiti in favour of which donation of land could be made by the land-owners. Distribution of donated land was made through the Samiti in the prescribed manner. Certain restrictions were placed on the allottees in the matter of transfer and disposal of the allotted lands. The total extent of land donated to the Orissa Bhoodan Yagna Samiti in the district of Ganjam up to 31st March, 1989 was 975.169 acres (394.94 hectares) which were distributed among 288 landless persons. 101 declarations were filed before the Revenue Officers under section 10 of the Orissa Bhoodan Yagna Act.

WASTE LAND SETTLEMENT

In the earlier times there was a premium on occupation of Government lands including forest lands except reserved forests. Anybody occupying waste or vacant lands which was not communal land like Gochar, etc., without prior permission was entitled to preferential treatment in the matter of settlement of that land. In the raiyatwari areas, Sivaijama Rules under the Board's Standing Order No.15 gave preferential claim to a person who had occupied lands first in the matter of settlement of waste lands which were not communal or reserved lands. In fact a large number of disputes were being raised before the Tahasildars/Subdivisional Officers/Collector by the person claiming earlier encroachments. It is only when the pressure on lands increased due to growth of population and there was large scale devastation of forests that Government awoke to the realities of the situation. The Board's Standing Order No.15 was amended to the effect that :—

- (a) No occupation of lands on Sivaajama shall be allowed after the 1st July, 1954 nor will be considered for giving preference for assignment of lands after the 1st July, 1954.
- (b) Assignment of land only to be made to a landless person, that is who has less than five acres of agricultural land.
- (c) Land to be assigned to any person shall be as far as practicable only to the extent that a person shall be landless and no market value shall be realised, and
- (d) Applications for assignment from the members of the Scheduled Tribes and Scheduled Castes and Backward Classes shall receive preference.

In the zamindari areas the landholders had absolute power to lease out waste lands and forest lands until this power was restricted by the Orissa Preservation of Private Forest Act 1947. This Act was followed by the Orissa Communal, Forest and Private Land (Prohibition of Alienation) Act, 1948 (Act 1 of 1948) which was enacted to prohibit retrospectively from 1st April, 1946 alienation of communal, forest and private land without prior permission of the Collector. The Madras Estates Land Act conferred status of a raiyat with full right of occupancy on any person who is admitted to occupy any raiyati land for the purpose of agriculture. Even trespassers who remained in continuous occupation of raiyati lands for a period of 12 years or on payment of rent became full-fledged raiyats if the landholder did not institute a Civil Suit within two years after receipt of rent. Similarly in the Agency areas anybody who cultivated any land was entitled to hold it permanently, although his status was not defined in any statute until enactment of the Orissa Land Reforms Act. After abolition of zamindaries the management of the estates vested in the Government and under section 14 of the Orissa Estates Abolition Act they were to be managed according to laws, rules and regulations for the time being in force for management of the raiyatwari areas. Thus the rules contained in the Board's Standing Order 15 as amended in 1954 governed the principles for lease of land in both raiyatiwari as well as in zamindari areas. Thereafter, Government prescribed a set of principles for settlement of waste lands in their order dated 26th October, 1961 called "Approved Lease Principles". This rule prescribed a priority of settlement outside reserved areas in favour of the Scheduled Castes and Scheduled Tribes having lands less than

five acres to the extent of five acres only including homestead lands. The landless persons belonging to other backward classes and other landless persons would get preference next to the landless Scheduled Castes and Scheduled Tribes. Persons having lands exceeding five acres were not to get any settlement of waste lands but all encroachments prior to 13th September, 1961 which were not objectionable were to be settled with encroachers irrespective of the area owned or encroached on payment of a nominal *salami* of Rs. 50/- to Rs. 150/ per acre according to the quality and productivity of the land. Thereafter a set of rules for disposal of encroachment cases in the district of Ganjam were issued in Government Order No. 54724-R. dated the 27th August 1964 in modification of the amendment of the Board's Standing Order 15 and the lease Principles of 13th September, 1961. Under this Rule all encroachments in Ganjam were divided into two categories, namely, Sivaījama cases and non-Sivaījama cases. A Sivaījama case was defined as an encroachment for agricultural purposes by a landless person over assessed land not reserved in respect of which the encroacher was recorded in the relevant village papers as having been in continuous occupation since 1st July, 1949 or any earlier date but not over:—

- (i) a building site (i. e. a house site) in a town or in a village; or
- (ii) valuable relinquished land over which there are arrears of revenue; or
- (iii) land sold for arrears of revenue and bought in by Government; or
- (iv) land acquired for a public purpose but no longer required.

Any encroachment which is not a Sivaījama case shall be treated as a non-Sivaījama case. Landless person was defined as a person the total extent of whose land along with the lands held as tenant or raiyat by all members of his family living with him in one mess is less than five acres and who have no profitable means of livelihood other than agriculture. In these Rules it was prescribed that a Sivaījamadar will be entitled to assignment of the Sivaījama land subject to following conditions and restrictions, namely:—

- (a) the extent of Sivaījama encroachment which will be assigned to him on raiyatwari terms will be such that the total extent of land including the land to be

assigned held as tenant or raiyat by him and by all members of his family living with him in one mess shall not exceed five acres. To avoid difficulties in respect of small strips of land forming the subject matter of Sivalijama encroachment, a marginal adjustment upto $\frac{1}{5}$ th of an acre beyond the limit of five acres may also be made if such assignment has the effect of ensuring more beneficial use of the land by him.

(b) Salami at the following rates shall be payable by the Sivalijamadar, namely:—

- | | |
|---------------------------|-------------------------|
| (i) wet lands | .. Rs. 800'00 per acre. |
| (ii) rain-fed paddy lands | .. Rs. 500'00 per acre. |
| (iii) dryland | .. Rs. 100'00 per acre. |

In addition to the Salami, the Sivalijamadar shall be liable to pay the cost of standing trees and other assets existing on the land.

(c) For the period of unauthorised occupation, assessment shall be payable by the Sivalijamadar but no penalty under the Prevention of Land Encroachment Act shall be levied.

(d) No land which is immediately required for the public purpose can be assigned to a Sivalijamadar and the Sivalijamadar will be evicted from such encroached land. Where a Sivalijamadar is evicted from such land he should, as far as practicable, be given land equal in extent under the Sivalijamadar encroachment.

Non-Sivalijamadar encroachments were divided into two categories, namely:—

- (a) encroachment for purpose of homestead existing since the 1st July, 1949 or an earlier date, and
- (b) Others

The 1st category of encroachments may be settled with encroacher subject to the following conditions and restrictions, namely:—

- (i) the encroacher has no other house-site in the village or in an adjoining village,
- (ii) the encroachment does not cause any public inconvenience like blocking a public road, etc., and
- (iii) the land is not immediately required for a public purpose,

- (iv) Encroacher shall pay salami at the rate of Rs. 5,000/- per acre in respect of urban areas, Rs. 3,000/- per acre in respect of semi-urban areas and Rs. 2,000/- per acre in respect of rural areas,

Besides, he will pay the cost of standing trees and other assets existing on the land,

- (v) Assessment for the entire period of unauthorised occupation shall also be paid. But no penalty under the Orissa Prevention of Land Encroachment Act will be levied.

Lands in ex-zamindari tracts which had since vested in the Government over which no right has been formally admitted may be broadly classified into two categories, namely (a) raiyati lands and (b) non-raiyati lands. Occupation of raiyati lands for a continuous period of 12 years would confer raiyati right on the occupant as clarified in the explanation to clause 15 of section 3 of the Madras Estate land Act. Similarly occupation of communal lands for a continuous period of 30 years would confer raiyati right on the occupant as provided under section 21 of the said Act. These benefits were available till the date of abolition of the estates when the said Act was repealed. Therefore, for ex-zamindari areas, the following procedure was prescribed:—

(i) Any person occupying land in respect of which his right has not been recorded in the land records as corrected from time to time will be, to start with, treated as an encroacher and a case under the Orissa Prevention of Land Encroachment Act will be started against him, if not already done. All such cases should, first of all, be examined by the Tahasildar to see if the encroacher in any case had, before the date of vesting, acquired raiyati right by operation of the provisions of the Madras Estates Land Act. This examination will be made on the basis of records and other evidence. The Tahasildar shall then record a clear finding as to whether the encroacher or his predecessor-in-title has actually acquired raiyati right before the date of vesting. If he finds that he has, then the encroacher is entitled to be continued as a raiyati after vesting as laid down in sub-section (1) of section 8 of the Orissa Estates Abolition Act. The land records should then be corrected in his favour. He should remain liable to pay rent, cess and other dues, etc., on the holding. The encroachment case started against him shall then be dropped. The remaining encroachment cases may be divided into two broad categories, namely :—

- (a) encroachments by landless persons over lands recorded as Abadjogya Anabadi in the record-of-rights, and
- (b) other encroachments.

The manner of disposal of these cases is broadly indicated in the following paragraphs:

Encroachments of the first category, namely, those by landless persons over lands recorded as Abadjogya Anabadi may be disposed of in the same manner as Sivajama encroachments in old raiyatwari tracts, the only exception being that unless evidence in Government records (including ex-Anchal records) is available to prove continuous possession by way of encroachment from the 1st July, 1949 or an earlier date, the benefits shall not be allowed.

The other types of encroachments should be disposed of in the same manner as non-Sivajama encroachments in old raiyatwari tracts.

The approved lease principles of 13th September, 1961, as revised by the above modification for Ganjam district issued in Government order dated 27th August, 1964 were followed by the Orissa Government Land Settlement Act, 1962 which came into force from 1st January, 1965. This Act was supposed to supercede the executive instructions contained in the "Approved Lease Principles", but the lease principles being more exhaustive were followed into as the Orissa Government Land Settlement Act as enacted in 1962 contained a lot of lacunas. Major changes removing most of the lacunas were effected in the Presidential Act 22 of 1975 which came into force from 1st February, 1974. This Act also underwent further amendment in 1975 and 1981 to make its implementation more effective. Government also amended the lease principles by issuing executive instructions from time to time. Under the revised instructions encroachments made prior to 16th August, 1972 could be settled with an encroacher to the extent he was landless. In the definition of landless, 2 acres was substituted for "5 acres" for settlement of unobjectionable encroachments. But for Scheduled Castes and Scheduled Tribes the limit of five acres for landlessness remained unaltered. The lease principles, besides making provisions for settlement of land for agriculture, also made provisions for settlement of homestead lands in rural, semi-urban, and rapidly developing areas according to a certain order of priority. Settlement of land in urban areas was made under the Orissa State Urban Land Settlement Rules, 1959.

The present law regarding settlement of Government lands is that 70 per cent of the settleable lands shall be settled with persons belonging to Scheduled Castes and Scheduled Tribes in proportion to

their respective population in the village in which the land is situated, and the remaining shall be settled with other persons in the following order of priority :—

- (a) Co-operative farming societies formed by landless agricultural labourers ;
- (b) Any landless agricultural labourer of the village in which the land is situated or of any neighbouring village ;
- (c) Ex-servicemen or members of the Armed Forces of the union, if they belong to the village in which the land is situated ;
- (d) Ralyats who personally cultivate not more than one standard acre of land ;
- (e) In the absence of persons belonging to any of the foregoing categories, any other person.

No Government land shall be settled in urban areas for agricultural purposes. Lands covered by forest growth or recorded as forest shall not be settled for any purpose whatsoever without prior approval of Government. In each village land for homestead purposes shall be demarcated separately and no settlements shall be made outside the demarcated area. The statutory rules now provide for settlement of house sites in urban areas. The powers of sanction of settlement of Government land for various purposes have been specified in the Schedule II of the Orissa Government Land Settlement Rules, 1983. Power for settlement of land beyond the delegations made therein for purposes other than agriculture shall lie with the Government. The Tahasildar's power of settlement for agricultural purposes in favour of landless agricultural labourers is limited to one standard acre and for homestead purposes up to ten decimals subject to confirmation by Sub-Collector.

No reliable figure is available regarding extent of land settled under the lease principles or under the Orissa Government Land Settlement Act prior to 1974-75. But from 1974-75 up to 1988-89 the extent of land settled with the landless persons is 38,365 acres (15,526 hectares) in favour of 28,917 beneficiaries. Out of them the number of Scheduled Tribes beneficiaries is 8,251 who have got 5,637 hectares and the number of Scheduled Caste beneficiaries is 5,736 who have got 3,189 hectares. Providing homesteads to homesteadless persons is included in the 20-Point Programme of the Prime Minister and the Government also have laid emphasis on providing homesteads free of cost to poor people in the villages. Even in some urban and fast developing areas, the homesteadless persons are being given land upto four decimals free of cost. From the year 1974-75 to 1988-89, 41,304 families in the district have got 1163.552 acres (470.88 hectares)

of land out of which 3,423 Scheduled Tribes have got 49.32 hectares, and 10,524 Scheduled Caste families have got 107.30 hectares. Section 6-A of the Orissa Land Reforms Act prohibit transfer of such lands within a period of 10 years without the permission of the Revenue Officer (Tahasilidar) and Section 3-B of the Orissa Government Land Settlement Act authorises him to resume such lands if it is used for the purpose other than that for which it was settled. No case has yet been started for taking action for enforcement of this provision of law.

Encroachments

As stated above, encroachment over waste lands was always encouraged both by the zamindars and by Government in the interest of cultivation and realisation of revenue/rent from the cultivators. But unlike North Orissa system, the Madras system had a law for dealing with encroachments over Government lands. The Madras Land Encroachment Act, 1905 was applicable for removal of encroachments over the communal (Parnboke or reserved lands) both in zamindari and ralyatwari areas. For the ralyatwari areas the Board's Standing Order No. 26 prescribed the method of dealing with encroachments under the Madras Land Encroachment Act (Act III of 1905). This Act divided encroachments broadly into two categories viz., objectionable encroachments and unobjectionable encroachments. Unobjectionable encroachments always ended with settlements with or without fine or penalty. Objectionable encroachments ended with removal. The Tahasildars had power either to settle the encroachments or to remove them by following the procedure prescribed in the Act as well as in Board's Standing Order. After creation of Orissa in 1936, the law dealing with encroachments for the first time was enacted in the Orissa Prevention of Land Encroachment Act, 1954, which was passed for prevention of unauthorised occupation of lands which were the property of the Government, which included in its definition lands held by local authorities, corporations or companies managed or controlled by the State Government. This Act more or less followed the provisions of the Madras Land Encroachment Act, 1905. Like the Madras Act this also divided all encroachments into two categories, that is, objectionable and unobjectionable, which ended in eviction or settlement, as the case may be. Following the judgement of the Orissa High Court, declaring the prevention of Land Encroachment Act, 1954 ultra vires of the Constitution, the Orissa Prevention of Land Encroachment Ordinance, 1971 was enacted which was ultimately replaced by the Orissa Prevention of Land Encroachment Act, 1972, giving it retrospective effect from 29th October, 1954. This Act underwent several amendments in 1954, 1976, 1979 and again in 1982. This Act gave summary power to the Tahasildar for eviction of encroachments, levy of assessment, penalty and fine.

MUTATION

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revenue administration. This process also got statutory recognition by prescribing a procedure for maintenance of records-of-rights in Chapter IV of the Orissa Survey and Settlement Rules. Detailed executive instructions were also provided for this in the Mutation Manual. But this most important item of work did not receive as much attention as it ought to have been in the hands of the Tahasildars or Revenue Inspectors. The jurisdiction of the Revenue Inspector was so vast that it was impossible for visiting each field or raiyat every year within his jurisdiction to record the changes in ownership and classification, etc. During settlement operation, which is still going on in the district, the records were made up-to-date during Khanapuri or Attestation stages. After final publication they were handed over to the Tahasildars for maintenance. But no follow-up action was taken thereafter to bring the records and the maps up-to-date. 21,746 mutation cases are still pending in the courts of the Tahasildars for disposal by the 31st March, 1989 in the district. Though 46,542 cases are reported to have been disposed, all of them have not been followed up by correction of records-of-rights and issue of intimation slip/revised Khatians to the raiyats. During settlement operation, 18,698 holdings had been recorded in Bebandobasta status as applications for disposal of cases for settlement of land under sections 6, 7 and 8(3) of the Estates Abolition Act had not been disposed of by the Tahasildars at the time of preparation of records-of-rights. Most of them continue to be such with consequent loss of revenue to the Government.

CONSOLIDATION OF HOLDINGS

As in case of other coastal districts of Orissa, land holdings in Ganjam district are increasingly fragmented due to unrestricted sale, partition and succession, etc. over the years. Individual holdings are widely scattered making cultivation laborious and expensive. This has not only reduced productivity of the land but also stands on the way of on-farm development. The law regarding consolidation of holdings and prevention of fragmentation of land which is called "The Orissa Consolidation of Holdings and Prevention of Fragmentation of Land Act, 1972" came into force with effect from the 10th August, 1973. The objective is not merely to consolidate the scattered holdings in compact blocks. It also aims at increased production through modern technique by providing on-farm development like field irrigation, access road to chaka plots, reservation of lands for community needs like schools, playground, hospital, veterinary centres, Panchayat Ghar and house-sites for Harijans and Adivasis, etc. The pre-consolidation work in the district of Ganjam started in the year 1972. The programme at present covers 62 villages with 66,403 hectares mainly within ayacut area of Rushikulya Irrigation Project. The scheme is implemented by the

Director of Consolidation through his officers and staff deployed at different places. There is one Range Deputy Director with headquarters at Brahmapur. He exercises administrative control over Consolidation Officers and Assistant Consolidation Officers. He is also the appellate authority under the provisions of the Act. The progress of consolidation work in the district up to the 30th September, 1989 is as follows :

No. of villages (1)	Area in hectare (2)	Stage of work (3)
306	57,681	Survey
271	50,015	Preparation of land Register
267	48,639	Publication U/s. 9 (1)
253	45,176	Publication U/s. 13 (1)
196	31,116	Preparation of P. C. S. U/s. 17.
193	30,542	Publication U/s. 18 (1)
180	28,021	Confirmation U/s. 21 (1)
178	27,760	Final Publication U/s. 22 (2)
30	6,527	Final Publication U/s. 13 (4)

The following table would indicate yearwise coverage and completion of consolidation operation in the district of Ganjam.

Year (1)	Coverage		Completion U/s. 22(2)		U/s. 13 (4)	
	Village (2)	Area in ha. (3)	Village (4)	Area (5)	Village (6)	Area (7)
1973-74	74	10,901	..	..	..	..
1974-75	..	..	..	..	..	..
1975-76	..	..	..	..	..	..
1976-77	..	..	..	..	..	..
1977-78	..	..	1	56	..	..
1978-79	181	47,463	11	0,781	..	..
1979-80	..	..	13	1,647	..	..
1980-81	..	..	9	1,770	..	..
1981-82	..	..	9	1,766	..	..
1982-83	..	..	9	2,149	..	..
1983-84	..	..	41	3,534	..	..
1984-85	..	..	30	3,951	6	1,364
1985-86	106	27,270	28	6,464	..	..
1986-87	..	..	9	1,782	..	..
1987-88	28	5,100	6	1,219	..	..
1988-89	13	2,789	12	2,551	24	5,168
Total	.. 402	93,523	178	27,870	30	6,532

About 80 per cent are small and marginal land owners. Large number of land owners own land between Ac. 0.10 decs. to Ac. 0.25 decs. Ordinarily Class IV lands are lands of inferior quality which are not preferred by land owners, being unsuitable for raising paddy crops. But in the district of Ganjam, this type of land called Padar is mostly used for growing vegetables and other commercial crops like betel leaves. So, value of such land in Ganjam district is much more than that of paddy lands. Such type of Padar lands being scanty in these villages it is not possible to equate such lands for the purpose of consolidation with other lands nor the land owners of such land agree to take Class I land in lieu of Padar lands. This has created much difficulty in allotment of Chakas.

The land owners of Ganjam district are very much attached to land and are not at all willing to part with their original land even of inferior quality. They require land of different varieties which will be suitable for paddy, sugar-cane, pulses and vegetables and betel leaves. This is not always possible in a village under the Consolidation Scheme.

No on-farm development programme has yet been taken up in the command area of Rushikulya Project. Unless these activities are dovetailed to Consolidation Scheme, success of the scheme, particularly in Ganjam district, is remote.

Agricultural Census

Agricultural Census is being conducted once in every five years since 1970-71 in all parts of the country. It envisages collection of statistics on number and area of operational holdings, the system of land tenure, irrigated and unirrigated areas under different crops and land use, etc. by sample survey method.

The following is the findings in respect of the district of Ganjam as per the last Agricultural Census conducted in the year 1985-86.

This district has 3,90,595 hectares of operated area belonging to 3,56,550 operational holdings,* the *per capita* holding size being 1.1 hectares as against the State average of 1.5 hectares. The average size of holdings in the district during the agricultural census years of 1970-71, 1976-77 and 1980-81 were 1.3, 1.1 and 1.2 hectares respectively as against the State average of 1.9, 1.6 and 2.6 hectares. The Scheduled Castes and Scheduled Tribes have possessed 44,645 holdings with 28,336 hectares of operated area and 48,060 holdings

* Operational holding means all land which is used wholly or partly for agricultural production and is operated as one technical unit by one person alone or with others without regard to the title, legal term, size or location. Technical unit means that unit which is under the same management and has the same means of production such as labour force, machinery and animals.

with 52,790 hectares of operated area respectively. The *per capita* holding size of the Scheduled Castes and Scheduled Tribes are 0.6 hectare and 1.1 hectares as against the State average of 0.9 and 1.6 hectares respectively, during the year 1985-86.

The following is the estimated number and area of operational holdings by different social groups in the district during the year 1985-86.

(Area in hectares)

Size Class (in Ha.)	All Social groups		Scheduled Castes		Scheduled Tribes	
	Total No.	Total area operated	Total No.	Total area operated	Total No.	Total area operated
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1. Marginal (Below 1.0)	2,33,150 (65.4)	1,06,593 (27.3)	36,669 (82.2)	13,990 (49.4)	29,851 (62.1)	14,983 (28.4)
2. Small (1.0-2.0)	70,056 (19.6)	95,235 (24.4)	5,461 (12.2)	7,237 (25.5)	11,426 (23.8)	15,410 (29.2)
3. Semi-Medium (2.0-4.0)	39,501 (11.1)	1,02,283 (26.2)	2,154 (4.8)	5,265 (18.6)	5,360 (11.2)	14,097 (26.7)
4. Medium (4.0-10.0)	12,512 (3.5)	68,015 (17.4)	356 (0.8)	1,783 (6.3)	1,365 (2.8)	7,429 (14.1)
5. Large (10.0 & above)	1,331 (0.4)	18,469 (4.7)	5 (N)	61 (0.2)	68 (0.1)	871 (1.6)
6. All sizes	3,56,550 (100.0)	3,90,595 (150.0)	44,645 (100.0)	28,336 (100.0)	48,060 (100.0)	52,790 (100.0)

Besides, the Agricultural Census of 1980-81 reveals the following in respect of some important characteristics of operational holdings for the year 1980-81.

Ninety per cent of the total holdings are wholly owned and self operated. There are 1,34,374 wholly irrigated holdings with 1,37,290 hectares of irrigated area and 64,533 partly irrigated holdings with 70,708 hectares of irrigated area. The net irrigated area is 2,07,998 hectares, which is about 52 per cent of the net area sown. The gross cropped area is 5.2 lakh hectares and the gross irrigated area is 2.5 lakh hectares. The gross area under paddy which is the major crop of the district constitutes about 64.6 per cent of the gross cropped area.

Rent/Cess

Immediately before abolition of the estates rent payable to intermediaries vested in the Government. So the word "Revenue" and "Rent" became synonymous. Rent was settled in respect of Khas possession lands of the proprietors and for personal *jagir* lands

on conferment of raiyati right under sections 6, 7 and 8(3) of the Orissa Estates Abolition Act. Waste lands were also settled under the Approved Lease principles. So by the end of 1966-67, when land revenue was abolished with effect from 1st April, 1967, the rent demand had increased to Rs.58,49,612. Under the Orissa Land Revenue (Abolition) Act 1970 no raiyat or tenant was liable to pay land revenue in respect of any land held by him directly under Government provided such land is used for purposes of agriculture, horticulture or pisciculture or for purposes of small scale industries located outside the limits of Municipality or Notified area Committee, with effect from 1st April, 1967. Thus only home-steads and industries situated in urban areas are liable to pay land revenue. The land revenue demand of the district came down to Rs.42,34,140. Land revenue was re-imposed again in the year 1976-77 but it was again abolished from the year 1977-78. On abolition of the land revenue the cess which was 25 per cent of the rent demand was increased to 50 per cent. So the cess demand which was Rs.19,42,580 before abolition of land revenue doubled itself on its abolition. Rent has since been settled under the Orissa Survey and Settlement Act in respect of 3,471 villages which took effect in different periods beginning from the year 1960-61. The present annual land revenue demand of the district in the year 1988-89 is Rs.24,28,986 and the cess demand is Rs.51,86,976. The demand, collection and balance (D.C.B.) position of the land revenue and cess during the last five years is given in Appendix IV.

Irrigation Revenue

The Madras Irrigation Cess Act, 1865 was followed as the Irrigation law for the district of Ganjam. Unlike Bengal system, under the Madras Law, irrigation charges were not separately leviable in raiyatwari areas for supply of water from irrigation projects constructed or maintained at State cost. In respect of water supplied or used for irrigation of lands in the estates the water cess was to be charged from landholders and the raiyats in such proportion as could be prescribed under the Rules made under that Act. Irrigated lands were recorded as wet (Bila) in settlement papers. The rates of rent fixed for wet lands at the time of rent settlement included the element of water charges. The Orissa Irrigation Act, 1959 which made a uniform law regarding levy of water rate was brought into force in the Ganjam district with effect from 1st July 1963. On enforcement of this law, the element of water rate merged in the land revenue in respect of wet (irrigated) lands in the raiyatwari areas was separated and simultaneously steps were taken for assessment of compulsory basic water rate for lands coming within the *ayacut* area of all irrigation works. This Act provided for levy of compulsory basic

water rate for irrigation of staple cereal crop and optional water rate (simply water rate) for supply of water for crops other than staple cereal crop. Special rates are prescribed for non-agricultural use for industries and for Municipalities etc. Compulsory basic water rate was abolished in the year 1968-69 making it optional for owners or occupiers of lands to use water of any irrigation works. When they desire to do so, they have to make application to the Tahasildar to that effect. During this period the annual demand of water rate fell sharply from Rs. 30,85,021 to Rs. 15,42,511. Compulsory basic water rate was, therefore, re-imposed in the year 1974-75. Initially the compulsory basic water rate for Orissa was very low when compared with other States. The total irrigation revenue was not sufficient to cover even the cost of maintenance of irrigation works. Government, therefore, enhanced the basic water rate by 100 per cent and water rate by 50 per cent with effect from 24th September, 1981. The rates of compulsory basic water rate as applicable to different classes of irrigation works are as follows :

Class of Irrigation work	Rate per acre per year
1. 1st Class	Rs. 16.00
2. 2nd Class	Rs. 12.00
3. 3rd Class	Rs. 8.00
4. 4th Class	Rs. 4.00

Dalua crop carries a water rate of Rs. 36.00 per acre. Ganja cultivation carries the maximum water rate of Rs. 75.00 per acre. Rate for sugar-cane is Rs. 40.00 per acre and for wheat Rs. 13.00, potato Rs. 22.50, Mung carries the lowest water rate of Rs. 2.50, and other pulses Rs. 4.50. There are thus varying rates of water rate in respect of different kinds of crops. Special rates for purposes other than irrigation were revised with effect from 7th December, 1981 and these are as follows :

	Rate (Rs.)	per 10,000 gallons
1. Water actually used for industrial purposes.	20.00	"
2. Water temporarily used and discharged back unpolluted or after purification.	4.00	"
3. Bulk supply to Municipality/ N. A. Cs' for drinking.	5.00	10,000 Cft.
4. For filling tanks for drinking	2.50	"
5. For brick and tile-making	0.25	1,000 number

Even with this increase, the compulsory basic water rate and water rate in Orissa are lower than those in many other States like Uttar Pradesh, Gujarat, Punjab, etc.

The certified *ayacut* area of all Major, Medium and Minor Irrigation Projects in the district by 1st March, 1989 and the area so far assessed by revenue agency is given below:

Certified <i>ayacut</i> area (in acres)	Assessed <i>ayacut</i> area (in acres)	
1. Major ..	1,52,381.554	1,48,027.074
2. Medium ..	1,04,849.184	1,02,801.122
3. Minor ..	2,74,046.180	2,49,523.433

The discrepancy between the certified *ayacut* area and the assessed *ayacut* area is partly due to non-assessment on the field by the Revenue Agency and partly to over-certification by the Engineering Agency. What the latter certifies to be irrigated under the irrigation project is sometimes found to be non-irrigable on the spot. The current demand of irrigation charges for the assessed area as on 1st April, 1989 is as follows :

	Rs.
Compulsory basic water rate ..	77,90,126.51
Water rate fluctuating (for rabi cultivation) .	6,08,382.37
Special rate for non-agricultural use ..	Nil
Total :	83,98,508.88

Arrears outstanding for collection as on 1st April, 1989 was Rs. 21,91,109.98.

SAIRAT REVENUE

Hats, *ghats*, kine-houses and tank fisheries having been transferred to the Grama Panchayats, the main source of Sairat revenue is stone quarries on revenue lands, besides income from dead and wind-fallen trees over revenue land and small income from topes and unallotted fisheries. The demand, collection and balance position of Sairat sources during the last five years is given below:

Year (1)	Demand (2)	Collection (3)	Balance (4)
1984-85 Sairat ..	4,17,785.74	2,48,203.42	1,69,582.32
1985-86 Sairat ..	5,25,315.00	2,92,077.00	2,33,238.00
1986-87 Sairat ..	5,84,091.00	3,21,697.00	2,21,697.00
1987-88 Sairat ..	4,46,570.00	2,59,578.00	1,86,992.00
1988-89 Sairat ..	9,10,491.00	7,18,408.00	1,92,083.00

UNITS OF REVENUE ADMINISTRATION

The Collector is the head of the Revenue Administration in the district. There is hardly any Central or State legislation which does not embrace the scope of the action of the Collector. Although after Independence the emphasis on the role of the Collector has been shifted from collection of revenue to development, the designation of the "Collector" continues till to-day. The Collector is assisted by two to three Additional District Magistrates according to work-load and a number of Revenue officers in-charge of each section of the Collectorate. The Additional District Magistrates are vested with appellate and revisional powers under provisions of revenue laws. In the Subdivision, the Subdivisional Officer (now re-named as Sub-Collector) is the counterpart of the Collector. Like the Collector he has both statutory and administrative functions. He is assisted by one or more Deputy Collectors according to work-load in the Subdivision. The Second Officer is generally designated as Revenue Officer. In Ganjam district the Taluk was the lowest revenue territorial unit. On abolition of the estates, they were formed into Anchals as envisaged in the Orissa Estates Abolition Act. Each Anchal was placed in-charge of one Anchal Adhikari, who was either a Deputy Collector or a Sub-Deputy Collector. The Orissa Estates Abolition Act originally envisaged constitution of a local authority called the Anchal Sasan, the constitution of an Anchal Sabha and an Anchal Adhikari. But on subsequent thought Government decided not to enforce this provision of the Act regarding constitution of a local authority. The Orissa Estates Abolition (Amendment) Act, 1957 provided that the Anchal will be managed according to laws, rules and regulations for the time being in force for the management of the Government estates. So far as Ganjam district is concerned the Board's Standing Order (B. S. O.) is the law for the management of raiyatwari areas, which are under direct charge of the Government. To achieve uniformity in the matter of territorial units and their nomenclature throughout the State the Orissa Revenue Administration (Units) Act, 1963 was passed which provided that the unit for purposes of revenue administration throughout the State shall be the Revenue Division, the district, the subdivision and the Tahasil. The Subdivision is divided into as many Tahasils as the State Government may deem fit. Each Tahasil is headed by a Tahasildar who is assisted by one or more Additional Tahasildars according to work-load. For convenience of revenue and land administration each Tahasil is also divided into a number of Revenue Inspector's Circles. The present name and number of subdivisions, Tahasils and Revenue Inspector's Circles in the district is given in Appendix V.

The Revenue Inspector is assisted by one or two Revenue Moharirs for collection work and by a Peon for helping him in miscellaneous duties. He is invariably a survey-trained personnel. Where the work-load is heavy he is assisted by one or more survey-trained Amins to help him for identification of plots, for correction of Record-of-rights and other miscellaneous enquiries. For assessment of compulsory basic waterrate and waterrate special Amins have been appointed in the Tahasils. There are at present 106 Amins exclusively employed for irrigation work in all Tahasils of the district, there being no irrigation Amin for Chhatrapur, Digapahandi and R. Udayagiri Tahasils.

For mutation work in the Tahasil office invariably two Amins are appointed. At present there are 181 Amins, 275 Moharirs and 243 Revenue Inspectors in the district. To supervise the Revenue Inspectors, there are 33 Revenue Supervisors working under the Tahasildars.

The Tahasildar is the representative of the State Government so far as the land administration in the Tahasil is concerned. He is the custodian of Government land in the Tahasil and it is his duty to see that Government lands are not encroached upon and steps are taken for removal of encroachments, if any. He is also the authority to deal with revenue cases under various Acts such as:—

- (1) Orissa Land Reforms Act,
- (2) Orissa Prevention of Land Encroachment Act,
- (3) Orissa Public Demand Recovery Act,
- (4) Orissa Estates Abolition Act,
- (5) Mutation cases under the Orissa Survey and Settlement Act,
- (6) Lease cases under the Orissa Government Land Settlement Act,
- (7) Orissa Bhoodan Yagna Act,
- (8) Regulation II of 1956,
- (9) Orissa Irrigation Act,

Besides, he deals with a large number of revenue and miscellaneous cases for issue of Income Certificates, Solvency Certificates, Caste Certificates, Succession Certificates, etc., which the public want for various purposes. Collection of land revenue, cess, irrigation revenue and miscellaneous revenue, etc., is his primary duty. Besides doing normal revenue work, he is also required to do a lot of non-revenue work in his Tahasil. Apart from pre-occupation in special time-bound programmes like census, agricultural census, election,

relief operation during flood, drought, and other natural calamities and V.I.P. duties etc., he also distributes old age pension among a large number of beneficiaries. His services are required whenever special programmes or special items of work has to be taken up in his area. Regardless of his pre-occupation of normal revenue work, he is also to attend a number of meetings in the subdivision and district headquarters. He represents the Collector in a number of meetings like site selection committee meeting, etc. In fact the Tahasildar has become an all-purpose officer. Heavy pendency of revenue cases in the Tahasil offices is largely attributable to his engagement in non-revenue items of work. Similar is the case with Revenue Inspectors.

Appendix V contains a list of Subdivision-wise Revenue Inspector's Circles of the district.

ADMINISTRATION OF OTHER SOURCES OF REVENUE STATE

Commercial Taxes

There are two Commercial Tax circles viz., the Ganjam I Circle with headquarters at Brahmapur and the Circle II with headquarters at Bhanjanagar. Ganjam I Circle, created in 1947, covered the entire district till 1963-64 when Ganjam II Circle was formed with jurisdiction over entire Ghumusar subdivision. Each circle is in-charge of a Commercial Tax Officer from the Orissa Finance Service. He is assisted by a number of Additional Commercial Tax Officers and Commercial Tax Inspectors to assess and collect taxes under the Orissa Sales Tax Act, the Central Sales Tax Act and the Orissa Entertainment Tax Act. Under Circle I has two sub-circles at Paralakhemundi and Rambha, three checkgates at Girisolla, Dhababandha (Brahmapur) and Chikiti, and one Railway Receipt unit at Brahmapur. The Assistant Commissioner of Commercial Taxes, Ganjam Range, Brahmapur is in overall charge of both the circles.

The statement given below indicates the collection figures (in lakhs of rupees) of different taxes by the Commercial Tax Department from 1983-84 to 1987-88.

Year	Orissa Sales Tax	Central Sales Tax	Orissa Entertain- ment Tax
(1)	(2)	(3)	(4)
1983-84	436.97	28.86	40.54
1984-85	484.14	33.21	44.13
1985-86	566.10	34.41	65.82
1986-87	719.13	37.91	73.95
1987-88	818.05	54.09	83.54

Excise

The State Excise Department is functioning in the district since pre-Independence period. The Superintendent of Excise, Chhatrapur looks after the excise administration of the district. Under the Orissa Excise Manual he exercises the powers of the Collector in excise matters subject to the general supervision of the Collector. He is the chief executive officer of the Excise Department in the district under whom all the Excise officers exercise their powers and carry out their duties and responsibilities.

The district is divided into five Ranges. Each Range is subdivided into two or more charges according to administrative convenience. Each range is in charge of an Inspector and each charge by a Sub-Inspector of Excise. They are assisted by the Assistant Sub-Inspectors of Excise and Constables.

The Excise Officers are primarily responsible for collection of revenue and prevent leakage of revenue. Besides, they prevent and detect excise offences, inspect shops licensed by the Department and check illicit or improper practices by licensed vendors and supervise distilleries and ware-houses.

Demand and collection of Excise revenue in the district from 1983-84 to 1987-88 is given below.

Year (1)	Demand (Rs.) (2)	Collection (Rs.) (3)
1983-84	1,87,66,979	1,81,49,765.00
1984-85	2,35,89,111.26	2,30,29,284.00
1985-86	3,05,26,120.68	2,99,78,817.42
1986-87	3,25,79,498.42	3,20,30,213.90
1987-88	3,55,82,243.82	3,50,07,013.96

Registration

The office of the District Registrar started functioning at Chhatrapur in 1865. There were six Sub-Registrar's zones with headquarters at Brahmapur, Asika, Russelkonda (Bhanjanagar), Paralakhemundi, Sorada and Purustompur. During pre-Independence period five more Sub-Registrar's offices were opened at Digapahandi (1909), Boirani (Kavisuryanagar) (1912), Buguda (1914), Hinjili (1928) and Patrapur (1938). A Sub-Registrar's Office at Khallikot in 1961, a second registration office at Brahmapur for Brahmapur

town in 1965, a Sub-Registrar's Office at R. Udayagiri in 1965 and the office of the Sub-Registrar at Chikiti in 1985 brought the total number of registration offices in the district to fifteen.

The head of the district registration organisation is the *ex-officio* District Registrar, usually an Additional District Magistrate. The office of the District Sub-Registrar has been amalgamated with that of the District Registrar and styled as the office of the District Registrar, Ganjam, Chhatrapur. The District Sub-Registrar exercises all the powers of the District Registrar excepting under Section 68 and 72 of the Registration Act.

The receipts from registration from 1983-84 to 1987-88 are given below:

Year (1)	(Receipt in lakhs of Rs.) (2)
1983-84	36.56
1984-85	53.78
1985-86	57.80
1986-87	63.86
1987-88	70.51

Stamps

The revenue collected from the sale of judicial and non-judicial stamps from 1983-84 to 1987-88 in the district is as follows :

Year (1)	Judicial (Rs. in lakhs) (2)	Non-judicial (Rs. in lakhs) (3)
1983-84	13.99	1,65,90,268.25
1984-85	13.59	1,93,86,394.30
1985-86	14.78	2,00,19,965.45
1986-87	18.75	2,60,36,603.35
1987-88	19.43	2,89,84,354.00

CENTRAL**Income-tax**

Assessment and collection of Income-tax of the district excluding the Tahasil of Bhanjanagar has been distributed between two Income-tax Officers, namely, the Income-tax Officer, Ward-1, Brahmapur and the Income-tax Officer, Ward-2, Brahmapur. The Assistant Commissioner of Income-tax, Brahmapur Circle, Brahmapur also looks after the assessment work of Ganjam along with other four districts viz., Phulabani, Koraput, Kalahandi and Balangir. The pecuniary jurisdiction of each officer has been specified. These officers are controlled by the Deputy Commissioner of Income-tax, Southern Range, Brahmapur whose jurisdiction extends to five revenue districts i. e., Ganjam, Koraput, Kalahandi, Balangir and Phulabani. This apart, another Deputy Commissioner of Income-tax (Appeal) has also been posted at Brahmapur. The Commissioner of Income-tax, Orissa with headquarters at Bhubaneshwar is the head of the organisation.

The Income-tax demand and collection figures (In thousands of rupees) for five years ending 1987-88 are given in the following statement :

Income-Tax	1983-84	1984-85	1985-86	1986-87	1987-88
(1)	(2)	(3)	(4)	(5)	(6)
Demand ..	1,05,57	1,49,48	1,87,60	1,51,47	1,54,87
Collection ..	88,55	1,30,24	1,59,46	1,15,34	1,22,56

Central Excise

The Superintendent, Central Excise and Customs Range at Brahmapur who has jurisdiction over two districts of Ganjam and Phulabani, collects Central Excise duties and oil cess and also looks after anti-smuggling as prescribed under the Customs Act, 1962, implementation of the Foreign Exchange Regulation Act, control of unmanufactured coffee and evasion of excise revenue. There are four sectors in the district located at Brahmapur (headquarters sector), Ganjam, Asika and Bhanjanagar. The Assistant Collector, Central Excise and Customs Division, Cuttack is in-charge of seven districts of Orissa i. e., Ganjam, Phulabani, Puri, Cuttack, Balaswar, Dhenkanal and Mayurbhanj. The Collector of Central Excise and Customs, Orissa, Bhubaneshwar controls the Central Excise Administration of the entire state of Orissa.

The following statement contains Central Excise collection figures for the district from 1983-84 to 1987-88.

Year (1)	Collection (2)
	Rs.
1983-84	1,80,61,029-31
1984-85	1,65,33,727-12
1985-86	1,61,62,589-81
1986-87	1,44,41,180-23
1987-88	2,71,97,343-46

APPENDIX I

(Sample copy of Kabuliyat)

Kabuliyat or Instrument of Assent and Agreement on the part of Shri Durga Madhava Sing, Moottahdar of the Bodagada Moottah in the Ganjam district, to the Sunnud granted to him by the Right Honourable the Governor in Council of Fort St. George on behalf of Her Majesty's Secretary of State for India in Council, bearing date the seventh day of December 1875. Whereas the Right Honourable the Governor in Council on behalf of Her Majesty's Secretary of State for India in Council, has continued to me and my heirs in perpetuity the profession of the Hill Tract commonly called the Bodagada Moottah, in the district of Ganjam, I, Shri Durga Madhava Sing, do by this my Kabuliyat or Instrument of Assent and Agreement, covenant and agree as follows :

1. I agree to attend with my Samastanum Paiks whenever called upon to do so by the agent to the Governor and will perform all such duties as are customarily rendered on such occasions.

2. I agree to pay an annual Nuzzur of Rs. 230 every 1st of April from the commencement of Fusly 1285.

3. I acknowledge that this permanent annual Nuzzur on my Moottah is exclusive of the Revenue derived from the manufacture and sale of salt and saltpetre, exclusive of the sayar or duties of every description whether by sea or land; the entire administration of which the Government reserves to itself; exclusive of the Abkari or tax on the sale of spirituous liquors and intoxicating drugs; exclusive of the excise which is or may be levied on commodities or articles of consumption; exclusive of all taxes personal and professional as well as those from markets, fairs and bazars; exclusive of Lakheraj lands (lands exempt from the payment of public revenue) and of all other alienated lands paying a small quit-rent (which quit-rent, unchangeable by me, is included in the assets of my Moottah), and exclusive of all lands and Russums heretofore appropriated to the support of police establishments, I acknowledge also that the Government reserves to itself the entire exercise of its discretion in continuing or abolishing, temporarily or permanently, the articles of revenue included according to the custom and practice of the country, under the several heads above stated.

4. I acknowledge that my Moottah being held by me in consideration of services to be rendered to the State, the emoluments thereof are inalienable from the office of Moottahdar by mortgage, sale, gift or otherwise; and that the Civil Courts are, by Act XXIII of

1871, prohibited from taking cognizance of any claim thereto except under a certificate from the Collector of the district and the power to decide on all such claims is reserved to the Collector.

5. I hereby agree that on the occurrence of a vacancy in the office of Moottahdar by my death clause 3rd, Rule 10 of the Agency Rules sanctioned by the Governor in Council in virtue of the powers vested in him by selection IV, Act XXIV of 1839, shall regulate the succession, viz.,

"Clause 3rd - on the death of any proprietor the Agent shall personally investigate all claims to the succession to hill Zamindaries, or other landed possession held on feudatory tenures; and shall, through the Board of Revenue, submit the result of his inquiry for the orders of Government, who, should there be more than one claimant, will exercise their inherent right to select, as successor, the one among them, most acceptable to the people, and best qualified to fulfil the duties of the situation".

6. So long as I continue to perform the above stipulations, and discharge the duties of allegiance to the British Government, its laws and regulations which I now solemnly engage to do, I consider myself authorised and empowered to hold at the permanent annual Nuzzur herein named the Moottah of Bodagada.

In testimony of all which I have hereunto affixed my seal and signature in the presence of Charles Gilbert Master, Esquire this sixth day of January in the year 1877.

(Signed) SHRI DURGA MADHAVA SING (in Oriya)
Zamindar of Bodagada

Signed in my presence this sixth day of January in the year 1877.

(Signed) C. G. MASTER;

Collector and Agent to the
Governor in Ganjam.

APPENDIX II

List of Muthas

Sl. No.	Name of Taluk	Name of Mutha	Number of village
(1)	(2)	(3)	(4)
1.	R. Udayagiri	Udayagiri	88
		Ramagiri	54
		Bodoapoda	7
		Khajuripoda	8
		Jhalarsingi	4
		Nuagodo	20
		Parimala	5
		Udayapur N.A.	6
		Challigodo	17
		Mahanadrogodo	5
		Tittisingi	14
		Karadango	10
		Ranalol N.A.	2
		Chelligodo	10
		Ambogam N.A.	20
		Deraba	5
		Padmapur	1
		Tumba N.A.	9
		Karudal	—
		Dhepliguda N.A.	6
		Siallati N.A.	23
		Godru	3
Total			317

Sl. No.	Name of Taluk	Name of Mutha	Number of village
(1)	(2)	(3)	(4)
2.	Mohona	Govindapur	27
		Karachabadi	12
		Kondhodaba	21
		Mohona	50
		Buduli	11
		Odoba	42
		Birikota	33
		Pandiguda N.A.	43
		Jhilliko	15
		Chandragiri	117
		Chandiput	8
		Jarrow	40
		Goudogotho N.A.	16
		Marikote N.A.	29
		Kulaba N.A.	43
		Luhagudi	48
	Total ..	555	
3.	Paralakhemundi	Lobanyakota	25
		Gandahati	21
		Saba and Dobarosingi	34
		Rayagada	64
		Jerango	40
		Narayanpur	18
		Koipur	15
		Sarango	32
		Gumma	96
		Ajiagodo	12
		Namanagar	33
	Total ..	390	
4.	Sorada	Pandakhol	28
5.	Bramhapur	Tumba	21
51 Muthas		Grand total ..	1,411

APPENDIX III

Rates of rent fixed for different Classifications of land***Block A:—Brahmapur and Chhatrapur Subdivisions**

Proposals for rent settlement were submitted to the Board of Revenue, Orissa, Cuttack. Board of Revenue submitted the rent proposals to the Government in letter No. 6880 dated the 30th March, 1964. Government in their letter No.5-327/64-772/R., dated the 4th January, 1965 approved the rates of rent. The following is the rates of rent settled in the three groups of villages.

Rate of rent	(In Rupees for acre)		
Classification of land	Group-I villages	Group-II villages	Group-III villages
(1)	(2)	(3)	(4)
Billa dofasali-I	11.00	10.00	5.00
Billa dofasali-II	10.00	9.00	4.00
Billa dofasali-III	88.00	6.00	3.00
Irrigated single crop paddy lands			
Billa-I	10.00	9.00	4.00
Billa-II	9.00	8.00	3.00
Billa-III	7.00	6.00	2.00
Rainfed double crop paddy lands			
Barsadhar dofasali-I	10.00	8.00	4.00
Barsadhar dofasali-II	7.00	6.00	2.00
Barsadhar dofasali-III	6.00	4.00	1.00
Rainfed single crop paddy lands			
Barsadhar-I	9.00	7.00	3.00
Barsadhar-II	7.00	6.00	2.00
Barsadhar-III	5.00	4.00	1.00
Dry land			
Padar-I	6.00	5.00	2.00
Padar-II	5.00	4.00	2.00
Padar-III	4.00	3.00	1.00
Tanks (with their embankments)	6.00	5.00	4.00
Bagayat-I	22.00	20.00	10.00
Bagayat-II	5.00	5.00	2.00
Bagayat-III	4.00	4.00	2.00

* Source—Settlement Officer, Brahmapur.

(In rupees)

Classification of lands (1)	Group-I villages (2)	Group-II villages (3)	Group-III villages (4)
Homestead beyond village-site paramboke	6.00	5.00	2.00
Land used for industrial purpose	Rs.10.00 in urban area as defined in the Orissa State Urban Land Settlement Rule 1959 to Rs.5.00 in other areas.		
Raiyati Land used for non-agricultural purposes other than industrial or homestead	1 percent of the market value		
Others	4.00	3.00	1.00

Block B:—Paralakhemundi Subdivision excluding Agency area

Rent policy approved by the Government in Revenue Department in their Letter No. 5-205/64-68940/R., dated the 28th October, 1964.

Irrigated double crop paddy lands

Billa Dofasali I	15.00	13.00	6.00
Billa Dofasali II	14.00	12.00	5.00
Billa Dofasali III	11.00	10.00	3.00

Irrigated single crop paddy lands

Billa I	13.00	12.00	4.00
Billa II	12.00	11.00	4.00
Billa III	11.00	9.00	3.00

Rainfed double crop paddy lands

Barsadhar Dofasali I	13.00	12.00	5.00
Barsadhar Dofasali II	11.00	9.00	3.00
Barsadhar Dofasali III	8.00	7.00	2.00

Rainfed single crop paddy lands

Barsadhara I	12.00	11.00	4.00
Barsadhara II	10.00	9.00	3.00
Barsadhara III	8.00	6.00	1.00

(In rupees)

Classification of lands	Group-I villages	Group-II villages	Group-III villages
(1)	(2)	(3)	(4)
Dry land			
Padar I	8'00	7'00	3'00
Padar II	7'00	5'00	2'00
Padar III	5'00	5'00	1'00
Bagayat I	8'00	7'00	3'00
Bagayat II	7'00	6'00	2'00
Bagayat III	5'00	5'00	1'00
Homestead Land beyond the village site	6'00	3'00	1'00
Agricultural land converted to commercial use	17'00	15'00	7'00
Tank	5'00	4'00	2'00
Other lands	2'00	2'00	1'00

Block C :—Bhanjanagar Subdivision excluding agency area—
 Proposal for settlement of rent were submitted to Board of Revenue in letter No. 6460, dated the 4th September, 1979. Board of Revenue returned the rent proposals to reconcile some discrepancies found in rent proposals. The next proposals were resubmitted to Board in letter No. 6714—LIII-6/80- dated the 15th September, 1980. Board of Revenue submitted the rent proposals to Government in letter No. 3056—XLII-81-80-LRS., dated the 3rd April, 1981. Government in their letter No. 33854 dated the 20th May, 1981 approved the rates of rent. The following are the rates of rent settled for the three groups of the villages:—

	Group I	Group II	Group III
Billa Dofasali I	13'00	12'00	6'00
Billa Dofasali II	11'00	10'00	5'00
Billa Dofasali III	9'00	8'00	4'00
Billa I	12'00	10'00	5'00
Billa II	10'00	9'00	4'00
Billa III	8'00	7'00	3'00

in rupees

Classification of land (1)	Group-I villages (2)	Group-II villages (3)	Group-III villages (4)
Barsadhar Dofasali -I	11'00	10'00	5'00
Barsadhar Dofasali -II	9'00	8'00	4'00
Barsadhar Dofasali -III	7'00	5'00	2'00
Barsadhar -I	10'00	8'00	4'00
Barsadhar -II	8'00	7'00	3'00
Barsadhar -III	7'00	5'00	2'00
Padar -I	7'00	6'00	3'00
Padar - II	6'00	5'00	2'00
Padar - III	5'00	4'00	1'00
Bagayat - I	20'00	18'00	9'00
Bagayat-II	8'00	7'00	3'00
Bagayat-III	7'00	4'00	2'00
Jalasaya-I	11'00	10'00	5'00
Jalasaya-II	7'00	6'00	2'00
Patita	3'00	2'00	1'00
Gharabari	20'00	10'00	6'00
Lands used for Industrial, Commercial and non-agricul- tural purposes	80'00	40'00	24'00

Block DI : Agency area of Paralakhemundi Tahasil—Rent settlement proposals were submitted to Government in letter No.9 dated the 3rd October, 1975 . Board of Revenue submitted the rent proposals to Government in letter No. 11470 XLIII-163/75 dated the 10th December, 1975. Government in their letter No.2415 dated the 9th January, 1976 approved the rates of rent

excepting homestead land. Subsequently Government approved the rates of rent for homestead lands in letter No. 68878 dated the 27th August, 1976. The following are the rates of rent settled for different classes of lands :

Classification of land	Rates of rent per hectare			
	Class I Villages	Class II villages	Class III villages	Class IV villages
	Rs.	Rs.	Rs.	Rs.
Billa-I	8'00	6'00	4'00	3'00
Billa-II	6'00	5'00	3'50	2'50
Billa-III	4'00	3'50	2'50	2'00
Billa Dofasali-I	9'00	7'00	5'00	4'00
Billa Dofasali-II	7'00	6'00	4'50	3'50
Billa Dofasali-III	5'00	4'50	3'50	3'00
Bilapani-I	8'50	6'50	4'50	3'50
Bilapani-II	6'50	5'50	4'00	3'00
Bilapani-III	4'50	4'00	3'00	2'50
Padar I	3'00	2'50	2'00	1'50
Padar-II	2'50	2'00	1'50	1'00
Bandha/Mahara	4'00	3'50	2'50	2'00
Bagayat	8'00	6'00	4'00	3'00
Patita/Aadri	2'50	2'00	1'50	1'00
Gharaberi	11'25	8'75	6'75	5'50

Block D 2 : Remaining portion of Ganjam Agency—
Rent proposals for settlement of rent were submitted to Board in letter No. 9794-LI-4/75 dated the 25th November, 1976. Board of Revenue submitted the rent proposals to Government in letter No. 8315—XLII-21/77 dated the 5th December, 1977. Government approved the rent proposal in letter No. 5-105/77-90787 dated the 24th December, 1977. The rates of rent approved for Block D 1 is same as for Block D 2.

Block E : Ex-estate area of Chhatrapur Subdivision—

This block comprises 711 villages of Chhatrapur subdivision which are mainly ex-estate and Inam villages. Survey and settlement operation is now in progress in the area.

Out of these 711 villages, 26 villages have since been transferred to Consolidation Organisation and the balance 685 villages have been taken up since 1986-87. The rent policy of these villages of Block 'E' was recommended by the Board of Revenue, Orissa, Cuttack to the Government in Revenue Department by their letter No. 304 dated the 13th January, 1988. The Revenue Department has approved the rent Policy of Block 'E' vide their letter No. No.26221, dated the 25th April, 1988. In the said rent policy the following classification of land has been approved with rates noted against each class of land.

(In Rupees)		
Classification	Rate per acre for class I villages	Rate per acre for class II villages
(1)	(2)	(3)
Billa dofasali	14'00	13'00
Billa	13'00	11'00
Barsadhar-I	11'00	9'00
Barsadhar-II	9'00	8'00
Padar-I	7'00	6'00
Padar-II	7'00	6.00
Bagayat	13'00	13'00
Jalasaya	11'00	8'00

Rent in Urban Area :

The rent policy for 417 villages of Block A of Ganjam district was submitted to the D.L.R & S. Orissa, Cuttack in letter No.60 dated the 5th January, 1964 of the Settlement Officer, Brahmapur and proposals were approved by the Government in their letter No. 6880-XII-6/64, dated the 30th May, 1964. In the above rent proposals it was mentioned that a separate policy for rent settlement in the town areas of the district would follow :

Accordingly, proposals for settlement of rates of rent of 18 town villages of Block A were submitted to Board of Revenue in letter No. 5306-LXI-21/72 dated the 14th June, 1972. Government in their letter No. 125/73-5518/R., dated the 24th January, 1974 communicated that all the homestead lands in the town areas should be assessed at 1% of the market value and such market value of land for each unit should be approved by the Board of Revenue before assessment of rent. It was further contemplated in the Government orders referred to above that the rates of rent for agricultural lands situated within the limits of the towns should be fixed at 25% higher than the rates of rent approved for such lands in Class I villages of the rural areas of Ganjam district.

Rent proposals for the town areas of Blocks A & B of Ganjam district were submitted to Board of Revenue for approval by Government in letter No. LXI-5306-2/72 dated the 14th June, 1972 (for Block-A) and letter No. 2813-LXI-22/74 dated the 16th April, 1973 (for Block-B) Board of Revenue in their letter No. 11750-XLI-17/73 LRS dated the 24th January, 1975 and 5480 dated the 4th June, 1973 recommended to the Government for approval of the said proposals. Revenue Department approved the rent proposals of Blocks A & B in their order No. 5518-S-1-25/73 R dated the 24th January, 1974 and 2683 dated the 24th January, 1974 respectively.

It was recommended to Government to fix the rates of rent for house sites lying within the urban areas at 1 per cent of the market value thereof. This rate of rent was earlier initiated by Government in their letter No. 7876-R dated the 3rd February, 1965. The general principles adopted for arriving at the market value of house sites in urban areas is by way of collection of sale statistics from the Sub-Registrar's office and to fix the same in respect of each urban area separately.

Accordingly, the proposals for determination to market value of 13 towns of Blocks A & B were submitted to Board in letter No. 9438 LXI-8/75 dated the 6th November, 1975 of the Settlement Officer, Brahmapur. Board of Revenue approved the above proposal of market value in letter No. 3850-172/75 dated the 22nd April, 1976 with the observation that the rent should be fixed in accordance with the guide lines given in Revenue Department letter No. 10055-R dated the 24th December, 1975.

The following principles were fixed in the above Government Order for determination of rent in urban areas.

1. Land used for Trade, Commerce and Industries :—1 per cent of the market value per acre.

2. Land used for residential purpose:— 25 per cent of the market value per acre.

3. Land used for public institutions such as educational and charitable institutions:— 25 per cent of the market value per acre.

The settled rent shall take effect from the beginning of the agricultural year in 1st April after the date of final publication or any other earlier date that may be notified by the Government.

APPENDIX IV

(Demand, collection and balance of rent and cess from 1984-85 to 1988-89)

		Demand	(In Rupees)	
			Collection	Balance
1. 1984-85	Rent	16,25,411	6,24,476	10,00,935
	Cess	34,30,702	22,21,891	12,08,811
2. 1985-86	Rent	17,89,790	7,55,950	10,33,840
	Cess	36,61,268	25,75,942	10,85,326
3. 1986-87	Rent	18,24,170	7,52,995	10,71,175
	Cess	37,46,700	24,06,650	13,40,050
4. 1987-88	Rent	27,09,051	10,21,741	16,87,310
	Cess	39,56,798	14,55,433	25,01,365
5. 1988-89	Rent	24,28,986	13,72,089	10,56,897
	Cess	51,86,976	37,14,867	14,72,109

APPENDIX V

List of Subdivision-wise Revenue Inspector's Circles

Sl. No.	Name of the Subdivision	Name of the Tahasil	Name of the Revenue Inspector's Circle
(1)	(2)	(3)	(4)
1.	Chhatrapur	1. Chhatrapur	1. Chhatrapur 2. Pudapadara 3. Ganjam 4. Kollada 5. Patlampur 6. Bonlagam 7. Raghunathpur 8. Bipilingi 9. Chamakhandi 10. Karapalli 11. Sundarpur 12. Tanganapalli 13. Narandrapur

Sl. No.	Name of the Subdivision	Name of the Tahasil	Name of the Revenue Inspector's Circle
(1)	(2)	(3)	(4)
		2. Kodala	1. Kodala
			2. Phasi
			3. Baruombadi
			4. Badhamba
			5. K. S. Nagar
			6. Ballichai
			7. Paikjamuna
			8. Gudiali
			9. Athagadapatna
			10. Polasara
			11. Dhunkapada
			12. Hatiate
			13. Laxmanpalli
			14. Gochabadi
			15. Kalamba
			16. Mathura
			17. Ch. Sasan
		3. Khallikot	1. Khallikot
			2. Manthura
			3. Chikiti
			4. Rambha
			5. Humma
			6. H. Burudl
			7. Kesapur
			8. Bhejiput
			9. Kanhaipur
			10. Khojapalli
			11. Sandhamala
			12. Sumandal
			13. P. Nuagam
			14. Barada
			15. Kanchar

Sl. Name of the No. Subdivision	Name of the Tahasil	Name of the Revenue Inspectors, Circle
(1)	(2)	(3)
	4. Purusottampur	1. Purusottampur 2. Sikula 3. Chengudighai 4. Pandia 5. Bomonai 6. Raipur 7. Bhatkumada 8. Bahabandha 9. Baghal 10. Sunathara 11. Sahapur 12. Nandiko 13. Jamuni 14. Kanchuru 15. Gandala 16. Bellagam 17. Ambagam 18. Durubandha 19. Hinjili 20. Pochiling 21. Burupoda 22. Santoshpur 23. Sikiri 24. Saru 25. Bodokandi 26. Batha 27. Santoshpur(K) 28. D. N. Pur 29. Kumundo 30. Bodiramhpur

Sl. No.	Name of the Subdivision	Name of the Tahasil	Name of the Revenue Inspector's Circle
(1)	(2)	(3)	(4)
II,	Brahmapur	5. Brahmapur	1. Brahmapur 2. Bhapur 3. Rathapalli 4. Goilundi 5. G. Nuagam 6. H. Khandi 7. Lanjipalli 8. Ankushpur 9. Ballipada 10. Balajihot 11. Chandipadar 12. K. Khandi 13. K. S. Pur 14. P. Jholi 15. Bakhinapur 16. Kusastali 17. Borigam 18. Dura 19. Gopalpur 20. Gurunthi 21. Korapalli 22. Nimakhandi
		6. Digapahandi	1. Digapahandi 2. Basudevpur 3. Sidheswar 4. Malabhanja 5. Podamari 6. Bangarada 7. Bhismagiri 8. N.K.Panth 9. Jakar 10. Padmanabhapur

Sl. No.	Name of the Subdivision	Name of the Tahasil	Name of the Revenue Inspector's Circle
(1)	(2)	(3)	(4)
			11. Badadumula
			12. Dekhli
			13. Nuapada
			14. Dhramapur
			15. Kaithakhandi
			16. Khamarigam
			17. Pattapur
			18. Khallinigi
			19. Kankorada
			20. Balarampur
			21. Srichandanpur
			22. S.Gopalpur
	7. Chikiti		1. Chikiti
			2. Kotilingi
			3. Pitatali
			4. Girisola
			5. Samantiapalli
			6. Jayantipur
			7. Jarada
			8. Gundra
			9. Patrapur
			10. Relua
			11. Surangi
			12. Khariaguda
			13. Tumba
	6. Konisi		1. Konisi
			2. Sahala
			3. Lathi
			4. Padampur
			5. Dumudumi
			6. Phulta
			7. Haladiapada

Sl. No.	Name of the Subdivision	Name of the Tahasil	Name of the Revenue Inspector's Circle
(1)	(2)	(3)	(4)
			8. Golanthra
			9. Indrakhi
			10. Sulami
			11. Mantridi
			12. Biswanathpur
			13. Sunapur
III	Bhanjanagar	9. Bhanjanagar	1. Bhanjanagar
			2. Badakondanda
			3. Bahapadar
			4. Munagada
			5. Kullada
			6. Beruda
			7. Gallery
			8. Kokolaba
			9. Lembhai
			10. Ketterga
			11. Gobora
			12. Bellaguntha
			13. Barangam
			14. Gerada
			15. Pratapur
		10. Asika	1. Asika
			2. Bhaugam
			3. Bharakote
			4. Baradabilli
			5. Mundamari
			6. Jahada
			7. Bhetanaik
			8. Haridepadar
			9. Nalaghanta
			10. Narendrapur

Sl. No.	Name of the Subdivision	Name of the Tahasil	Name of the Revenue Inspector's Circle
(1)	(2)	(3)	(4)
			11. Debendrapur
			12. Dengapadar
			13. Dhabalpur
			14. Seragad
			15. Bahadaguda
			16. Nimina
			17. Gangapur
			18. Gadangu
			19. Ballisira
			20. Palliboa
			21. Gunthapada
			22. Jhada Bandha
			23. Nimina Zone
	11. Surada	1. Surada	
		2. Lathipada	
		3. Amartala	
		4. Asurabandha	
		5. Badagada	
		6. Ekalapur	
		7. Manikyapur	
		8. Karadakona	
	12. Buguda	1. Ballipadar	
		2. Bantha	
		3. Karadabadi	
		4. Buguda	
		5. Jhadabhuni	
		6. J. Pradada	
		7. Nadua	
		8. Mothabadi	
		9. Panchabhuti	

Sl. No.	Name of the Subdivision	Name of the Tahasil	Name of the Revenue Inspector's Circle
(1)	(2)	(3)	(4)

IV 13. Paralakhemundi Paralakhemundi 1. Paralakhemundi

2. Jeoba
3. Ranipeta
4. Bagusola
5. Uppalada
6. Khoranda
7. Garabandha
8. Sobara
9. Bodokathuru
10. Gurandi
11. Bhusukudi
12. Maohamora
13. Kashinagar
14. Siali
15. Khandaba
16. Hadubhangi
17. K.Sitapur,
18. Karada

14. R. Udayagiri 1. R. Udayagiri

2. Nuagoda
3. Chelligoda
4. Ramagiri
5. Chandragiri
6. Chandiput
7. Mohana
8. Adava