

CHAPTER X.

EARLY REVENUE SETTLEMENT.

233. Stirling in the early part of this century gives us an account of the Province. He tells us of the legend that under the sovereign at Delhi was a great kingdom held by feudal lords who were dependent on and owed service to the lord paramount. The most powerful lords of this empire were the *Gajapati*, *Aswapati*, *Chhatrapati* and *Narapati*. These lords in the course of time threw off their allegiance and became independent monarchs ruling over numerous inferior *Khetris* or *Cshetriyas* (both spellings are found in Stirling). Thus the *Gajapati* became Lord of Orissa.

A earliest accounts.

Stirling divides the Province of Orissa into three portions—

- (1) The marshy woodland tract extending along the seashore from the Black Pagoda to the Subarnarekha.
- (2) The plain and open country between this and the hills.
- (3) The hill country.

The first and third are known as the Eastern and Western Rajwara or Zamindara, that is, the country occupied by the ancient feudal chieftains, Khandaits, zamindars or poligars of Orissa, the second as the Mogulbandi or Khaliseh, or Kot, being that from which the indigenous sovereigns and Mogul conquerors of the country derived the chief part of their revenue and which at present pays a rent to the British Government of sicca Rs. 12,64,370, whilst the tribute yielded by the other extensive portion is fixed in perpetuity at the low sum of sicca Rs. 1,20,411.

In the above items the *jama* of Khurda is not included.

The rulers of the Rajwara were *Khetris* (*Kshetriyas*), or *Khandaits* (wearers of the *Khanda* or national sword), or *Bhuiyas* (*Bhupati*, lord of the soil), or *Poligars* (from *Pollam*, a fief in Telugu), or *sawants* (chief lords), or *Sevakan Arni Das* (hereditary servants holding lands); or, lastly *zamindars*.

A noticeable point appears to be that the title of *zamindarā* was applied only to the Rajwara and never to the Khaliseh.

The present location of chiefs in the hills and on the coast was, according to Stirling, made by Raja Anang Deo, who created 16 *sawants* in the twelfth century. They were placed so as to repel the attacks of the aboriginal savages. "In this point of view their situations and duties resembled much that of the Lords of the Marshes in Europe." Under these lords, who lived in *garhs* or *killas*, were military retainers—*Naiks*, *Dallais*, *Dulbehras* and *Khandaits*, holding subordinate fiefs, and under these again were the *priks*, both soldiers and cultivators.

The domains reserved for the Crown were of course the most valuable and fertile, "and it was the uniform policy of the strong Government of the Mahomedans constantly to enlarge this share by the gradual subjugation and usurpation of the lesser chiefs and princes."

234. The early Hindu rulers of Orissa recognised no middlemen between them and their subjects and every cultivator was in theory bound to pay to his sovereign a share: variously estimated at from one-twelfth to one-fourth of the gross produce of his land. The nominal proportion was one-sixth (*sastansha*) at the outside, but in fact was often more. Phillips (Tagore lectures) says:—

Hindu revenue system.

One-twelfth in prosperity and one-fourth in time of urgent necessity. We find two parties primarily interested in the land so far as its produce is concerned. These are the king and the cultivator, and there are no independent intermediate interests.

The residents of each village paid their quota through a headman (*padhan*) who, in consideration of his services in collecting the revenue, was allowed to hold free of all payment a certain share (*heta*) not exceeding one-twentieth, of the total land in cultivation, and probably also retained some part of his collections as a perquisite of his office. The village accounts were checked by the accountant (*bhot*) who was also paid by the grant of a few acres free of assessment. These

* See Lord W. Bentinck's Minute of 1833, paragraphs 6 to 10.

villages were grouped into large divisions (*khand* or *bisi*) of 10 to 50 square miles, the prototype of the modern Pargana, many of which are still known by their old Hindu names as *Nahakhand*, *Derabisi*. Over each of these divisions was an executive officer or *Khandpati* who acted as the representative of the sovereign, and with the assistance of the Divisional Accountant (*bhoimul* or *bisoi*) collected the revenue, and handed it on to the head of the district, *desadhipati*.

We find that in parts of the Deccan the same description of officers still exist and are called *Des Mukh* and *Des Pandia*, terms of precisely corresponding import (Stirling).

This was the system in the regulation provinces of the Hindu Kingdom, but along the hill borders and on the scantily populated littoral the land was held by military chiefs* who paid a tribute to their suzerain, and were independent as regards the internal administration of their properties.

235. The first regular settlement of the province was begun in A. D. 1582 by Akbar's victorious general Todar Mull and concluded in 1591 by Raja Man Singh. He for the most part left untouched the border chieftains; and Khurda, together with the estates of Lembai, Chaubiskud, Rahang and Sarai, he assigned to the Hindu prince Ram Chandra Deo and to the Temple of Jagannath, *i. e.*, the Raja of Khurda received the rank of Commander of 3,500, and under his control were placed thirty-one "zamindaris of Hindu sirdars, containing 129 *killas*" (*i. e.* thirty zamindaris and his own estate of Khurda).

To the two sons of the old independent chief Telinga Makund Deo were given the rank of Commander of 500, *i. e.*, the Raja of Sarangarh (Patia) received under his control thirty-one zamindaris (including Patia and Balunta his own property) containing 38 *Killas*, while the Raja of Aul received (including his own zamindari and *killa*) twenty-four zamindaris containing 42 *killas*.

We find in the above zamindaris several of the present Tributary States, *e. g.*, Baramba and Dhenkanal under Khurda, also Banki now a part of Cuttack and Angul; also Gumsar and Kalikote, now in the Madras Presidency.

"The more distant zamindars were separated from the control of the superior Raja and placed under seven principal zamindars or *sawants*, viz., Keonjhar, Mohurbhunj, Bishanpur, Fattiabad, Naraingarh, Kawangher, and Nag or Bagbhum." The last four are now in Midnapur.

Under these chiefs we find Ragri and Balarampur (under Kenojhur) and Nilgiri and Jamkunda (under Mohurbhanj). Ragri and Balarampur are now known as *Killajats*, *i. e.* they are in the temporarily settled area and have been separately treated in the present settlement (see paragraph (610). Nilgiri is now a Tributary State, while Jamkunda is an ordinary temporarily-settled revenue-paying estate. It may also be noted that Manbhum and Singhbhum are included under Bishanpur. A perusal of the lists given by Stirling in page 68, *et seq.*, will be found most interesting to the District Officer.

In the central and most highly cultivated portions of the present districts of Cuttack and Balasore and part of Midnapur south of the Subarnarekha, Raja Todar Mal made a detailed settlement fixing the rates of rents in every village. He confirmed in possession the hereditary Hindu officials of the Pargana (*Khand* or *Bisi*), the *Khandpatis* and *Bhoimuls* becoming *Chaudhris* and *kannigos* and being entrusted with the collection of revenue and the other rights and liabilities of zamindars for the portion of the Pargana or *taluk* † under their direct management. The village headmen he maintained under the appellation of *muqaddam* an Arabic word meaning headman, commuting their customary right to hold one acre in twenty free of assessment to a grant of a definite quantity of land‡. Where there were no hereditary headman or, where the *padhan* had been dispossessed, collections were often made through an agent (*karji*) or farmer (*sarbarakar* or *mustajir*) appointed by the *talukdar*, and many of these developed into hereditary tenure-holders with rights almost equal to these of the *muqaddams*.

236. The *talukdars* were remunerated by grants of land (*nankar*) for their support, and by deductions of 5 per cent., (*rusum*) from the gross collections of the villages

* *Khandaits* and *Bhuian*, *Sawants*, *Shebaks*.

† *Taluk*. an Arabic word that may be translated "sphere of influence. Sometimes also called *Tappa*".

‡ *Jagir*, *petrali*-ancestral.

in their charge, as well as by permission to collect what they could in the form of octroi, market dues and other extras (*sair wasiwai*). Mr. Trower * reported that under the Mahomedans the land-owners got a deduction of 10 per cent., besides one-twentieth on the total collections in the form of rent-free land. Nominally 1 in 20 was the customary deduction, but it was probably greater in the case of zamindars than in that of *chaudhris*, and less still for the *kanungos*. For the supervision of these landholders Raja Man. Singh grouped the Parganas into three *sirkars* of Cuttack, Bhadrak, and Jaleswar, each under charge of a chief executive officer called an '*Amel*' and of a checking revenue officer or *Sadar Kanungo* † with several subordinate collecting agents (*gumashta*); paid originally by a percentage on the collections.

237. The *talukdars* and superior officers were nominally appointed by the sovereign or his representative, and were so far officials that they acted jointly in making or sanctioning alienations and assignments of the land or its revenues, and were removable for bad conduct; but under the two centuries of misrule and revolt that followed Akbar's reign their hold on the land grew stronger, and the right to appoint lapsed into a purely formal custom of confirmation of the heir of the deceased officials, and even the *Amil* and the *Sadar kanungo* came to hold large estates, stepping into the shoes of dispossessed *talukdars* for whom they stood security. Their office was abolished by the Mahrattas, who appointed *Amils* and *sadar kanungos* of their own, and at the British conquest these ex-officials were found only as holders of large and valuable estates. The subdivisions of *taluks* appears also to have been allowed, for in one Pargana there were often more than one *taluk chaudhri* or *kanungo*, each being distinguished by the name of the particular landholder. So we find in the Mahratta revenue roll of Pargana Randia Orgara :—

- (1) Taluk Sadar, Kishen Persad Rai Mahashai (the Sadar kanungo).
- (2) „ Kanungo Wilayati Jasamant Rai.
- (3) „ Fakir Chaudhri.
- (4) „ Bip Charan Chaudhri.

Similarly in Pargana Khandi Bisi the Pargana registers of the Maharattas showed four taluk kanungos and one taluk chaudhri.

Stirling gives us the following summary regarding these officers of State :—

To control and superintend the local officers of the old *regime* and to maintain the principles of the old settlement inviolate, the offices of Sadar kanungo and Sadar Chaudhri were instituted by Akbar, or rather by his Dewan. The Sadar Chaudhris, Kanungos and their establishments should be carefully distinguished from the *vilaiti* or local and country chaudhris and kanungos, the officers of the former Hindu Government. Whilst the latter were all Uriyas, the newly created officers were invariably filled by natives of Bengal.

238. Besides the *talukdars*, there were also a few landholders in possession of whole Parganas. They alone were officially styled dependent Hindu sirdars or zamindars, and were generally either descendants of the old reigning princes, as in the case of the zamindar of Utikan, who was the Raja of Kanika. or the zamindar of Saibir, who was the Raja of Patia, or were border chiefs (*knandaït* or *bhuiyan*) such as those of Darpan, Madhupur, Balarampur, Chausatpara, Ambo.

Besides these two classes, a good many superior officials were appointed zamindars in return for special services. Such was Trilochan Patnaik, the Amil, who was appointed zamindar of Kotdes and the neighbouring lands.

It appears that the Mahrattas recognised sixteen of these zamindars in the Cuttack district ‡ and one in Puri. Like the *talukdars*, they all held under deeds of appointment, and though their position was more honourable, their rights and liabilities did not in any way differ from those of the Pargana officials.

It is easy to see from the foregoing account of hereditary zamindars, officials, and officially-Created Zamindars that a general fusion of rights and titles must inevitably take place.

Stirling gives the following reasons for general extension of the term "zamindar" in Orissa :—

* See Babu Ranga Lal Banerjee's report on the Cuttack Tenures.

† Lit. chief expounder of the law; he was some-times called a "Mahashai" = Master.

‡ Babu Ranga Lal Banerjee's Note on the Cuttack Tenures, paragraph 36.

- (1) The lack of distinction between the ancient Zamindars and the talukdars created by the Moguls with hereditary offices.
- (2) The confused and inaccurate application of the term by the zamindars.
- (3) The failure to distinguish between the inheritance and sale of an office and the inheritance and sale of the land with which that office was connected.

Whilst *talukdars* became exalted to the rank of zamindar, the proper zamindars mounted a step higher and styled themselves Rajas. Every hill and jungle zamindar of Orissa has been pleased invariably to adopt the style and title of Raja.

239. In 1742 occurred the first invasion of the Mahrattas. From 1751

Mahratta System.

A. D. Orissa became a Mahratta Province under the management of a *Subahdar*. The new conquerors made in theory no change in the fiscal organisation, but recognised the people whom they found in possession of the land without asking inconvenient questions. Orissa, the most peaceful part of their dominions, they looked upon solely as a source of revenue, and to this end appointed 32 *amils* to look after the collections, and under them distraint officers (*krok sazawal*) to squeeze the uttermost farthing out of the people. Defaulting *talukdars* they unhesitatingly dispossessed, and where they found a village headman strong enough to be independent of the Pargana official, they allowed him to pay his revenue direct into the treasury. To some

Mazkuri estates.

extent this had been the practice in the later days of the Mogul *regime*, when numerous independent estates* were created by grants to ministers † of State or for the maintenance of the Nawab's household.‡ These estates consisted generally of numerous small parcels of land in different villages, an inconvenient arrangement in many ways, but perhaps intended to give these officials an interest in touring or to provide them with a foothold in the different villages. The accounts were kept separately as direct collections (*hazur tahsil*) and were credited to the support of special departments. The origin of the *tahsilalahida* zamindaris or Parganas of Jainabad and Saidabad is peculiar. It is said that they were created for the support of Jaini Bibi and Saidi Bibi, the sisters-in-law of the Mahratta Dewan, who compelled every *talukdar* under his control to contribute their quota of land. To the category of petty separate revenue units were subsequently added the alienated estates known as *Kharidagis* and the resumed *jagirs* or torch bearers (*masalchi*) or yeomanry (*dograi*): while, as before-mentioned, the Mahrattas also accepted direct payment from many village headmen. All these estates were known as *mazkuri*, or specified, and their holders were treated as having exactly the same rights as *talukdars*, though the position was one of less dignity.

240. During the fifty years of Mahratta rule, or rather misrule, the

Mahratta extortion.

position of cultivator and payer of revenue (*malguzar*) was one of extreme difficulty. Lists of estates for farming leases were put up to auction in Nagpur and were bought sometimes by two or three persons, all of whom came to Orissa and tried to levy what they could. These persons, known as *asamis*, were responsible for the collections of revenue. The Mahratta demands knew no limit, default in payments subjected the *talukdar* to dispossession, imprisonment, and fine, and when all other means failed, the Mahratta cavalry harried the country and plundered the villages. The *talukdars*, when pressed, retaliated on the people by levying extraordinary cesses and so-called voluntary contributions, and their exactions were only limited by the fear of driving the tenantry to abandon the village and leave the land uncultivated. When the Mahratta cavalry appeared the villagers would fly to the woods driving their cattle before them, only to return when the troops had retired; and sometimes a border zamindar was strong enough to meet force with force and beat back the invader or at least compel him to accept reasonable terms.

Along the sea coast and in the mountainous regions on the west known as the Rajwara the old organisation survived unchanged. This tract included the territories of some of the feudal chieftains who ruled over the barbarous races of the hills, and the lands assigned in Todar Mal's and Raja Man Singh's settlements to

* *Mazkuri*=Specified (i. e., in the rent-roll.)

† i. e., the *nankar mahals*.

‡ i. e., *Har Nawabi, Khansamani*.

§ i. e., *bought*: they were often known as "*kharidagi bazi asamean*," i. e., "bought lands of various tenants."

the descendants of the Hindu kings. The Raja of Khurda bought some peace from the Mahrattas by the cession of his Parganas of Delang, Rahang, Serai, and Chaubiskud, and many petty rajas along the coast were reduced to the position of ordinary zamindars, but to the last the hill chieftains resisted even the Mahrattas with some success. They were periodically plundered, but it was only by a considerable show of force that the Mahrattas could compel payment, and amidst the inhospitable wilds and forests the horsemen were at a disadvantage and were as often defeated as victorious.

241. With all their extortion the Mohrattas appear to have collected annually about 11 to 12 lakhs of rupees from the Province * which is less than the estimated revenue of the Moghuls; and this was to be expected, for the very rapacity of the conquerors defeated its own intentions by discouraging thrift and throwing large areas out of cultivation.

242. Such was the state of affairs when the British Commissioners in the end of the Year 1803 A. D. found themselves confronted with the necessity of making a settlement of revenue for the Province.

* They determined to cancel all balances outstanding from the demands of former years and to base the demand for the current year on the receipts for previous payments making suitable deductions on account of *abwabs* and excessive assessments, and on account of any sums collected in advance by the Mahrattas.

For the ascertaining of the revenue due on these terms they had at their disposal the revenue rolls of the *Sadar Kanungo* of Cuttack, Narendra Ray Mahashai, and the accounts of the record-keeper, Gopal Pandit.

The zamindars officials, proprietors, and quasi-proprietors whom they found in possession were the following:—

- (1) The ancient zamindars of the *killas* estates.
- (2) Zamindars of Mogul and Mahratta creation, e. g., Kotdes and Utikan.
- (3) *Chaudhri* and *kanungo talukdars*.
- (4) *The Maskuri mugaddams*.
- (5) Village accountants, *sarbarahkars*, *karjis*.
- (6) Headmen of *patnas* known as *pursethidars*. A *patna* means primarily homestead rather than arable lands.
- (7) Holders of alienated lands (*Kharida*) originally sold under the fiction that they were waste (*banjar kharij ama*), also resumed *jagirs* and service lands.

243. The proposals of the Commissioners for the subsequent settlement of the Province were set forth in a proclamation of the 15th September 1804 which was afterwards embodied in Regulation XII of 1805, and I cannot do better than quote it her as a complete exposition of the principles and intentions of the officers who made the first settlement of Orissa:—

First.—Whereas it is the intention of the British Government to adopt at the expiration of the present *Amli* year such a plan for the settlement of the landed revenue of the province of Cuttack as may be most conducive to the prosperity of the country and to the happiness of the inhabitants; and whereas it is of the utmost consequence to the success of the measure, as well as to the interest of the zamindars, talukdars, and all others concerned, that the nature and terms thereof should be made known as early as possible, notice is hereby given :

Second.—That at the commencement of the *Amli* year 1212 (1804-1805), the sayer of every denomination will be separated from the mal or land revenue and a Settlement for the latter only concluded in all practicable cases which the zamindars or other actual proprietors of the soil (unless when disqualified by notoriously bad character or other good and sufficient cause) for a period of one year, it being understood that all zamindars and other landholders, and all *candytes* shall for the present, and during the pleasure of Government, continue to perform the same duties of police for the prevention of robberies, murders, and crimes of that nature, and for the preservation of peace and good order within their respective limits and to be subject to the same responsibility, as heretofore :

Third.—That at the expiration of the year 1212 another settlement will be made with the same persons (if willing to engage and they shall have conducted themselves to the

* See paragraph 54 of Mr. Ewer's Report of 1818 printed at page 22 of the Khurda Selections. (For further details see Chapter XXII, paragraph 547, etc.)

satisfaction of Government) for three years, at a fixed equal annual *jama*, which *jama* shall be formed upon a just and moderate consideration of the receipts in the year 1212 and former years.

Fourth—That at the expiration of the fourth year a new settlement will be made with the same persons (if willing to engage and they shall have conducted themselves to the satisfaction of Government) for a further period of four years, at a fixed equal annual *jama*, formed by adding to the annual rent of the preceding lease of three years, two-thirds of the nett increase of revenue during any one year of that period:

Fifth—That at the end of the lease for four years (which will be in *Umil* year 1219 i. e., 1812) a further Settlement for the period of three years will be concluded with the persons in possession (if willing to engage and they shall have conducted themselves to the satisfaction of Government) at a *jama* to be formed by adding to the annual rent of the preceding lease of four years, three-fourths of the nett increase of revenue during any one year of that period :

Sixth—That at the end of these eleven years, which will be in 1222, a permanent settlement will be concluded with the same persons (if willing to engage and they have conducted themselves to the satisfaction of Government, and if no others who have a better claim shall come forward) for such lands as may be in a sufficiently improved state of cultivation to warrant the measure, on such terms as Government shall deem fair and equitable :

Seventh—The *nankar* lands of those zamindars who may decline entering into engagements for their estates as also of those whose offers may be rejected by Government, will be subject to the payment of revenue equally with other lands in the district : but such zamindars shall for the present continue to receive in money an equivalent for what they have hitherto received as *nankar* from the Mahratta Government :

Eight—That with respect to such zamindaris as may have been mortgaged or transferred in security and possession thereof actually given to the mortgagees or securities, the settlement will be made with the person in possession of the land as the temporary representative of the proprietor, leaving the latter to obtain possession either by a private settlement of accounts or by a judicial process :

Ninth—That the settlement of such small taluks or zamindaris as may be only nominally included in large zamindaris in the *sadar jama* of which their *jama* may be comprehended, will be made separately and distinctly with the proprietor of such small estates, and they will be allowed to pay their revenue directly to the Collector or the person appointed by him to receive it; and in all cases where the revenue of a village has for upwards of five years past been paid direct to Government by the hereditary *muqadam* the settlement for such village will be made with the hereditary *muqadam* :

Tenth—That with respect to such lands as are without proprietors, or the proprietors of which decline entering into engagements, a village settlement shall be made, and a preference given to the hereditary *muqadam* of those villages to which the lands belong, but no settlement is to be made with a *muqadam* for lands not included in this *muqadumi* :

Eleventh—That in the event of naither proprietors, *muqaddams*, nor other respectable ryots being forthcoming such lands as are in that predicament will be held *khas* :

Twelfth—That all authorised abwabs are to be consolidated and incorporated with the land rent and expressed in the *Pattahs* and *Kabulyats*, that nothing but what is there expressed shall be collected from the ryots or under-renters :

Thirteenth—That all persons who may enter into engagements for the Settlement must bind themselves by written obligations to grant *pattahs* of the above description to other raiyats and under-renters :

Fourteenth—That all persons who may enter into engagements with Government must previously give security for the fulfilment thereof in an amount equal to the largest kist of their annual *jama* :

Fifteenth—Several of the tributary Rajas have been accustomed to furnish guards and be responsible for all robberies committed within the *Mogulbundy* lands bordering on their respective territories, and for which they have formerly been allowed to levy a tax called *Choupunny* or *Mongumkhandity* : those Rajas are to continue to furnish the usual guards and be subject to the same responsibility as heretofore; but, instead of being permitted to levy the above-mentioned tax, the said Rajas will, until further arrangements can be made, receive an equivalent in money from Government :

Sixteenth—Such being the provisions made for the preservation of the rights of the zamindars, raiyats, & C., &c., and for the effectual prevention of undue exaction, there cannot be a doubt that confidence in the protection of Government will be established amongst all ranks of people; that cultivation will be extended; and that the general prosperity of this province will rapidly increase.

It is to be observed that the proclamation admitted the distinction between Zamindars and Talukdars, * but the former at least were considered to be actual proprietors of the soil and were in 1815 A. D. to be allowed a permanent settlement. Meantime, by sections 33 and 34 of Regulation XII of 1805, the

* See also section 13, Regulation XII ; "zamindars, talukdars, farmers and other holders of land",

jama of the *Khandaiti* estates of Darpan, Sukinda, and Madhupur was fixed in perpetuity, and the quit rent (*Peshkas*) of the big estates of Al, Kujang, Kanika, Khurda, Haripur, Bishunpur, Mirichpur, and Patia, exempted from enhancement. The same regulation exempted the Tributary States from the operation of the revenue laws and provided for registration of and enquiry into all claims to hold land free of revenue.

Collections continued to be made through the Mahratta officials, but a punctuality and completeness in the payment of revenue was required to which the Uriya proprietors had never been accustomed, and nearly a third of the estates came under the direct management of the British Collectors. *

244. In Chapter XXII, paragraphs 548, &c., an attempt is made to give the revenues settled from time to time in the area which forms the subject of this report. The figures given in the concluding paragraphs of this chapter refer generally to the whole of Orissa and include the *Garhjat* States and (often) permanently-settled areas and even Khurda. The triennial settlement of 1805-8 brought an increase of Rs. 1,20,529 to the revenue; made, it must be confessed, with very little justification. The Collectors had no information as to the real assets of the estates, for the zamindars and *amils* combined to withhold all papers, and they had to proceed on a very rough estimate of quantity of land in cultivation and on the reports of interested subordinates as to the circumstances of the proprietors. Arrears rapidly accumulated, and in 1806 began the system of putting up defaulting estates for sale in Fort William, a policy that proved the ruin of many old Uriya families and allowed Bengali speculators to buy valuable properties at very low prices. In this year were sold 17 estates with a revenue of over Rs. 50,000 and in 1807 A. D. 266 estates paying over 3 lakhs as revenue came to the hammer. Among these was the Noanand estate in Balasore sold for Rs. 5,013, but again sold up in 1818 A. D. and bought by Government for Re. 1.

A drought in 1806-7 further aggravated the hardship of our revenue system, but Government blindly proposed † to anticipate by ten years the date originally fixed for the permanent settlement, and it was declared that a settlement of one year should be made for 1808-9, to be followed by another triennial settlement, and that the assessment, which should be made in the year 1812, should remain fixed for ever *if the arrangement received the approval of the Hon'ble Court of Directors*. ‡

245. The Settlement of 1808 produced a revenue of Rs. 14,38,912 (including the present Khurda Government estate, the *Garhjat* estates and the permanently-settled areas). Ninety-five per cent. of the revenue was collected with the sale for arrears of only 91 estates, bearing a *jama* of Rs. 21,410. This was a decided improvement on the previous settlement, during which the average annual sales were 142 with an average total *jama* of Rs. 1,66,213 while even by such severe measures only 94 per cent. of the demand was realised.

246. The next settlement produced a large increase of revenue and collections fell off to 84 per cent. inspite of the sale in three years of 271 estates with an annual *jama* of Rs. 2,04,482.

Meanwhile the Court of Directors had refused their sanction to the proposed permanent settlement, and a settlement for one year was made in 1812-13, to be followed by another triennial settlement §, during which enquiries were to be made with a view of ascertaining what lands were in a sufficiently advanced state to admit of a permanent settlement of their revenue.

247. The one year's settlement of 1812-13 proved a failure. It brought an increase of the demand, but the people were disheartened at the constant alterations of the revenue, and many left their estates to be held *khas* by the Collectors, who either managed them through tahsildars who embezzled the revenues, or farmed them out

* For the materials for the following paragraphs I am chiefly indebted to Mr. Toynbee's "sketch of the History of Orissa from 1803 to 1828".

† See Regulation x of 1807, modified by Regulation VI of 1808.

‡ See section 4, Regulation VI of 1808.

§ Vide Regulation I of 1813.

to speculators who rack-rented the tenants. Collections fell to 70 per cent., and the next settlement, which was for two years, added only Rs. 23,359 to the demand. Matters did not, however, improve, and only 72 per cent. could be collected, and that by

Settlement 1813-15.

selling up 108 estates with a jama of Rs. 60,172. At the close of this settlement it was extended, by Regulation III of 1815, for another two years, after which yet another settlement was to be made for three years, and a conditional promise was again given that after the expiry of this period, *i.e.*, in 1816, the zamindars of such estates as were in a sufficiently advanced condition would be given the benefit of the oft-repeated promise of a permanent settlement. The Court of Directors however, ruled otherwise, and in a despatch of the 16th June, 1815 wrote:—

There cannot in our opinion be a more indefensible proceeding than finally to decide on the rights of individuals and the interests of Government in a state of declared ignorance regarding both.

248. Accordingly, another settlement for three years was made under Regulation VI of 1816 at a slightly increased *jama* but the people had been driven to desperation by over-assessment and mismanagement, and in 1817 the country broke out in rebellion and the revenue system was temporarily disorganised.* The revolt was soon quelled, but it had served to bring home to the authorities in Calcutta the very real nature of the discontent and grievances of the Uriyas.

Mr. Ewer's Reports of 1818.

Mr. Ker was sent as Commissioner of the Division, and Mr. Ewer was appointed as special Commissioner to enquire into the State of affairs in Cuttack. His report † gives a most interesting picture of the errors into which the Government had been dragged by their greed of revenue, and by their general ignorance of the resources, wants and prejudices of the people over whom they ruled. He states, as the chief grounds of complaint of the Uriya landholding and cultivating classes, the inequality of the assessment, the severity and inelasticity of the system of realising the public dues, the selling of estates in Calcutta, whereby foreign speculators and adventurers had been induced to buy them, the hardship of having to pay revenue in the restricted silver currency and the salt tax and monopoly. The deferment of the permanent settlement had not in his opinion influenced the Uriya proprietors, though it might well have caused annoyance to speculating purchasers, and he recommended a detailed enquiry into rents and rights in land to be followed by a twenty or thirty years' settlement.

The Collector of Cuttack, Mr. Trower, had about this time reported that so far from the Province being over-assessed, the revenue was susceptible of considerable increase, and had ascribed the large arrears to the perversity of the *malguzars*. This was the accepted opinion, but Mr. Ewer, estimating the assessment at 10 annas per *bigha* of cultivated land—it must have been a good deal nearer double—writes:—†.

Perhaps the calculation attempted above may be allowed to strengthen in some measure the opinion that there is no sufficient reason to believe the district *generally speaking* over-assessed. The *jama* of Cuttack has, however, notoriously been fixed or at least augmented at hazard without any satisfactory ascertainment whatever of the real value and capabilities of the estates from which an increase has been levied, and in consequence of the defective information on which the Revenue authorities have hitherto proceeded, the unequal apportionment and distribution of the whole demand may have produced much of the evil of over-assessment, without any corresponding advantage to Government. I must here express my decided opinion that some grievances do exist connected with the Government demand from land, either of actual general excess, or of great inequality of assessment.

Such opinions could not fail to have weight, and in next three years' settlement§ the *jama* was reduced by more than a lakh of rupees and during its currency only 18 small estates were sold for arrears. Further information on this head may be found in paragraphs 548 to 552 of this report.

Regulation VII of 1822.

249. Regulation VII of 1822 marks the beginning of a new epoch in the history of the Province, for while extending for five years the existing settlement—with an increase of

* A full account of this rebellion will be found at pages 12 to 23 of Mr. Toynbee's History.

† Printed in Volume I of the Khurda Selections.

‡ Paragraphs 74 and 75 of his Report.

§ From 1818-19 to 1821-22 under Regulation XIII 1818.

Rs. 75,000 in the demand—it set forth the intention of Government to ascertain, settle and record the rights, interests, privileges and properties of all persons owning, occupying, managing, or cultivating the land, or gathering or disposing of its produce, or collecting or appropriating the rent or revenue payable on account of land, or the produce of land, or paying or receiving any cesses, contributions or perquisites to or from any person resident in, or owning, occupying or holding parcel of any village or *mahal*. This Regulation was also silent on the subject of a permanent settlement.

At the close of the five years' settlement the proprietors' engagements were extended, and no further change in the revenue of any *mahal* occurred until the completion of the detailed measurement and settlement of its lands.

No provision was at first made for the appointment of special settlement officers or for relieving Collectors of the routine duties of their offices, and the natural consequence was that up to 1831 only Taluk Delang in Puri, and Kishnanandpur, Eranch and Kakar in Cuttack, and Siari in Balasore had been settled. In that year the Board addressed twenty-one questions* to the local officers with the view of obtaining the information necessary to commencing operations more vigorously. During the next few years the large estate of Khurda and a few *mahals* in the neighbourhood of Cuttack were settled, but there was no uniformity in the system, no professional Survey, and no resumption of invalid revenue-free claims, so that in 1833 when Lord William Bentick's celebrated Minute threatened to revolutionise the whole system, the Settlement was still quite in its infancy.

250. A few remarks on the subject of this Minutes are necessary to complete my account of the settlement of Orissa. The Governor-General after reviewing the theories of the State to share in the produce of the land and the results of past settlements proceeded to record his dissent from the principle of a detailed enquiry into private rights and interests such as was enjoined by Regulation VII of 1822. He formulated the following principles, which were submitted to a Board of experts at Allahabad and were adopted by them as the groundwork of a revised settlement law :—

1. The Professional Survey to be substituted for the Native Amin establishment.
2. The assessment to be fixed on an ascertainment in the aggregate of the cultivated area of each estate, and a general acquaintance with the advantages possessed by each village as regards fertility, position, population, and any other matters which require to be taken into consideration when regulating the Government demand.
3. The appointment in detail of the assessment so fixed to be left to the village communities or the zamindars, and the preparation of the records of lands in detail to be exacted from the village accountants.
4. The exercise of judicial powers by settlement officers to be limited to cases in which the cause of action may have arisen within the period of one year, and also to be limited to matters affecting the settlement, general questions of property being left to the Courts. The above restriction should not, however, be held to apply to claims once entertained and actually pending, or to those which may have been, when preferred, postponed to the period of the settlement; the parties having already been told that their claims would then be determined by the Collector.
5. Existing institutions to be maintained and prevailing systems of village management not to be interfered with except for special reasons.
6. All parties to be secured in the enjoyment of whatever rights and privileges they may be in possession of, or establish a claim to subject to the limitations above noted, but no new rights to be created, and all cultivators who hold as mere tenants at will, to be left to make their own bargains as heretofore.
7. The Patwaris *dutter* to be put upon an efficient footing, under the superintendence and responsibility of the kanungoes and tahsildars.

These orders were sent to the Orissa officers with a view to such modifications of the law as would be necessary to give effect to them, but one and all—Mr. Commissioner Hunter, Mr. Collector Wilkinson of Puri, Mr. Collector Ricketts in Balasore, protested so strongly against the proposed changes that they were allowed to have their own way and to continue to make detailed field to field enquiries and record all rights and interests without the check of a professional survey. Mr. Wilkinson further objected so decidedly to the appointment of native Deputy Collectors on settlement that none were for the time being sent to Puri.

* Printed as an appendix to Mr. Toynbee's "History of Orissa," paragraph LXXIX.

251. In 1834 the first definite rules of practice were sanctioned and with the help of the new Deputy Collectors the settlement work was pushed on. Progress, however, was very slow, and by 1835 experience had shown the necessity of a professional survey, so from 1836 to 1843, the whole Province was surveyed and mapped on a 4-inch scale. The survey officers in turn required the preliminary demarcation of village boundaries and the appointment of a special Officer to decide boundary disputes. About the same time the resumption proceedings began, and from 1836 onwards were made *pari passu* with the settlement of the *hasilat* lands of the estates in which the tenures were included. In 1840 the resumption rules were modified in favour of the *lakhirajdars* and all previous decisions revised accordingly, without waiting for the parties to apply. In 1837 special Deputy Collectors were appointed to dispose of the resumption cases, and in 1840 a Special Commissioner, Mr. Ricketts, with the powers of a Board of Revenue, was appointed as the ultimate court of appeal in resumption cases in Orissa.

Another important advance, described by Mr. Ricketts * as "an alteration the like to which was never in so short a time attempted" was the promotion of the native Deputy Collectors from the subordinate task of making preliminary enquiries and reports to the responsible work of completing the settlement of *mahals* and making their own proposals for revenue. The experiment—for such it was—proved successful, and the native assistants amply justified the confidence placed in them, though for some time they continued to work with less rapidity and confidence than their European colleagues.

252. The procedure finally adopted for the survey and settlement from the beginning to the end of the operations was as follows:—

In the first instance a special Deputy Collector was appointed in each district for the demarcation of village boundaries. His work being completed, the Survey Department measured each village, extracting the total area of cultivated, culturable and uncultivated land separately for every estate and *tahsilalahida* † within its periphery. They also prepared maps on a 4-inch scale showing the main physical features and divisions of the soil in the estates and villages under survey, i. e., *tahsilalahidas* appear as mere spots on the map without internal detail. On receipt of the revenue survey maps and measurements the native surveyors (*amins*) were sent to measure the village with the pole, ‡ which they did by starting from a fixed point and measuring the length and breadth of each field in continuous succession recording these measurements, the estimated area, the nature of the tenure, and the name of the tenant, in the field-book (*bhauria*). From the field book was prepared a statement (*warija*) intended to show at one glance all the lands held by a single tenant, and this and the field-book formed the basis of the Deputy Collector's enquiries. Armed with these he proceeded to take up the settlement of the particular estates entrusted to him.

His first care was to prepare a list of *lakhiraj* claims and to send these to the Collector to be numbered and registered, the number so given being what is now known as the 'general' number of the revenue-free lands. He then instituted suits for the resumption of all these lands and called upon the *lakhirajdars* to appear with the receipts held by them for the *sanads* filed in the Collector's Office. Very great pains were taken to obtain the attendance of the claimants, but if they failed to appear the lands were resumed; if they appeared the *sanads* were sent for and examined and a decision given on the validity of the title.

The next step was to call on the *kharidadars*, *muqaddams*, *sarbarahkars*, *pursethis*, *padhans*, and other claimants of subordinate interests in the land to appear and prove their title, and while these investigations were in progress the columns for soil and crop hitherto left blank in the field-book were filled up by *amins* under the supervision of the Deputy Collector.

This done he proceeded to enquire into the real assets of the village, examining the zamindar's statement of demand and collections, the former revenue, and any other sources of information available, and comparing the rates so deduced

* See paragraph 70 of his Progress Report for 1837.

† See Paragraph 410.

‡ *padika*, a bamboo pole of 7 to 12 feet in length see paragraph 124.

with those of neighbouring estates and with his own ideas as to the fair assessment of the village having regard to the quality of the soil and the crops grown.

Rates being fixed and the amount of land under each class of crop known, the total assessment of the revenue-paying lands * was easily arrived at, and to this was added the assessment of the resumed tenures. This being done a rent roll *bhian* for each estate or portion of an estate in the village was made out, showing in detail the lands held and the rents payable by *thani* or resident raiyats, *chandinadars* and all tenureholders and owners of resumed lands, but giving only a lump assessment on lands in the occupation of the proprietors or of *pahi* raiyats. The rates for these latter were in practice generally assumed as four annas per rupee less than those of *thani*, which could more easily be ascertained. The proceedings were on completion of the settlement of the estate described in a vernacular report (*ruidad*) giving an account of the history, the lands, the subordinate tenures, the resumptions and the assessments and the proposals for the new revenue, illustrated by elaborate figured statements.

This, with an English covering report, was submitted to the Collector—engagements being in the mean-time taken from the proprietors, tenureholders and cultivators, and leases given them in return. The Collector modified or confirmed the revenue, altering at his discretion rents or rates of allowance, and in turn forwarded the reports to the Commissioner who passed final orders or sent the reports on the Board of Revenue. Alterations were given effect to by a note of the change (*tarmim*) in the *ruidad*, and sometimes but by no means always a new rent-roll was prepared. In some cases—I may instance Gopinathpur Taluk—extensive alterations made by the Collector only resulted in a reduction of the revenue; neither raiyat nor tenureholder getting any of the intended benefit. While the estates were being thus dealt with the resumption proceedings were submitted to the scrutiny of the special Deputy Collector who tried any cases left pending, and if he differed from the assessing officer, referred the case for orders to the Collector who disposed of it subject only to an appeal to the Special Commissioner.

253. The settlement so made began practically in 1835 and was concluded in 1845. It cost Rs. 20,36,348 and resulted in an increase to the revenue of only Rs. 34,980.*

Results of the Settlement.

Nothing is more striking to a student of the literature of this great settlement than the disinterested zeal for the welfare of the people and the tender sympathy with their prejudices and weaknesses that is shown in every line of the letters of such men as Mills, Ricketts and Wilkinson; and the marked appreciation of their services and the deference to their opinion shown by the governing bodies in Calcutta. There was no attempt to realise the pound of flesh that might be the due of Government; the terms allowed to dis-siezed *lakhirajdars* were far more lenient than the strict letter of the law enjoined, and where there was reason to suspect the revenue of any estate to be burdensome, it was unhesitatingly reduced. The great fear of the local officers was, from first to last that they would, on the ground of expense, be compelled to revert to the aggregate to detail system of the North-Western Provinces. In his Operation Report for 1837-38 Mr. Commissioner Ricketts wrote—I have omitted some sentences :—

In the 226 mahals reported the rights and interests of every party connected with the land have been ascertained and recorded. Undefined, intricate and confused as those interests were, their adjustment was alone worth the outlay. The more experience in the Province I acquire, the more convinced I am that the aggregate to detail system is impracticable here. The Board have seen enough of Cuttack to judge what sort of a settlement it would be if all the relative rights of *kharidadars* of the first class, *kharidadars* of the second class, *maquddams*, *sarbarahkars*, and *thani raiyats* were to be left unadjusted; and I rely on their not proposing any alteration in the detail of the proceedings. It happens that I have charge of a large settled district as well as of the unsettled Province of Cuttack, and I have continued opportunities of comparing the two systems. The Midnapore district occupies more of my time than the Cuttack Province. It is Midnapore that is unsettled, and it is my belief that in several parganas of that district a survey and settlement on the Cuttack plan will ultimately be necessary.

The Board strongly endorsed the opinion thus expressed; and again in 1841, Mr. Commissioner Mills writes :—

* *Khalisa* or *hasilat. i. e.*, lands other than *lakhiraj*.

* Mr. Mill's Report of 1847. This is up to April 1845. In a statement of 9th Dec. 1950, the nett increase is shown as Rs. 42,165.

Operation Report. 1837-38, paragraph 102.

It was agreed (at the conference) that any alteration in the present system of making the Settlement and of preparing these papers (Settlement records) was unadvisable; and abounding as Cuttack does with such a variety of under tenures, I think the aggregate to datail system of the Upper provinces could not well be introduced, and sure am I that its introduction would cause great and general dissatisfaction to the country, while, as regards the rents to be paid by the *ex-lakhirajdars*, *kharidadars*, and others, who before held their lands at a quit-rent, or free of rent charges, it would in practice be found to retard the settlement operations; the settlement officers must fix the rents to be imposed on these holdings.

How completely experience has justified the contentions of these officers is obvious to any person who compares the agrarian condition of Orissa and Bengal. To the officer deciding disputes as to possession in a permanently-settled village of Bengal, the first and commonest stumbling block is the absence of any admitted basis of enquiry. In Orissa such a basis may always be found in the settlement papers, which if every mistrusted are now at least looked to with the most unquestioning faith. Their efficacy is shown by the security of tenure of all who hold settlement leases as compared with the slow development of the rights of the *pahi* raiyats, and affords proof, if such were wanting, of the possibility of controlling and modifying the development of rights by means of a record.

The one great want was that of a cadastral map, but, owing to the system of measurement, the field-book to a great extent supplied its place.

254. The settlement was originally made for thirty years, and expired in September, 1867. For two years previously the Province had suffered from the most disastrous famine on record, and it was thought inexpedient to attempt a re-settlement until time had been allowed it for recovery. Accordingly, Act X of 1867 was passed and continued the existing settlement to the end of the *Amli* year 1304, corresponding to the 7th day of the month of September 1897 A. D.

Extension of Settlement.