

## CHAPTER XXIV.

### TRIBUTARY MAHALS AND PERMANENTLY SETTLED ESTATES.

591. I have in an earlier chapter of this report already stated that besides the landholding classes in the *Moghulbandi* there were in the hill country feudatory chiefs†, who, while paying tribute and under obligation of military service to the suzerain, were uncontrolled in the internal administration of their estates, and never wholly subdued by Moghul or Mahratta. Foremost among them was the chief of Mohurbhanj, descended from the Hindu kings of the Peacock race, who formerly ruled over a territory of more than 7,000 square miles stretching from Midnapur to Cuttack and westwards to the tableland of Chota Nagpur. Two hundred years ago Keonjhar broke away from Mohurbhanj, but the latter still embraces 4,243 square miles with a population of half a million, so that it corresponds in size to an average Bengal District.

The next estate in importance is that of Dherkanal, whose Raja is of royal family, and was, until recently, locked up to as their lawful suzerain by the other rajas. Athgarh again was a present to the prime minister of some ancient monarch. Bod and Daspalla are held by rajas who claim a direct descent of seventy generations from the original Brahman holders. Nilgiri is the property of a chief descended from the daughter of the king of Orissa, Raja Protah Rudra Deo, who married the son of the Raja of Chota Nagpur. Such and similar were the histories of the feudal chiefs whom we found in 1813 ruling over a territory of more than 14,000 square miles between the plains of Orissa and the plateaux of Chota Nagpur and the Central Provinces.

This country forms a succession of fertile valleys separated by rocky hills overgrown with *sal* forest or low jungle culminating to the north-west in the lofty peak of Malayagiri, 3,895 feet above the sea-level, and to the south ending in the tablelands of the Khondmals, formerly part of the State of Bod, but now attached to the scheduled district of Angul. The capitalists, shopkeepers, and most prosperous cultivators of these wild regions are Uriya Banias, but the bulk of the people are non-Aryans belonging to the Kols, Kandhs, and Savar tribes.

Already before the conquest of Orissa the State of Mohurbhanj had become a feudatory of the East India Company, and the other chiefs recognising in the British troops their deliverers from the Mahratta tyranny made to attempt to bar their progress, but willingly executed agreements (*ekrarnama*) for the payment of the very moderate tribute the first Commissioners thought fit to require.

592. In a newly conquered country, and with the Mahratta power not yet wholly broken, it was clearly politic to conciliate the chiefs of these mountain regions and their barbaric subjects, and to do so it was most heedful to guarantee them that freedom from internal interference that they had ever enjoyed.

Accordingly, by Section 36 of Regulation XII of 1805, fifteen such mahals or states were excluded from the operation of the General Regulations, and by Section 37 of the same regulation the privilege was extended also to Mohurbhanj.

In 1840 Banki was confiscated, (the Raja having been convicted of a flagrant murder), and by Act XXV of 1881 it was attached to the District of Cuttack and is now managed as a *khasmahal*. In 1847, the Raja of Angul rebelled against the Government. He was, therefore, dispossessed of his estate, and Angul, with the Khondmals, which had been ceded by the Raja of Bod, was made into a separate scheduled District under Act XIV of 1874.

On the other hand the Tributary States of Bod and Athmalik were, in 1837, transferred to Cuttack, and Pal Lahera has been separated from Keonjhar.

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\* See Chapter X, paragraphs 233 and 235.

† *Sawants, Shebaks, and Mahanaiks.*

There are now, therefore, seventeen such States, viz:—

| District to which attached. | State.            | Area in square mile. | Population. | Tribute  |
|-----------------------------|-------------------|----------------------|-------------|----------|
| Cuttack                     | { Athgarh ....    | 168                  | 36,603      | 2,800    |
|                             | { Athmallik ....  | 730                  | 31,605      | 480      |
|                             | { Bod ....        | 1,264                | 89,551      | 800      |
|                             | { Baramba ....    | 134                  | 32,526      | 1,398    |
|                             | { Daspalla ....   | 568                  | 45,597      | 661      |
|                             | { Dhenkanal ....  | 1,463                | 238,285     | 5,099    |
|                             | { Hindol ....     | 312                  | 37,973      | 551      |
| Balasore                    | { Khandapara .... | 244                  | 63,287      | 4,212    |
|                             | { Keonjhar ....   | 3,096                | 248,101     | 1,977    |
|                             | { Mohurbhanj .... | 4,243                | 532,238     | 1,068    |
| Cuttack ....                | Narsingpur ....   | 199                  | 33,849      | 1,455    |
| Puri ....                   | Nayagarh ....     | 588                  | 117,862     | 5,526    |
| Balasore ....               | { Nilgiri ....    | 278                  | 56,198      | 3,900    |
|                             | { Pal Lahera .... | 452                  | 19,700      | (a)..... |
| Cuttack ....                | { Talcher ....    | 399                  | 52,674      | 1,040    |
|                             | { Tigiria ....    | 46                   | 20,546      | 882      |
| Puri                        | Ranpur ....       | 203                  | 40,115      | 1,401    |
| Total                       |                   | 14,387               | 16,96,710   | 33,250   |

(a) Subordinate to Keonjhar

With these states the present settlement is in no way concerned. By Regulation XII of 1805, they are exempted from the operation of the Revenue Laws, and from that of the Police Regulations by Regulation XIII of the same year.

They are without the jurisdiction of the ordinary Executive and Judicial officers of the Province, and within their own territories the chiefs administer civil and criminal justice, subject to the control of the Superintendent of the Tributary Mahals, whose powers are defined by Regulation XI of 1816, and by the agreements entered into by the chiefs, the latest agreement being the Viceroy's *sanad* of 1894. The Collectors of the three Regulation districts are *ex-officio* Assistants to the Superintendent; but only the Collector of Balasore exercises such functions; all the routine work being disposed of by the Special Assistant, who is a Deputy Collector and has the powers of a Magistrate.

593. Besides the feudal chiefs already mentioned, there were, within the *Moghulbandi* or *Rajwara*, a few landowners of a superior class, descendants of noble families or of high officials to whom large estates had been assigned for their maintenance, subject only to the payment of a quit rent. Such were the Rajahs of Kanika and Kujang who were originally of the royal house of Mohurbhanj and were established in their possessions about the thirteenth century A. D. under the Gajapati dynasty. The Rajas of Khurda, Aul, and Patia were descendants of the last Hindu kings of Orissa, and were confirmed in their estates by Todar Mal in the sixteenth century. Besides these, there were all along the sea coast between Puri town and Kujang, a number of estates denominated *garhs* or *killas* held at a quit rent by chiefs called *Khandaits* or *Garh Khandaits*. The proprietors of these like their more powerful neighbours of Aul, Kujang, and Kanika paid but a light *peskas*, kept bands of *paiks*, and were bound to render military service when called upon. Upwards of 50\* estates of this nature at one time existed in the Province, but under the Mahrattas few of them maintained the privilege of paying only a quit rent, and most had by slow degrees been reduced to the position of ordinary zamindars. These petty chiefs, at the time of the British conquest, made some attempt at resistance, but they gave way on the approach of the troops and were pardoned, and in recognition of their ancient lineage, and to secure their loyalty, Government, by section 35 of Regulation XII of 1805, confirmed in perpetuity the revenue tribute, or *peskas* of Khurda, Aul, Kujang, Kanika, Harispur, Marichpur and Bishunpur.

\* Mr. Trower's report of 1818.

Section 33 of the same regulation also secured from enhancement the revenue fixed by the *sanads* granted to the *khandait* zamindars of Darpan, Sukinda, and Madhupur. These men were adventures from the north-west, and though equally independent, were of inferior rank to the rajas of the sea-coast. They received *sanads* and executed *kabuliyats* for the payment of revenue, while the chiefs of Aul and similar estates executed agreements and received acknowledgements (*quaulnama*) of their right to hold at a quit rent (*peskas*).

To illustrate the difference I here reproduce the agreement and its acknowledgement executed in respect of the Kanika estate, and also the *sanad* and *kabuliyat* of the Raja of Sukinda.

594. Treaty engagements (*ikrarnama*) executed by the Raja of Killa Kanika, in zilla Cuttack to the Hon'ble East India Company's Special Commissioners for the Subah of Orissa, Messrs. Harcourt and Melville.

I Balbhadra Bhanj, Raja of Killa Kanika in the Subah of Orissa, engage faithfully and correctly to abide by this engagement, entered into by me with the Hon'ble East India Company, as contained in the following clauses to wit :—

*Clause I.*—I will always hold myself in submission and loyal obedience to the Hon'ble East India Company aforesaid.

*Clause II.*—I will continue to pay without demur, to the said Government as my annual *peshkash* or tribute 84,840 kahans of cowries in three instalments as specified herein below.

*Clause III.*—I will, on demand to that effect, cause any person who is an inhabitant of the Subah appertaining to the Hon'ble Company aforesaid, and who may have fled and come into my territory, to be forthwith arrested and delivered over to the Government.

*Clause IV.*—Should any person, who is a resident in my territories, commit a crime within the limits of the *Mogulbandi*, I hereby engage, on demand to that effect, to cause such person to be arrested and delivered over to the Government authority. Moreover, I further bind myself, in cases where I may possess any claim or demand on one who is an inhabitant of the *Mogulbandi*, not of my own authority to enforce such claim, but I will notify the same to the constituted authority, and will act in accordance with such orders as may issue from him.

*Clause V.*—I engage that whenever the troops of the Hon'ble Company's Government shall pass through my territories, I will direct the people of my killah to supply to the extent of their capability, all *rasad* and supplies, which shall be sold at fair prices. Further, I will on no manner or pretext whatever ever stop or detain, or offer any let or hindrance to any subject of the Hon'ble Company's Government or to any other person whatsoever who may be proceeding by land or water, with goods or orders or with any *parwana* on the part of Government, through and will rather take care that no loss or inconvenience shall be fall such parties or goods.

*Clause VI.*—In case any neighbouring Raja or any other person whatever shall offer opposition to the said Government, I engage, on demand and without demur, to depute contingent force of my own troops with the forces of Government for the purpose of coercion, investigation, and the bringing of such recusant into subjection to the aforesaid Government. Such contingent to receive only rations (or ration allowances) agreeably to the previously current practice, so long as they shall be present.

These shall be the instalments of my *peshkash* to be paid :—

|                                | Kahan. |
|--------------------------------|--------|
| In the month of <i>Chait</i> . | 28,840 |
| Ditto ditto <i>Jaistha</i> .   | 28,800 |
| Ditto ditto <i>Ashar</i> .     | 28,000 |

Dated 7th December, 1803

( Signed ) RAJA BALBHADRA BHANJ.

The following is the *Qualnama* or *Sanad* of acknowledgement executed to Raja Balbhadra Bhanj Bahadur of Killa by the Hon'ble East India Company's Commissioners for the Subah of Cuttack :—

We, Lieutenant-Colonel George Harcourt commanding the victorious troops of Hon'ble East India Company and Commissioner of the Subah of Orissa, and John Melville Commissioner of the same appointed by the Most Noble the Marquis of Wellesley, Governor-General, for the settlement and pacification of the said Subah, do on behalf of the East India Company, execute this acknowledgement as set forth in the following paragraphs to Raja Balbhadra Bhanj, Bahadoor, Raja of Killa Kanika in the said Subah of Orissa.

*Clause I.*—The annual *peshkash* payable by the Raja for his *rajgi* of the said Killa is fixed in perpetuity at 84,840 kahans.

*Clause II.*—No further demand, however small, shall be made on the said Raja or received from him as *nazzar* supplies or otherwise.

**Clause III.**—The Government of the Hon'ble East India Company, it is well known is ever gracious to those Rajas who are always loyal and obedient to them and constant in the impartial administration of justice to all its subjects alike, and therefore in like manner extends the same impartiality to Raja Balbhadra Bhanj Bahadur and seeks always his prosperity and peace. Therefore any just representation or complaint made to the Government by the said Raja of Kanika will meet with a decision in accord with Justice.

Dated the 22nd. | (Signed) GEORGE HARCOURT  
November 1803 | Lieutenant-Colonel.  
Sraban 6th. 1211. | (Signed) JOHN MELVILLE.

Engagements of a zamindari estates. 595. Copy of a *kabuliyat* executed by Dhrubji Bhuban Harichandan, Zamindar, Killa Sukinda :-

I, Dhrubji Bhuban Harichandan Mahapatter, Zamindar, Killa Sukinda, in the province of Orissa, do hereby execute this *kabuliyat* out of my full and free consent; that having been appointed to hold the service of zamindar in the killa by Government, I will collect the rents, according to former rates, agreeably to the laws of the Government. That I will pay the annual revenue due to Government in instalments specified below without any excuse. That I will keep the raiyats prosperous and contented, and exert myself to improve the lands so that they will bring forth more crops than they did before. That I shall not allow an inch of cultivated land to fall waste. That I will never allow the growing of inferior crops in superior lands. That I will not be prodigal in my expenses, nor allow my raiyats to be so. That I will never grant any land in gift or *jagir* without a *sanad* of the Government. That I will keep a watchful eye over the boundaries of my zamindari. That I will vigilantly watch that no guns or swords, or any sort of offensive weapons, are manufactured in my estate. That there will never occur any thefts or murders within the same. Should any robbery occur, I will trace out the offenders, and recover the property stolen and send them over to the authorities. Accordingly, I do hereby execute this *kabuliyat* which will serve whenever it be required hereafter.

*Jama pashkash* in perpetuity, 5,500 kahans

|               | Instalments. |     |     | Kahans. |
|---------------|--------------|-----|-----|---------|
| <i>Fagun</i>  | ...          | ... | ... | 1,000   |
| <i>Chytra</i> | ...          | ... | ... | 1,500   |
| <i>Bysakh</i> | ...          | ... | ... | 1,500   |
| <i>Jeith</i>  | ...          | ... | ... | 1,500   |
| Total         | ...          | ... | ... | 5,500   |

Rate being 4 kahans the rupee.

Translation of the *sanad* granted to the above estate :-

Be it know to the old and newly created Chaudhris, Kanungos, *Miqaddams*, *Dulbeheras*, and raiyats of Killa Sukinda, in the Province of Orissa, that whereas Dhrubji Bhuban Harichandan is in possession of the said Killa heretofore, and therefore, the zamindari of the said *killah* is granted and assigned to him by Government, you are hereby ordered to consider him as your zamindar, and never to wander from his lawful and salutary commands; you are never to conceal any matter from his knowledge; you will pay the rent to the zamindar, according to laws promulgated by Government; according to former rates and customs. The zamindar is to pay timely, by instalments, the annual revenue of 5,500 kahans of cowri as fixed by Government. He is to keep the raiyats contented, that the productive powers of the lands may increase more than what it was before; that the zamindar will keep a watchful eye that no guns, swords, or offensive weapons be manufactured within the estate, and that there shall occur no robbery or murder, if it occurs he will arrest the thieves with the recovered property and deliver the murderers to the authorities.

596. Section 34 of Regulation XII of 1805 confirmed the *sanad* granted to Fatch Mahomed, *jagirdar* of Malud by the first Commissioner entitling him and his heirs for ever

The *jagir* of Fatch Mahomed.

to hold their *jagir* free of assessment in consideration of their services to the British troops. Tradition says that at the time when Fatch Mahomed undertook to guide the advancing army across the swamps of the Chilka he was promised every village through which the troops passed, and that their route was consequence somewhat circuitous; but, be this as it may, he was afterwards dispossessed of a large area by the Raja of Parikud.

597. Regulation XII of 1805 thus gave a permanent settlement to twelve estates in all, but in 1804 the Raja of Khurda foolishly rebelled, and was dispossessed, his estate

Resumption of Khurda.

being held as a *khas mahal*.

598. On the other hand, for some reason, the zamindar of Chhedra was allowed in 1803 a permanent settlement, and in 1805 Kalkala was separated from Darpana and

Chhedra, Kalkala, and Dompura.

made into a separate estate.



The revenue of Dompars\* which is a *jagir* and not shown as an estate on the revenue-roll, was in 1829 fixed for ever, subject to a liability to enhancement in the event of alienation of the property.

List of permanently settled estates, 599. There are thus in Cuttack at the present time twelve permanently-settled estates as shown in the following list:—

|       |          | Tauzi No. | Area in square miles, | Revenue, |
|-------|----------|-----------|-----------------------|----------|
| 1.    | Patia    | ...       | Nil                   | Nil.     |
| 2.    | Madhupur | ....      | 16                    | 6,175    |
| 3.    | Dompars  | ....      | Nil                   | 1,333    |
| 4.    | Aul      | ....      | 23                    | 28,133   |
| 5.    | Bisunpur | ....      | 13                    | 1,856    |
| 6.    | Harispur | ....      | 15                    | 3,635    |
| 7.    | Sukinda  | ....      | 12                    | 1,364    |
| 8.    | Darpan   | ....      | 18                    | 7,310    |
| 9.    | Kalkala  | ....      | 19                    | 131      |
| 10.   | Chhedra  | ....      | 17                    | 2,259    |
| 11.   | Kanika   | ....      | 21                    | 20,408   |
| 12.   | Kujang   | ....      | 14                    | 7,503    |
| Total |          | ....      | 1757.31               | 80,107   |

There are also two petty *tanki bahal* estates *arazi jagir bazyafiti bati tanki mauza* Kalianti, and *arazi jagir bazyafiti bati tanki mauzas*. Umaroger bearing *tauzi* Nos. 1852 and 1853 in Pargana Matkatnagar, of which the revenue is fixed in perpetuity.

In the Puri District, there is, strictly speaking, only one permanently settled estate, Marichpur *tauzi* No. 1, which was given a permanent settlement by section 35 of Regulation XII of 1805 and has an area of 52.29 square miles and a revenue of Rs. 3,329.

The Parganas of Malud, Bajrakot, Manickpatna, and Andhari compose the *jagir* mahals confirmed as revenue-free by section 34, Regulation XII of 1805. Their total area is 72.57 square miles.

Parikud, with a total area of 67.52 square miles, formed originally part of the *jagir* mahals, but is now held in adverse possession by the Raja of Parikud.

In Balasore there are 150 permanently-settled estates lying in eight Parganas in the north of the district. They were originally contained in Midnapur and borne on the revenue-roll of that district, but were transferred to Balasore, on revision of the boundary in 1868. The area of these estates according to the old revenue survey map was 127,118 acres, while according to the *mahalwar* register in the Collectorate it amounted to 148,990 acres. The present survey exhibits the area as 121,376 acres, and the total revenue paid is Rs. 34,835. These areas are exclusive of the Jalapahi estates dealt with in paragraph 611 of this Chapter.

600. All the estates of which the revenue has been fixed by Regulation XII are known as *killajat*, and there are certain peculiarities in the tenure common to all such as are still in the hands of the old proprietors.

In the first place the inheritance to the ownership is governed by the law of primogeniture, and from this arises a necessity of providing for the younger members of the family. This is done by assigning to the brothers and other near relatives villages or parts of villages for their support under such estates as *baradaran jagir*, *khoraq posak niskar*, etc. These grants are generally heritable but not transferable, and the head of the family claims the rights to resume on the failure of direct heirs, and adoption is not recognised. In estates of this class are also found numerous grants for religious or charitable purposes, many being of exactly the same nature as the revenue-free properties of the temporarily-settled area, but as their titles have never been enquired into by Government, the grantees continue to be treated as mere rent-free holders, and are, to some extent, subject to the control of the raja or zamindar and liable to be dispossessed for failure to carry out the conditions of the grant.

\* See Paragraph 610.

Military service has not been required of these chiefs since 1805, when the *chaupani* tax levied by them for military service was abolished, but for many years they continued to form a turbulent and unruly section of our subjects; and to this day generally exercise a somewhat despotic authority over their tenants. When these estates pass into the hands of speculators or strangers, as has been the fate of Darpan and Harispur, these peculiar incidents cease to exist, and the succession is governed by the personal law of the purchaser.

601. Before the present settlement began, a survey and record-of-rights was already in course of preparation in the Kujang and Kanika estates, and in the *khasmahal* of Banki.

The question as to the preparation of survey and record-of-rights in the remaining permanently-settled areas of the province having been raised. His Honour Sir Charles Elliott, in his Note of the 19th. October, 1891, wrote :—

As to these (permanently-settled estates) I have decided that if they lie altogether outside the limit of temporarily-settled estates we may leave them alone. If they are mixed in with those estates, the survey must take them in its stride; and even if they lie outside, but are irrigated by canal water, they must be surveyed.

The notifications for survey and settlement in Cuttack were accordingly framed so as to exclude—

- |               |                      |
|---------------|----------------------|
| 1. Bishunpur. | 5. Sukinda.          |
| 2. Harispur.  | 6. Aul.              |
| 3. Darpan.    | 7. Dompara.          |
| 4. Kalkala.   | 8. Patia (a portion) |

In Puri the whole area (excluding the subdivision of Khurda) had already been notified for survey, but by a notification of the 15th. December 1891, the order was cancelled so far as it concerned the six Parganas of—

- |              |                |
|--------------|----------------|
| 1. Marichpur | 4. Manikpatna. |
| 2. Malud.    | 5. Andhari.    |
| 3. Bajrakot. | 6. Parikud.    |

Before receipt of this order, Parganas Manikpatna and Andhari had already been cadastrally surveyed, but the record was not completed.

In Balasore all permanently-settled estates were excluded from the notification. The only considerable permanently settled areas of which the survey and settlement were undertaken, in pursuance of Sir Charles Elliott's orders, were the irrigated portions of *Killas* Aul and Darpan, *Killa* Chhedra, and the outlying portions of *Killa* Patia, all in the district of Cuttack. *Killa* Midhupur has been settled at the instance of the Court of Wards.

602. Before dealing with these estates in detail, I must give an account of the action taken in respect of the excluded area.

In 1894, the officer-in-charge of the Orissa Survey reported that the permanently-settled estates of (1) Patia, (2) Harispur, (3) Bishunpur, (4) Dompara, (5) Kalkala, (6) Sukinda, and (7) part of Darpan in the Cuttack District; (1) Parikud, (2) Malud, (3) Bajrakot, (4) Marichpur in the Puri District; (1) Bhograi (a portion), (2) Fatehabad, (3) Bheprachour, (4) Nampachour, (5) Chak Ismailpur, (6) Birkul, (7) Kankarachour, and (8) Mirgoda, in district Balasore—had not been surveyed, and enquiries were made at the instance of Colonel Sandeman, from the proprietors of those estates as to whether they wished to have a survey on a larger scale than that of 4 inches=1 mile.

Very few took any notice of the letters addressed to them.

The proprietor of Darpan had already applied for the settlement of his estate; the Rajas of Parikud and Aul would have liked a cadastral survey without paying for it, but the proprietors of Sukinda, Harispur, and Dompara objected to having any survey whatever made within their villages.

Accordingly the Director of Surveys proposed a survey on a scale of 4 inches=1 mile; but after some discussion as to the cost, it was decided that a topographical survey, scale 2 inches to the mile, would suffice, and it was carried out by Mr. Ewing in the season of 1894-95, under notification No. 5319 of 3rd December 1894, at a cost of Rs. 31,130.

603. Darpan, with an area of 97.7 square miles and a land revenue of Rs. 7,310, is one of the estates held under a *sanad* at a *jama* fixed in perpetuity, and is now owned by Raja Baidyanath Pandit, who purchased it at a sale for debt.\*

It is on the extreme west of the District, and is divided into two distinct portions by the High Level Canal, the land to the west being hilly and to a great extent covered with jungle, that to the east consisting of paddy lands mostly irrigable.

During the season of 1891-92, all that portion of Darpan lying near to the High Level Canal was cadastrally surveyed and records were prepared for the use of the Irrigation Department in respect of 223 villages with an area of 34,399 acres.

In the end of 1892 Raja Baidyanath Pandit applied for the completion of the survey and attestation of all the cultivated portion of his estate (*vide* Mr. Maude's letter No. 2 of the 30th December 1892) and on the 17th April, 1893, notifications were published under section 3 of the Bengal Survey Act V of 1875, and under Section 101 (2) (a) of the Bengal Tenancy Act, ordering the survey and preparation of a record-of-rights for all lands contained in *killa* Darpan, leaving it to executive orders to confine the survey and settlement operations to the cultivated area only (Board's letter No. 320-A. of the 28th. March 1893, paragraph 3, to the Secretary to the Government of Bengal).

From the 1st. August 1893, Mr. Taylor was appointed and at once commenced the attestation of the irrigated villages, but the Raja coming to terms with his tenants applied on the 18th. September to stop all further proceedings, and by a notification on the 7th February 1894 under section 101 (1) of the Bengal Tenancy Act, the preparation of a record-of-rights was limited to the villages lying to the east and south-east of High Level Canal, *i. e.*, to the irrigable areas. As records had been prepared for these, work was stopped, the most incurred up to date being (*vide* Settlement Deptt's letter No. 1627 of 23rd June 1898) :—

|                                               |      |      | Rs.    |
|-----------------------------------------------|------|------|--------|
| For survey                                    | .... | .... | 10,635 |
| For attestation                               | .... | .... | 3,974  |
| For Mr. Taylor's<br>re-attestation in 1893-94 | .... | .... | 2,628  |
| Total                                         |      |      | 17,237 |
| Deduct—Paid by the Raja                       |      |      | 2,627  |
| Net cost                                      |      |      | 14,610 |

In 1899, the Raja having apparently failed to effect a private settlement, applied for the completion of the record-of-rights. This application was backed by the District Officers, and was recommended to Government in letter No. 636, dated 17th. March 1899.

The subsequent proceedings form no part of the general settlement operations in Orissa, as the work is now being carried on under the supervision of the Collector of Cuttack.

604. *Killa Patia* was at the British conquest held by Raja Raghunath-Deo, a descendant of the old kings of Orissa, who by an arrangement with the Mahratta Government held it free of revenue in exchange for the surrender of his zamindari of Saibir. This arrangement was confirmed by the Commissioners appointed for the settlement of the Province, and they further agreed to pay the Raja a pension of 5,000 *kahans* of *cowris*, and by clause 2 of section XXXV of Regulation XII of 1805 the alteration of the revenue then fixed was prohibited.

What the estate then consisted of was not stated, but it appears that the Raja encroached on the neighbouring Parganas and, after an ineffectual attempt by Government to resume some of the excess, the *raigi* was defined as consisting

\* Since the above was written Raja Baidyanath Pandit has died after his son was succeeded him.

of *killa* Patia proper, the greater portion of Pargana Bahurupa, Pargana Sauri, and the *lakhiraj* villages of Sankhari Sahi, in Saibir. Early in the century the pension was discontinued and the Raja engaged for a while for his old zamindari of Saibir, but it was sold for arrears of revenue. The *killa* was never brought on to the revenue-roll or the general register of estates nor has it been treated as an impartible raj as from the analogy of similar properties in the Province it would appear to be, but, except Patia proper, nearly the whole has now been alienated, and the present Raja is a ward of Court in impoverished circumstances. A draft record-of-rights was prepared in Parganas Bahurupa, Sauri, and Saibir, but the proprietors having objected, the notifications were cancelled for the lands appertaining to Patia, and further operations were stopped\*.

The total area of the *killa* is as follows :—

|                    |      |      | Acres.             |
|--------------------|------|------|--------------------|
| <i>Killa</i> Patia | .... | .... | 27,013             |
| Pargana Bahurupa   | .... | .... | 6,108              |
| Sauri              | .... | .... | 247                |
| Sankharisahi       | .... | .... | 674                |
| Total              | .... | .... | <hr/> 34,042 <hr/> |

of which the greater part is uncultivated; the cultivated lands being poor and sandy.

605. The Madhupur estate, *tauzi* No. 16 on the revenue-roll of Cuttack, is held at a *jama* of Rs. 6,175 fixed in perpetuity under a *sanad* from the first Commissioners for the settlement of the Province confirmed by Regulation XII of 1893.

*Killa* Madhupur.

This estate lies at the foot of the Dhenkanal hills between Darpan and Pargana Olas. The western half is great extent to a covered by *beni* grass, rock and jungles; the lands to the east and north lie interspersed with those of the *Moghulbandi* and are fertile land highly cultivated.

Altogether it comprises the 201 whole villages besides lands in 24 villages of Pargana Olas, and has a total area of 41,454 acres, of which 22,389 acres cultivated and 3,031 culturable.

In March 1888 the late Raja died and the minor Raja Narayan Chandra Dhir Narendra is at present under the Court of Wards, who in 1891 applied for preparation of a record-of-rights in the estate.

The traverse and cadastral surveys were completed in 1891-93 and the attestation in the following year, but it was not until 1897 that applications for the settlement of rent were filed.

There were disputes between the Raja and his tenants as to the standard of measurement, but by a compromise of December 1897 both parties agreed to a *padika* or rod of 12 feet giving a *man* of 1.322 acres. Converting at this rate the former areas of raiyats holdings as shown in the zamindars paper, the excess found was assessed at the village rate. Besides enhancements they obtained, a light assessment was made on new cultivation; 641 acres of *paik* and other *jagirs* were resumed and their rents raised from Rs. 149 to Rs. 76 subject to a deduction of half the difference between the old and new rent during the life-time of the present *jagirdar*, and the rents of 298 privileged tenants corresponding to the *bazyafidars* of the *Moghulbandi* were raised from Rs. 393 to Rs. 669.

The result of the fair rent proceedings was to raise the rental from Rs. 24,199 to Rs. 31,552, giving an incidence of Re. 1-15 per acre. The cost of the operations being Rs. 29,002 should be recovered by the estate in four years, but the question of making the tenants pay a share is still under consideration.

I am of opinion that only the rent-free tenures should contribute, and that they should pay As. 8 an acre; if it is decided that raiyats also must pay a share, it may be at the rate of As. 4 per acre.

The amount recoverable will be, according to the first proposal, Rs. 2,208 and if all classes are made to contribute Rs. 8,325.

These rent-free grants are a notable feature of the estate. The inheritance to the 'Rajgi' is as usual in the *killas* of Orissa governed by the law of

\* Government order No. 1468 of 8th April 1895; Director of Land Records to Board of Revenue No. 845, of 17th January 1899; Settlement Officer to Director of Land Records No. 2488 dated October 1898.



primogeniture, the heir being bound to make provision for his brethren by grants of land to them and their direct heirs (*khora-possak* or *baradaran jagir*). One thousand two hundred and nine acres are now so held; and another 1,018 as *debottar* and 1,379 as *khairat*, making up with confirmed *jagir* and *brahmottar* lands a total of 6,592 acres held rent-free or at quit rents.

The following table gives detail of the occupied area in the estate and of the result of the present Settlement :—

| Class                                    | Number | Area   | Existing<br>rent. | Settled<br>rent. | Incidence<br>per acre. |     | Increase. |
|------------------------------------------|--------|--------|-------------------|------------------|------------------------|-----|-----------|
|                                          | Acres. | Rs.    | Rs.               | Rs.              | Rs.                    | A.  | Rs.       |
| <i>Bazyafti</i> , &c.                    | 298    | 514    | 393               | 669              | 1                      | 5   | 276       |
| Occupancy raiyats.                       | 8,627  | 12,804 | 20,567            | 25,635           | 2                      | 0   | 5,068     |
| Non-occupancy<br>raiya's.                | 1,471  | 1,403  | 838               | 1,547            | 1                      | 2   | 709       |
| Resumed <i>jagirs</i> .                  | 79     | 641    | 149               | 761              | 1                      | 3   | 612       |
| <i>Jagirs</i> and quit-<br>rent tenures. | 3,015  | 6,263  | 2,252             | 2,252            | 3                      | 6   | Nil.      |
| <i>Taufir</i> .                          | 1,038  | 441    | Nil.              | 688              | 1                      | 8   | 688       |
| Proprietors'<br>private lands.           | 124    | 862    | ..                | ...              | ...                    | ... | ...       |
| Total ...                                | 14,702 | 22,933 | 24,199            | 31,552           | 1                      | 15  | 7,353     |

606. Kanika,\* with an area of 440 square miles, is the largest estate on the Cuttack revenue roll, but out of its total area, 175 square miles are situated within the geographical limits of the district of Balasore. The formation of the tract is deltaic. Its lower parts close to the sea coast consist of low marshy and dense jungles which become thinner and higher as they recede from the sea. Higher up are arable plains, the lower portions of which are subject to salt water floods during storms and cyclones, and the upper to inundation by the many branches of the Baitarani and Brahmani rivers. The crops are liable to be destroyed, and it must be reckoned as one of the parts of the country most liable to famine.

It is said that this part of the country was peopled by aboriginal tribes ruled over by several petty Rajas until about the year, 1200 A. D. when a brother of the ruling chief of Moyurbhanj established himself in possession of the portion of the killa now known as Elaka Chamuka. By conquest and marriage his successors added to their properties, and at the time of the British conquest the Raja Balabhadra Bhanj held not only the four *elakahs* of the present estate of Kanika, but the zamindari of the large estate of Utikan.

The first Commissioners in 1803 confirmed his *peskas* of 84,840 *kahans* of *cowris*, equivalent to Rs. 20,408.

In 1805, owing to the Raja's malpractices, he was imprisoned and the estate was held under *khas* management.

Next year he was reinstated, and on his death, in 1813, he was succeeded by his two sons.

In 1845, during the minority of Balabhadra Bhanj's great grandson, the estate came for four years under the Court of Wards, by whom a settlement was made which raised the *jama* to over Rs. 82,000. The estate was again brought under the *khas* management of Government in 1862 on the application of the late Raja Padmalabh Bhanj, and as he was in 1865 declared insane, it continued to be held by the Court of Wards until his death in 1891, and since then has been managed by the Court on behalf of his minor (adopted) son, Nrupendranath Bhanj, and after his death in 1895 on behalf of the minor (adopted by the Rani) Rajendranath Bhanj, who is a natural son of the Raja of Aul.

Between 1865 and 1871 a second settlement was made of this estate, but no cadastral survey was made until 1888, when the cultivated portions were cadastrally surveyed under the supervision of Mr. Smart and subsequently settled by Sakhawat Hussain.

The assets of the estate are reported to be Rs. 1,36,064, but out of this large remissions have to be made, though the assessment is under Re. 1-4 per acre.

\* Extracted from Mr. Sakhawat Hussain's report.

607. Killa Kujang\* has a total area of 370 square miles, and consists of two distinct tracts; the first a marshy and almost uninhabited strip along the sea coast, and behind this low-lying arable lands intersected by innumerable streams and tidal creeks which both inundate the land and supply means of irrigation in the cold weather. As in Kanika the harvest is liable to be destroyed by storms and cyclones as well as by floods in the Mahanadi river.

The original Rajas of Kujang were descended from Mallick Sendh, Raja of Dhobaigurh, who lived in the seventeenth century, and with the help of the Raja of Kanika fought with and subdued the chiefs of the neighbouring *garhs* amalgamating them all under the name of Kujang. At the time of the British conquest Gangadhar Sendh was in possession and executed an *ekrarnama* for the payment of a *peskas* of 14,011 *kahans* of *cowries*.

In 1812 his son tried to instigate the Rajas of Kanika and Khurda to join him in conspiracy against the British authority, and the attempt being detected, he was dispossessed and imprisoned and his brother Birabhadra Sendh ruled in his stead and executed a new agreement for the payment of Rs. 7,501.

The estate was much affected by the famine of 1866, and in 1869 was sold for debt and bought by the Maharaja of Burdwan.

On the death of the late Maharaja, the estate came under the Court of Wards, and in 1887 a cadastral survey and settlement under Act X of 1859 was begun, and was completed in 1892.

The survey was carried out under Mr. Smart and, in the absence of any previous revenue survey, village boundaries were remodelled and the whole estate divided into 461 villages.

The arable portion was surveyed on a scale of 16 inches = 1 mile; the marshy strip along the coast some 90,000 acres, on a scale of 4 inches = 1 mile.

The total assets were settled at Rs. 1,19,589 and the rents averaged Re. 1-14-6 per acre.

608. Killa Aul is one of the six killas the settlements of which on a permanently fixed annual quit-rent or *peskas* were confirmed by Regulation XII of 1805. It was granted in the reign of Akbar to a descendant of the Hindu sovereign Telinga Makund Deo, and has continued to the present day in the possession of his heirs.

At the time of British conquest the estate was held by Raja Ramkrishna Deo, whose son Protaprudra Deo having impaired his mental faculties by dissolute habits, became incapable of managing the estate which was in consequence taken under the management of the Court of Wards. The estate remained under the management of the Court till 1847 when Raja Protaprudra's son Padmalabh Deo having attained majority took charge of the estate with an accumulated treasure of Rs. 85,000. The young Raja, however, soon got into the ways of his father, and so heavily encumbered the estate with debts that it remained under the attachment and administration of the Civil Court for sixteen years from 1868-1883.

From the earliest times the estate has been managed on the *mustajari* system, each village being separately let out on a farming lease for five years. In 1897, the present manager abolished the system but as there are no reliable collection papers in his hands, the *ex-mustajirs* are still employed for collection of rents on commission.

The killa was excluded from the original notification regarding the survey and settlement of this District, but it was subsequently notified on the 12th December 1892 for survey and preparation of a record of rights under section 101 (1) of the Bengal Tenancy Act, and a further notification for survey under section 3 of the Survey Act was published on the 17th April, 1893. The killa covers an aggregate area of 139 square miles, of which 51 square miles have been surveyed cadastrally and the rest surveyed on 2 inches = 1 mile scale and it comprises three Parganas.

- (1) Utihar;
- (2) Kotabasahi; and
- (3) Derabasimul, commonly called Derabisi.

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\* Extracted from the Settlement Report of Babu Chandranath Ghosh.

(1) and (2) are intermixed, and (3) forms a nearly compact block of 118 *mauzas*. The whole of Derabisi and three *mauzas* of Utihar lie within the area commanded by the Patamundai canal and the Gobri Extension of the Kendrapara canal. Of these 121 *mauzas*, 67 situated on the right side of the river Gobri had already been surveyed on 32 inches = 1 mile scale for irrigation purposes.

They were, however revised, and the remaining 54 *mauzas* were surveyed on 16 inches = 1 mile scale in the course of the present operations. All these *mauzas* having also been *khanapuried*, the attestation of the Pargana was taken up in 1892-93, but was shortly abandoned owing to the opposition of the Raja. It was after much correspondence again taken up and the attestation completed in the season of 1898-99; after which work was suspended until the Raja should have deposited the estimated amount required for completing the operations.

The cost incurred in pargana Derabisi up to date \* is shown below :—

|                                                                                                  | Rs.           |
|--------------------------------------------------------------------------------------------------|---------------|
| (1) Survey and <i>khanapuri</i> (including the three irrigated villages of pargana (Utihar) .... | 5,836         |
| (2) Preliminary attestation in 1892-93 ....                                                      | 6,163         |
| (3) Final attestation, including case-work and draft publication in 1898-99 ....                 | 6,777         |
| Total                                                                                            | <u>18,776</u> |

| <i>Deduct—</i>                  | Rs.          |
|---------------------------------|--------------|
| (1) Amount paid for amins' fees | 646          |
| (2) Value of court fees         | 701          |
|                                 | <u>1,347</u> |
| Net Charge                      | 17,429       |

Owing to the persistent opposition of the Raja, Pargana Aul, apparently measuring Utihar Kotabsahi, has been excluded from the Settlement operations by a notification dated the 13th September 1894. An attempt was then made to make a private Settlement of this portion of the *killa* with the aid of a kanungo deputed by the Collector, but seeing the difficulty of carrying it out and the advantages of the authoritative settlement which is going on in Derabisi, the Raja has made an application under section 101 (2) \* of the Bengal Tenancy Act † which is being dealt with by the Collector. The whole of Pargana Derabisi is protected from river-floods, but owing to the drainage of a large tract of similarly protected land on the western side passing through it into the Gobri the low lands called *pats* at times suffer considerable damage from accumulation of water. The pargana covers an aggregate area of 46 square miles, of which 39 square miles, or 85 per cent, are cultivated, and of this about one-fifth is now irrigated with canal water.

The existing rental of the attested village is Rs. 38,519, or an average of Rs. 2-9 per rent-paying acre.

609. Killa Chhedra, though not *peskas mahal*, was permanently settled by the Board of Commissioners in 1803, but was omitted from Regulation XII of 1805. At the time of the British conquest it stood in the name of one Madhu Sudan Narendra Mohapatra, who was succeeded in 1804 by his grandson Srinibash Narendra Mohapatra. In 1836 it was sold for the proprietor's debts and purchased in equal shares by Kashinath Roy Chowdhury and by a Subordinate Judge named Golam Kadir in the *benami* of his son. The interest of the former is still held by his descendant, while that of the latter has been transferred partly by private sale and partly by execution sales for debts.

The estate is irrigable, and records having, therefore, been prepared, have been attested and finally published.

The estate covers an aggregate area of 5,390 acres of which 4,116 acres are cultivated, and of these again 432 acres, or 10 per cent are at present irrigated with canal water.

\* That is upto the date of completion of the attestation in September, 1899.

† In their letter No. 1394, dated 20th March 1903, the Board of Revenue, Government has since sanctioned the completion of the survey and settlement of the whole *killa* at the cost of the Raja.



610. Besides the permanently-settled mahals and the temporarily-settled estates of the *Moghulbandi*, there are in Cuttack and Balasore certain estates known as *killajat* and occupying an anomalous intermediate position. These are *killas* Dompura, Balrampur, Ragri, Chausatipara and Kantajhar in Cuttack, and *Killas* Ambo, Nangalpur and Patna in Balasore. They were in the Settlement of Raja Man Sinha in 999 A. D. left as part of the *Rajwara*; Ambo, Kantajhar, Ragri and Balrampur being all dependent fiefs of the zamindar of Keonjhar. The Mahrattas, however, resumed all these estates (except Dompura, which was of the nature of a *jagir*) and collected the revenue (*jama* not *peskas*) directly + but left in possession their former holders variously styled zamindars, bhuians and khandaits, and occasionally in later correspondence rajas. They were all men of ancient Hindu stock allied to the chiefs of the Garhjat estates and some claiming royal descent from the pre-historic times' their succession was governed by the law of primogeniture, lands being assigned for the maintenance of the younger brethren, and they kept up on a smaller scale the pomp and dignity of independent chiefs. Some, as we know of the *killas* of the *Rajwara*, obtained on the British conquest recognition as tributary estate; others, as Aul, Kujang, Kanika, and Sukinda, with claims differing but little from those of the estates now dealt with, received a permanent settlement; but the eight *killas* in question were brought on to the roll of temporarily-settled estates, and their revenue was on different occasions enhanced. Dompura was, in 1829, restored to the position of a permanently-settled zamindari provided only that in the event of any alienation the assessment should be open to revision ‡ to the Government of Bengal, and No. 230 L R, of 15th January 1896, from the Government of Bengal, to the Board of Revenue. At the last settlement the zamindars of the other *killajat* estates protested against the proposals of the Deputy Collector to treat them as ordinary *Moghulbandi* proprietors, and claimed a permanent settlement; pointing out that they had precisely similar titles to those of the *Garhjat* chieftains, and had only submitted themselves to British rule in the hope of obtaining more lenient treatment.

Their claims were fully considered by Mr. Commissioner Mills in his letter No. 790, of 21st March 1839, and, No. 2397 of the 27th October 1843, to the Honourable Board of Revenue, in which while finding that they had no legal right to be treated otherwise than as proprietors of temporarily-settled estates, he recommended as a matter of policy that no enhancement of the revenue should be made (except in the case of *Killa* Kantajhar, which had passed by sale into the possession of the chief of Keonjhar), and the revenue previously paid was under orders of Government continued for the term of settlement.

At the commencement of the present proceedings the Bhuian of Mangalpur petitioned the Government, and orders were passed § that specially lenient treatment should be accorded to these *killas*, and that they should form the subject of a special report to Government.

Kantajhar, of which the revenue was enhanced at the last settlement, has been treated as a *Moghulbandi* estate.

So also has *Killa* Patna, which quite recently passed by sale into the hands of Babu Rajanarayan Das and others. The other five *killas* have been made the subject of special reports, in which I proposed to retain the existing revenue, requiring only from the proprietors the payment of a lump sum either at once or in annual instalments to cover the cost of the settlement operations and an annual payment of 85 per cent. of the assets of the resumed *chaukidari jagir*. Alternative proposals were also made for the assessment of a light revenue based on the realisable assets, excluding the valuations of lands assigned for the support of brethren or for such other purposes as are required by the dignity of the zamindars.

In making the proposals I have been actuated by the desire to save these old families from the social degradation that would, I believe, be entailed by an enhancement of their revenue, while reserving to Government the right to enhance

\* See letter No. 397 O. S. of 2nd October, 1899, from the Commissioner of Orissa to the Secretary to the Board of Revenue.

† See paragraph 27, Babu Runglal Banerji's report on Cuttack tenure.

‡ Board's No. 4817, of 8th September 1829.

§ No. 3497-409-2 of 14th December 1895 from Government of India to the Govt. of Bengal and No. 230 L R., of 15th January 1846, from the Govt. of Bengal, to the Board of Revenue.



the revenue at any subsequent settlement or on the alienation of the property. I may add that I have included in my proposals the assessment of a full revenue at 55 per cent of the gross assets ( and 85 per cent of the Chaukidari resumed jagir) in the event of alienation of any of these Killas from the direct heirs of the present holders.

The Collector of Cuttack, Mr. Growse, went further and expressed himself in favour of granting a permanent settlement to these picturesque chieftains; and Mr. Commissioner Marindin,\* following the precedent of Dompara, recommended that the present revenue should be fixed in perpetuity, subject only to revision in the event of the alienation of the whole or any part of the estate. This view has been accepted by the Board of Revenue. †

The following statement gives a summary of the extent and assets of these killas and of the different proposals :—

| Name of killa and taluk number | Name of proprietor.                                                  | Area in acres. | Number of Villages. | Nominal asset. | Realisable asset. | Existing revenue. | PROPOSALS <i>ad interim</i>    |                  |                         | Alternative proposal for light revenue. | Revenue payable in the event of alienation. |
|--------------------------------|----------------------------------------------------------------------|----------------|---------------------|----------------|-------------------|-------------------|--------------------------------|------------------|-------------------------|-----------------------------------------|---------------------------------------------|
|                                |                                                                      |                |                     |                |                   |                   | Cost of survey and settlement. | Chaukidari Fund. | Total proposed revenue. |                                         |                                             |
| 1                              | 2                                                                    | 3              | 4                   | 5              | 6                 | 7                 | 8                              |                  | 10                      | 11                                      | 12                                          |
|                                |                                                                      |                |                     | Rs.            | Cuttack.          |                   | Rs.                            | Rs.              | Rs.                     | Rs.                                     | Rs.                                         |
| Balarampur.                    | .. .. .                                                              | 15,743         | 26                  | 9,778          | 4,200             | 380               | 203                            | 73               | 656                     | 2,317+73‡                               | ....                                        |
| Ragr                           | Raja Upendra<br>Narendra Mahapatra.                                  | 11,758         | 25                  | 10,626         | 6,340             | 326               | 184                            | 47               | 557                     | 3,456+47 §                              | 5,813+47                                    |
| Chausatpara.                   | Raja Birbar Dibakor<br>Chotra Mahapatra.                             | 4,335          | 9                   | 4,727          | 2,633             | 133               | 87                             | 63               | 289                     | 1,404+68 ¶                              | 2,556+68                                    |
|                                |                                                                      |                |                     |                | Balasore.         |                   |                                |                  |                         |                                         |                                             |
| Mangalpur.                     | Balabhadra prasad<br>Das Rajkumar<br>Bariganjan Bhuian<br>Mahapatra. | 6,368          | 23                  | 5,651          | 4,577             | 1,035             | 220                            | —                | 1,255                   | 1,831                                   | 3,107                                       |
| Ambo.                          | Bhuiyan Dwarikanath<br>Bidyadhar Mahapatra.                          | 3,663          | 17                  | 2,989          | 2,214             | 213               | 90                             | 47               | 350                     | 648+47                                  | 1,613+47                                    |

611. Under Board's orders No. 452 A., dated the 8th November, 1899, I was directed to give an account, in the completion report, of certain estates claimed as permanently-settled.

Certain lands known *jalapahi* were acquired by the East India Company for the manufacture of salt in the beginning of the century under perpetual leases. As an instance of the terms of acquirement, the following extract from a lease may be quoted.... "this land will for ever remain in the possession and title of the Company, and the Company will use it for the purpose of manufacture of salt, or cultivation, or for any other purpose it pleases." In 1811 it was written that "the talukdars have consented to relinquish in perpetuity in consideration of a fixed annual revenue being allowed to them."

This *jalapahi* area is situated in two Parganas of the Balasore District, Bhograi and Shahabunder. I deal first with the Bhograi area. It is necessary to refer to Board's letter No. 194-B., dated 18th. August 1871, to Government.

\* Commissioner to Board of Revenue No. 397 O S of 2nd October, 1899.

† Board to Government, No- 1319-A, of 15th December, 1899.

‡ *Rasadi* terms. For first 5 years Rs. 1,200, For the next five years Rs. 1,800. From the eleventh year till expiry of Settlement Rs. 2317+73.

§ For first 5 years Rs. 2000. For the next five years Rs. 2,750. From the eleventh year till expiry of Settlement Rs. 3,456+47.

¶ For first five years Rs. 800. For the next five years Rs. 1,150. From the eleventh year till expiry of Settlement Rs. 1,404+68.

From this letter we find that certain lands in Pargana Bhograi, in the District of Midnapore (since transferred to Balasore), were held under a permanent tenure by Government for the manufacture of salt. On the abandonment of the salt monopoly, these lands being no longer required for the purpose, their settlement with the proprietors of the estates within which they were situated was sanctioned by the Board. In the meantime portions of the lands had been leased and portions had been sold.

It appears that on the proprietor of the Bhograi estate agreeing to take back the balance of the lands which had been leased out and to receive the sale proceeds of the two *mahals* Bara Ansa and Arang-Patai, which had been sold by mistake, and to a deduction being made from the *sadar jama* of the Bhograi estate equivalent to the *sadar jama* of these two *mahals*, the Collector of Balasore was instructed by the Commissioner to come to a final agreement with him on the above lines, subject to the Board's approval.

The matter was reported to the Board in Commissioner's No. 50 A., dated 5th May 1871, together with a translation of the agreement which was entered into. The proposed terms were approved by the Board with some alterations (*Cf.* Board's No. 114 B., dated 18th August 1871, and No. 21 B., dated 8th February 1872). The agreement shows the nature of the two *mahals*.

It appears, however, that these *jalapahi* lands originally belonged to estates temporarily-settled and were taken by Government on permanent lease from the proprietors. The proprietary right all along remained with the owner of the parent estate, although cultivable portions of the *jalapahi* were in some unaccountable manner treated as separate estates and leased out. Finally, the new estates (so called) were by mistake sold as "estates," but the proprietor of the parent estates objected and he received the purchase money. In the *kabuliyat* executed by the sale purchaser the property sold is described as "having become as good as a decennially (*i. e.*, permanently) settled estate".

In these circumstances, it seems clear that the two new "estates" are merely permanent tenures in estate the parent estate, and in the case of Arang Patai, it would appear that the zamindar of the parent estate by an agreement, dated 1st November, 1871, admitted that the *jama* of the tenure was fixed. Government could sell no right beyond what it possessed, viz., that of a permanent tenure-holder, and the circumstance that it was sold as a permanently-settled estate (supposing this admitted) could not make it so, even though the proprietary right had vested in Government, as a permanent settlement cannot be made by the Board or the Local Government without sanction of higher authority.

Thus in Pargana Bhograi two portions of the *jalapahi* area were sold as estate before 1864. The estates are borne on revenue-roll of Balasore and are known as Arang Patai and Bara Ansa, respectively. They are now claimed as permanently-settled. As details may be required, I add the following :—

In 1864 the Board directed that all *jalapahi* lands should be restored to the estates from which they were originally separated.

The Board directed for Bhograi—(1) That the sale prices realised for Arang Patai and Bara Ansa should be paid over to the proprietor of the estate to which the lands originally belonged. (2) Subleases of other areas of the *jalapahi* created by Government should be respected by the proprietor of the parent estate. (3) Lands necessary for embankments should be given up to Government free of cost. (4) All the estates including *jalapahi* lands should be re-settled in 1275 (1867). [As the Orissa Settlement was extended to 1304 (1897) the re-settlement did not take effect till 7th September 1897].

These terms were accepted by the Bhograi proprietors.

The *jalapahi* area of Bhograi, however, belong to two estates, *mahal* Kasba and *mahal* Nankar; 4,377-30 acres were, therefore, returned to Kasba, and 1,529-41 to Nankar. This fact was not brought to the notice of the Board, but the Board were under the impression that the whole *jalapahi* area in Pargana Bhograi belonged to *mahal* Kasba—a temporarily-settled estate—and that the whole estate (including the *jalapahi* area) would be liable to re-settlement in 1275 (1867).

The estate *mahal* Nankar in Bhograi is in my opinion also temporarily-settled. The proprietor however, has raised an objection on this point, but it has not yet been decided by the higher revenue authorities (a report has been submitted).

It is sufficient to say here that the estate was temporarily-settled in 1841 and that Board's circular No. 6 of 1836 does not apply, as the estate is situated in the temporarily-settled district of Balasore. Accordingly, I have settled the new revenue of *mahal* Nankar and have included its *jalapahi* area within the estate.

I have had to go into some details in regard to the *jalapahi* of Bhograi to make my meaning clear, and may now turn to that of Shahabunder.

The Shahabunder area.

There are many points of difference in the treatment of these *jalapahi* areas and some points of resemblance. At the last settlement the *jalapahi* areas of Bhograi were included in the areas of their two parent estates. It was further recorded that a rent of Rs. 3,712 for an *istamarari ijara* was payable to proprietors of one estate, i. e., originally the whole *jalapahi* area was recorded in that estate, but was afterwards separated and recorded in two estates, though no separation of *jama* was made (possibly because the estates belonged to the same proprietor, but probably through carelessness). In the case of Shahabunder, however, though the Collector stated in his report (dated 10th April, 1849) to the Commissioner that the *jalapahi* area should be included in the unassessed area of the estate to which it belonged, the area was never so included and the proprietors of the parent estate never raised any objection.

Furthermore, they did not claim the area at a subsequent partition, but contended themselves with dividing out Rs. 799 (the rent payable by Government for the *jalapahi* lands according to their shares. No lease or *kabuliyat* for the *jalapahi* lands can now be found, the Government still pays the rent, and the possession of Government since the beginning of the century and the payment of the same rent for all these years is admitted.

In 1861 Government sold to one proprietor of the partitioned estates 149 *mans*, a portion of the *jalapahi* lands in *mauza* Bichitrapur, for Rs. 2,000.

The Board took exception to this sale, but I do not find that the purchase money was ever refunded to the proprietors of the parent estate.

This estate is now considered and recorded in the revenue-roll as permanently-settled estate No. 1372. In 1864 the purchase money was not refunded because the Shahabunder proprietors refused to take back the *jalapahi* lands on the Board's terms (similar to those recorded above for Bhograi).

In consequence of this refusal Government held the *jalapahi* lands *khas* till 1872 except 149 *mans* already sold. In that year they were let out on *ijara* and the same lessee has held them ever since.

His administration has won golden opinions from all Collectors and from the Board. The lease-expired in November, 1899.

In 1897, by Board's orders, No. 506, of 11th May 1895, 297 acres of *jalapahi* were sold for Rs. 8,300 and they now comprise *tauzi* No. 1369, forming a temporarily-settled estate on the revenue roll of Balasore. In the present proceedings the balance of the area remaining with Government is 3,548 acres, and is known as the Bichitrapur Government estate. The zamindars of the parent estate claim that all lands in excess of 2,779 acres, the area mentioned as *jalapahi* in the last settlement proceedings, should be returned to them. This area was not recorded correctly at the last settlement.

In 1829 it was measured as 3,595 acres. In 1835 the land was under water at the time of measurement, thus the area was only returned at 2,448; moreover, in the *stambhabundi* papers of 1848 the boundaries correspond to those of the present areas.

Whatever the area may have been, Government is without dispute in possession of it, and the proprietors of the parent estate are barred by limitation from contesting this point. They have, however, claimed the excess area in proceedings under the Survey Act. It was found by local enquiry that possession was with the lessee of Government and that the excess area, if any, was due to accretion to the permanent tenure held by Government. Accordingly,



Mr. Kingsford's order of 13th April 1899, the whole area-3,549·14 acres-is recorded (as before) in the name of Government. This does not of course include the areas of estates No. 1372 and 1369.

The zamindars of the parent estate now wish that all the *jalapahi* area should be restored to them, notwithstanding the fact that in 1864 they refused to take over the lands. They have seen that the lessee of Government is making a good profit out of the lease and that he has expended capital and labour on reclamation. Naturally they repent them-selves of their previous decision, and would like now to take the profits. I submit that to give up the lands now to the zamindars would be very unjust to the lessee. Babu Kailash Chunder Rai Mahashai (please see Mr. Commissioner Smith's No. 1807 of 26th November 1878), the lessee, has a reasonable expectation of renewal and has thoroughly deserved to have the lease settled with him for another term of years. He has behaved very honestly throughout, (See Board's No. 171 A of 25th May 1880 and Mr. Smith's letter above referred to).

Several points arise for decision—

(1) Government is not the proprietor of the so-called Bichitrapur Government estate, but is a permanent tenure holder. "The *zamindars* are entitled to continue" to receive their rent, but have no further "claim" (Mr. Smith's letter).

I beg to recommend, therefore, that the zamindars of the parent estate be recorded as the proprietors of estate *mauza* Bichitrapur, Pargana Shahabunder, *tauzi* No. 1370, and that Government be recorded as permanent tenure-holder paying quit-rent in perpetuity.

(2) The zamindars wish to have the rent (Rs. 799) raised. I venture to suggest that Government can prove payment of the same rent since the beginning of the century, and though neither *patta* nor *kabuliyat* can be produced, we can show the *pattas* taken for the Bhograi *jalapahi*, the terms of which are set forth in paragraph 3 above. Government should decline to consider any application for enhanced rent, and should refer the proprietor for redress to Civil Court.

(3) There remains for decision the question whether the purchase money of estates Nos. 1372 and 1369 should be refunded to the proprietors of the parent estate or not. Government has not the proprietary right and has never had it. In reality Government has made sub-leases of portions of its permanent tenure, but the deeds purport to confer a proprietary right. I would suggest that the purchase money of both estates be offered to the zamindars of the Shahabunder estate, even though it is nearly forty years since one estate was sold (*i.e.*, in 1861). As four sales of this kind have now been made, perhaps the attention of the Collector of Balasore might be directed to the position of Government in respect of the *jalapahi* lands.

(4) The orders which are passed in regard to Arang Patai and Bara Ausa by Board's No. 452A., of 8th November, 1899, are reproduced as follows :—

I am directed to say that the Board are of opinion that both Arang Patai and Bara Ausa should be treated as permanently-settled estates. I am also to request that the Settlement Officer may be instructed to specially notice these (and other such) cases in his final report, so that the Government of India may interfere if they choose.

In accordance with these orders, I have tried to give information sufficient for the higher authorities to deal also with Nos. 1372 and 1369, and with No. 1370, the so-called Government Estate.\*

612. One of the most curious estates in the Province of Orissa is the revenue-free property known as the *Satais Hazari mahal*, which is made up of villages and shares of villages and money assignments in Puri District and elsewhere.

After the Mahratta conquest of Orissa, the Raja of Khurda was forced to surrender to them, in lieu of payment for military services, the parganas of Rahang, Serai, Chaubiskud, and Lemtai, forming a part of the lands excluded from the Mogul settlement.

Out of these, for the support of the temple of Jagannath at Puri, the Mahrattas assigned the revenues of certain lands, making good from the public treasury the annual deficit. This endowment the British Government recognised, and further undertook the management of the temple and the payment of the

\* Mr. Collector Webb's letter to Commissioner, dated 19th November 1898.



expenses connected with it, which, in the early years of our rule, averaged Rs. 65,995 (Sicca) per annum. Down to 1808 the average payments from the public treasury amounted to Rs. 29,340s per annum over and above the income of Rs. 30,885 derived from the *Satais Hazari mahal*.

In that year the Collector, Mr. Webb, proposed to disallow some of the unnecessary charges and to fix a limit to the expenditure, and the Government accordingly limited the expenditure on the temple to the sum of Rs. 50,848 exclusive of broad cloth, which was to be supplied from the Company's warehouses.

In 1843 the Government withdrew from the management of the estate and made it over to the Raja of Puri, who had been appointed Superintendent of the Temple. The allowance from the public treasury was, however, continued on a reduced scale down to 1858, when, yielding to the pressure from religious minded persons in England, Government finally severed its connection with the temple, and, in lieu of the money payments, assigned to it a portion of the Khurda Government estate with a revenue of Rs. 16,827, which in 1861 was supplemented by a further grant of land with a revenue of Rs. 6,889, these two grants being commonly known as *Ekhrajat Mahal*†. An account of the *Ekhrajat Mahal* is given in the next paragraph.

The revenue of the *Satais Hazari Mahal* is derived from the following Sources :—

(i) Twelve *hastabud* villages in Parganas Rahang and Chaubiskud Lembai and Paschimduai, with a former rent of Rs. 12,696.

(ii) Fifty *bahal tanki* villages and portions of villages with a total rental of Rs. 2,015.

(iii) Certain allotments from eight *tanki bahal* villages in the Rahang estate with a money assignment of Rs. 2,498.

(iv) Certain allotments from the *tanki bazyafii* villages in the Rahang estate with a total money assignment of Rs. 2,824.

(v) Certain allotments from eight *Sarbarakari* and *mustajari* villages in the Rahang estate with a total money assignment of Rs. 270/-.

(vi) Two *muqadami* villages in Dalijora, district Cuttack, with a rental of Rs. 380.

(vii) One village in Asureswar, district Cuttack, with a rental of Rs. 80.

(viii) Lands in killa Daspalla to the value of Rs. 240, out of which timber for the car is supplied.

The total revenue prior to the present settlement proceedings was, therefore, Rs. 18,178.

Lands in classes (i) and (ii) were at first surveyed and *khanapuried* along with the temporarily-settled estates of the District, but the completion of the record was postponed owing to pressure of work. Eventually under orders of Government‡ the attestation and completion of the records was taken up by Babu Sudarsan Das in the season of 1898-99.

In all the *hastabud* villages (class (i)), except Suanlo which had suffered from breaches in the bank of the Daya river, the Raja of Puri applied for enhancement of rents by annas 3 per rupee on the ground of rise in prices and for assessment of excess area. The settlement was entrusted to Babu Sudarsan Das, and the result of the applications was as follows :—

| Class of tenure.            | Number. | Area in acres. | Existing rent. | Settled rent. | Increase per cent. |
|-----------------------------|---------|----------------|----------------|---------------|--------------------|
|                             |         |                | Rs.            | Rs.           | Rs.                |
| <i>Padhani tanki</i>        | 70      | 90             | 48             | 84            | 77                 |
| Occupancy raiyats           | 2,020   | 5,149          | 11,254         | 14,981        | 33                 |
| <i>Chaukidar's jagir</i>    | 2       | 2              | Nil            | 5             | —                  |
| <i>Sarbarkar dia niskar</i> | 32      | 29             | Nil            | 73            | —                  |
| Total ....                  | 2,124   | 5,270          | 11,302         | 15,143        | 34                 |

All other rents in the *hastabud* and *tanki bahal* portions remain unaltered.

The villages of Rahang *tuluk* from which the *Satais Hazari* estate is entitled to receive assignments, have been attested and rent settled as part of the general settlement of Orissa.

\* Mr. Collector Webb's letter to Commissioner, dated 19th November, 1808.

† That is lands assigned for expenses.

‡ Government order No. 474 T.—R., dated 30th June, 1898.

Rents in the *Tanki Bazyafiti* and *Sarbarkari* villages have been enhanced, but the Raja of Puri is not entitled to claim any part of the enhancement, as will appear from the following order of Mr. Commissioner Mills\* passed on a reference by the Collector of Puri as to the fixity of the assignments to the *Satais Hazari Mahal* :—

“These lands will be made the subject of investigation, but the *fixed assignment* which they pay to the *Satais Hazari mahal* must be maintained as an asset of that state and deducted from the gross assets of the lands.”

The assignments have not been altered since they were first fixed, and will not now be increased unless Government pass orders to the contrary. The *tankidars* of villages Bhimpar, Protaprapur, Chandanpur, Birkishoripur and Balbhadrapur pay jointly the amount of the assignment to the Raja of Puri; in other *Sasans* collections are made from individual *Tankidars*. *Sarbarakars* and *Mustajirs* pay the amounts with which their villages are charged direct to the Raja. The present settlement will not affect the system of payment, except in the *bazyafiti* villages in which the rents of each *Tankidar* have been separately enhanced and settled without specifying the amount to be paid respectively to the Rahang and *Satais Hazari* estates. We have, however, no orders to direct the *Tankidars* to pay as assignment any larger sums than they have hitherto paid. I understand from the zamindar of Rahang that the Raja of Puri is collecting direct the money assigned to the *Satais Hazari*; but pending Government orders, no increase of the assignment can be collected, and the Collector should be asked to prevent any increase being collected. Babu A. K. Sen, in his report on Rahang, has expressed an opinion that, to save confusion, it will be necessary to farm out the villages, leaving the farmer to pay the assignment to the Raja or else to assign to the *Satais Hazari* the rents of specific *Tankidars*.

Farming is to be deprecated except as a last resource. The simplest method of all, and one which the proprietor of Rahang wishes, is to let him collect the assignment fund and pay it into Government as revenue with the rest of the revenue of his *Taluk*. Government can then make over the assignment to the Raja. The alternative is a *Batwara*. There is no evidence in any papers of any separation of shares or lands; *Batwara* would therefore be a very difficult and expensive operation.

The villages of Dalijora and Asureswar were attested along with the temporarily-settled estates of Cuttack, and no settlement of rent has been made in them. The lands in Daspalla lie outside the area in which the rent laws and regulations are in force and have not been touched.

No attempt has been made (nor would it be possible to do it accurately) to calculate the cost of the preparation of the record-of-rights in this estate, as it forms part of the general settlement operations. The settlement of rents, however, was made on the application of the Raja and is to be paid for by him.

The account stands as follows :—

|                                                           |           |
|-----------------------------------------------------------|-----------|
| Pay of Assistant Settlement Officer and his establishment | Rs. 638   |
| Cost of forms ... ..                                      | Rs. 42    |
| Total expenditure ... ..                                  | Rs. 680   |
| Receipts in Court fees ... ..                             | Rs. 1,112 |
| Deposit in cash ... ..                                    | Rs. 42    |
| Total ....                                                | Rs. 1,154 |

The stamps fully cover the expenditure incurred, and there is, therefore, no need for any further adjustment. Hitherto the estate has been very badly managed. The Raja of Puri has been a mere puppet in the hands of his advisers and the management has been left to the *Tahasildar* and his *gomashtras*. There are long lists of arrears and in the *Mustajiri* village of Kanchi the assignment of Rs. 65.13 has not been paid for twenty years. A year ago the Raja appointed as his manager Mr. J. C. Price, a retired Indian Civilian, and this gentleman has been doing his best to put matters on a better footing. †

\* Letter No. 519, dated 5th March 1842.

† Since the above was written, Mr. Price has left the Raja's Service.

613. The history of the *ekhrajat mahal* is interesting. After the conquest of Khurda in 1804, Government continued to make certain cash payments to the Puri Temple, which was held in high respect by the Hindu communities throughout India. In 1858, in deference to very strongly expressed views in England that the Government should divest itself of all connection with religious endowments in this country, it was decided to grant certain lands in lieu of cash payments.

Accordingly, on completion of the *Nayabadi* settlement of Khurda, a portion of the estate yielding an annual sum equal in amount to that of the reduced money allowance made by Government to the Superintendent of the Temple of Jagannath was transferred to him as *Ekhrajat* \* under a deed dated 3rd April 1858.

The amount of money allowance was Rs. 16,517 and the *Sadar jama* of the *Mahals* transferred was Rs. 16,827, as follows :—

|                                       | Rs.    |
|---------------------------------------|--------|
| The whole of <i>Zilla</i> Tapang      | 14,327 |
| Garh Parichhal, <i>Zilla</i> Rameswar | 1,612  |
| „ Mantir, <i>Zilla</i> -do-           | 740    |
| „ Muazib, Madhupur, & c.              | 148    |
| Total                                 | 16,827 |

The excess revenue of Rs. 310 odd was handed over to cover collection charges and remissions for loss of crops.

By a second deed, dated the 13th March 1863, some more villages of *Zilla* Rameswar paying *Sadar jama* of Rs. 6889 were transferred in lieu of Rs. 6,804 paid by Government for the salaries of the Temple *barkandaz* † or guard. We have ascertained (see column 6 of the statement near the end of this paragraph that the assets were actually found to be worth Rs. 26,342 instead of Rs. 23,716-3-9½) ‡.

The *mahal* comprises the whole of *zilla* Tapang and 51 villages of *zilla* Rameswar. It is well to note that two villages of *zilla* Tapang lie within the geographical boundaries of Pargana Serai, and fifteen villages of the same *Zilla* lie within Pargana Lembai. Despite their detached geographical situation outside *zilla* Tapang, these villages are, for all fiscal purposes, considered as parts of *zilla* Tapang. At the settlement of 1880, the number of villages was shown as 151, but some of these have merged together, and in the present survey they have been measured as 124 villages.

The present area of this *mahal* is 67,520 acres, including *lakhiraj bahal* and Government land.

At Mr. W. C. Taylor's survey, the area was 67,685, and at the survey of 1837, it was 53,804 acres. The difference between that area and the present survey area is due to the inaccuracy of the former. The *lakhiraj bahal* area is now 733 acres as against 767 acres at last settlement. The present area of Government land is 438 acres, consisting principally of roads and the East Coast Railway passing through the *mahal*.

The soil is for the most part laterite, or contains laterite, but it is not on this account the less fertile, and will compare very favourably with the alluvial soil of many other parts of Orissa.

In 1823, Mr. Wilkinson found extensive tracts lying waste covered by jungle in *Zillas* Tapang and Rameswar. At the time of the last settlement, in 1857, only 24,925 acres were cultivated; now the cultivated area has risen to 32,381 acres, i.e., there has been an increase of 30 per cent. Even so more than half of the estate is still unbroken by the plough. Much of it is too high and rocky ever to be cultivated, but there is still a large margin which should repay the labour and expense of reclamation, and now that the country has been opened up by the Railway, a considerable development may be expected.

\* *Ekhrajat* or more properly *Ekhrajat* is an Arable word meaning "Expenses".

† See Paragraph 101-110 Vol. II of Khurda Selections.

‡ Both Parganas are situated in the *Sadar* Sub-Divisions of Puri.

The principal crop grown by the tenants is paddy, chiefly *Sarad*, *Biali* and *Dalua* are grown in a few villages where the tenants have appreciated the benefit of these crops; and on the high lands and homesteads *mandia*, *Kulthi* and other miscellaneous crops are found. The orchards are very extensive and consist chiefly of mango and *Pulang* (Alexandrain laurel) trees.

As this estate formed a part of Khurda, the early history of its previous settlements is included in that of the Khurda *Khas mahol*.

From the conquest of the Province in 1804 down to 1837 there were five successive settlements, the dates of which are noted below:—

| Settlement Officer.               |      | Year in which made |
|-----------------------------------|------|--------------------|
| 1. Major Fletcher                 | .... | 1814               |
| 2. Golam Kadir                    | .... | 1806-1817          |
| 3. Mr. Trower }<br>Mr. Forester } | .... | 1818-1821          |
| 4. Mr. Wilkinson                  | .... | 1822-1823          |
| 5. Mr. Wilkinson                  | .... | 1824-1836          |

The assets of the estate at these settlements were included in the gross assets of the *Khas mahol* from which it had not then been separated.

Mr. Wilkinson's settlement of 1837 was the first attempt, on a large scale, to prepare a record-of-rights and to settle rents by soil classification.

Each Raiyat's holding was measured, rates were fixed, and enquiries were instituted into invalid tenures.

In 1857 a *Nayabadi* settlement was effected, in course of which only the new cultivation was assessed.

In Mr. W. C. Taylor's settlement of 1880 these lands were surveyed with the rest of Khurda, and proposals were submitted to the Supreme Government asking for sanction to re-amalgamate them with the *Khas mahol* and to substitute an equivalent annual income to the Raja of Puri by means of investment in Government paper or in the shape of a book-debt. The Government of India did not think it desirable to re-open the previous settlement of this question and paragraph 12 of the Government Resolution (printed in page 192, Volume II, of Khurda Selections) directed that, in accordance with the views of the Supreme Government, the Temple lands should be entirely excluded from the settlement proceedings. The proposals for the re-settlement of these lands were therefore abandoned, and this present settlement is resumed after the *Nayabadi* settlement of 1857.

In 1891, the Superintendent of the Puri Temple applied for the Survey of the Temple lands, and the Commissioner recommended that the work should be taken up under section 101, sub-section (2), of the Bengal Tenancy Act. These proposals were sanctioned by Government in their letter No. 161A., dated 22nd. February 1892, and an experimental survey was made to test the accuracy of the maps prepared in 1880. The result was satisfactory, and the estate was surveyed and *kahanapuried* in the season of 1893-94 at a cost of Rs. 6,756. Attestation was begun in 1894-95 by Mr. Ambica Charan Sen and in the two following seasons was completed, all but twelve villages, by Babus Jatendra Mohan Sinha and Amrita Lal Gupta at a cost of Rs. 7,732.

Work was then suspended for want of money (*i.e.*, the Superintendent did not deposit costs), but was resumed in November 1898, when Babu Jagannath Dutta was deputed to complete the records and dispose of the applications for settlement of fair rents.

It was found necessary to completely re-attest the records before publication, and the work proved much heavier than had been anticipated, and in a few villages considerable opposition was encountered.

In April 1899 a second officer, Babu Balmakund Kanungo, was deputed to assist and by May the attestation had been finished; copying and final publication were pushed on as fast as possible, and from June applications for settlement of fair rents began to come in and were disposed by October.

There had been no detailed settlement since 1857, and in the interval the interests of the temple had been shamefully neglected. Rents had been hardly enhanced at all, and farmers and *Sarbarakars* had taken to themselves nearly all the profits of new cultivation. The rise in prices was found to justify a considerable enhancement of rents, and there was also a large extent of assessable excess lands in the holding.



The Manager agreed to apply only for an enhancement of annas 3 per rupee on the ground of rise in prices, and a further assessment at light rates (As. 14-10 and As. 8-4 per acre) for excess area, an allowance of 10 per cent. being given for errors in measurement. He also applied for the resumption of a good many rent-free homestead lands and of some *jagirs*, the holders of which had ceased to render service. In the first month he omitted all tenants whose rents would at these rates be enhanced by less than 4 annas, but in subsequent months the applications were more general. Altogether, 14,523 applications were filed by the landlord and 103 by the tenants, and with a very few exceptions the fair rent proposed were accepted by the opposite party. At the outset the standard of measurement presented a difficulty. The *podika* was one of 14 *dastias*, but there was a dispute as to its length. I personally enquired into the dispute and found the length to be 7 feet, as in the *khas mahal*. and this decision was not questioned by either party.

The next difficulty that arose was over the assessment of orchards, which had in general been planted by the tenantry without the permission of the landlord and had in no case been assessed to rent. It was decided that, except where the lands were required for communal or public purposes, such as a market, they should be settled with the tenants as occupancy or non-occupancy raiyats and assessed at not more than As. 8-4 per acre, the lowest *khas mahal* rate. It was only in the well-to-do neighbourhood of Bajpur that serious opposition was encountered, and it became necessary for me to go there myself and explain to the tenants the grounds of the enhancements. By absencing themselves from the attestation the raiyats had allowed many wrong entries to pass unchecked, and as a return for their acquiescence in our proceedings they were allowed a further opportunity of having all objections disposed of. As the result of these measures the opposition gave way and no further check to the work occurred.

In spite, however, of the liberal rules, the early enhancements worked out so high that it was found necessary to reduce them, the rates of assessment on excess area and orchards being summarily lowered where enhancements were highest. M. Webster was deputed to examine the records and make a note of all cases of excessive enhancements, and, after some demur, the temple authorities agreed to the proposed reductions.

The following table shows the result of the Settlement operations in the *ekhrajat mahals* :—  
Statement showing the last and present Settlement area and assets and incidence per acre.

| Serial number. | Status.                | Number of tenants | AREA IN ACRES                 |                                  | RENT RUPEES      |           |                                                      |                                                           |        |                |               | RATE PER ACRE. |           |           |
|----------------|------------------------|-------------------|-------------------------------|----------------------------------|------------------|-----------|------------------------------------------------------|-----------------------------------------------------------|--------|----------------|---------------|----------------|-----------|-----------|
|                |                        |                   | According to last Settlement. | According to present Settlement. | Last Settlement. | Existing. | PRESENT                                              |                                                           |        | DIFFERENCE OR— |               | Past.          | Existing. | Present.  |
|                |                        |                   |                               |                                  |                  |           | Settled rents for which applications have been made. | Existing rents for which applications have not been made. | Total. | Columns. 7-6   | Columns. 10-7 |                |           |           |
| 1              | 2                      | 3                 | 4                             | 5                                | 6                | 7         | 8                                                    | 9                                                         | 10     | 11             | 12            | 13             | 14        | 15        |
|                |                        |                   |                               |                                  |                  |           |                                                      |                                                           |        |                |               | Rs. A. P.      | Rs. A. P. | Rs. A. P. |
| 1.             | Baha Tanki.            | 166               | 238                           | 227                              | 95               | 94        | 12                                                   | 82                                                        | 94     | —1             | ....          | 0 6 5          | 0 6 8     | 0 6 8     |
| 2.             | Raja Tanki.            | 1,778             | 4,335                         | 3,790                            | 2,214            | 2,005     | 1,583                                                | 663                                                       | 2,251  | —200           | +246          | 0 8 2          | 0 8 5     | 0 9 0     |
| 3.             | Settled and occupancy. | 17,705            | 20,593                        | 27,645                           | 21,751           | 25,658    | 28,515                                               | 4,607                                                     | 33,122 | +3,907         | +7,404        | 1 0 11         | 0 14 10   | 1 3       |
| 4.             | Non-occupancy.         | 40                | ...                           | 35                               | ....             | 18        | 24                                                   | 8                                                         | 32     | +18            | +14           | ....           | 0 8 3     | 0 14      |
| 5.             | Chandina.              | 1,047             | 190                           | 95                               | 2,282            | 813       | 438                                                  | 516                                                       | 934    | —1,469         | +171          | 12 0 2         | 8 8 11    | 10 5      |
| 6.             | Jagir assessed.        | 173               | ...                           | 552                              | ....             | ....      | 655                                                  | ....                                                      | 655    | ....           | +655          | ....           | ....      | 1 3 0     |
| 7.             | Minha assessed.        | 232               | ....                          | 29                               | ....             | ....      | 162                                                  | ....                                                      | 162    | ....           | +162          | ....           | ....      | 5 9 4     |
| 8.             | Sairat.                | 111               | ....                          | ....                             | ....             | 12        | 181                                                  | 6                                                         | 187    | +12            | +175          | ....           | ....      | ....      |
|                | Total                  | 21,312            | 25,356                        | 32,373                           | 26,342           | 28,600    | 31,575                                               | 5,912                                                     | 37,487 | +2,258         | +8,837        | ....           | ....      | ....      |

\* See paragraph 124.

It will be seen that in forty years the *mufassal* rent-roll had only been increased by Rs. 2,258, or about 9 per cent., while in this settlement another Rs. 8,887, or 31 per cent., has been added.

This may appear a large increase, but it is certain that the tenants have actually been paying to *sarbarakars* and farmers rents for a good deal of what is shown in our papers as *nayabadi*, and the incidence of settled rents is Rs. 1-3-2 per acre, as against Re 1-10-4 in the *khas mahal* of Khurda.

The total cost of the operations and the amount recovered from the proprietor has been :—

|                                                            |      |      | Rs.    |
|------------------------------------------------------------|------|------|--------|
| Survey and <i>khanapuri</i>                                | .... | .... | 7,126  |
| Attestation                                                | .... | .... | 15,144 |
| Copying                                                    | .... | .... | 1,762  |
| Fair rent settlement                                       | .... | .... | 4,622  |
| Head office establishment                                  | .... | .... | 1,394  |
| Miscellaneous                                              | .... | .... | 1,025  |
| Total                                                      | .... | .... | 31,073 |
| Deduct amount realised by Court-fees.                      |      | .... | 10,904 |
| Balance of cost debitable to the settlement operations.... |      |      | 20,170 |
| Deduct amount already deposited by the landlord.           | .... |      | 17,300 |
| Balance due to Government                                  | .... | .... | 2,870  |

There does not appear to be any reason why Government or the tenants should contribute towards this expenditure. Not only will the enhancements recoup the Raja in four years, but he has been supplied with a complete and authoritative account of his property and his assets, which for at least thirty years should enable him to prevent his *sherista* falling back into the state of confusion that has hitherto prevailed in it.

614. Along with the *ekhrajat* villages were settled the revenue-free and *khandaiti* villages of Khurda, viz., (1) Garh Atri Oger, (2) Mauza Sana Kumari, (3) Mauza Kapileswar, (4) Mauza Baunsmul, (5) Mauza Darunguli Patna, (6) Garh Haldia, (7) Garh Malipara, (8) Mauza Uparbast, (9) Mauza Bhubaneswar. These require but a very brief mention.

Atri consists of five villages in *zilla* Kuspalla with a total area of 2,309 acres. They were granted in 1858 to the *mathadharis* of the Puri temple in lieu of a former allowance of 560 maunds and 3 seers of salt, and have up to date been held free of revenue.\*

The survey was made in November 1898 and the records prepared at the instance and at the cost of Government. The proprietor, as well as some tenants, filed applications for settlement of fair rents, 710 in all.

The result of these applications was that rents were raised from Rs. 1,056 to Rs. 1,502, or by 46 per cent., on the same lines as rents had been enhanced in the *ekhrajats*. Adding rents in respect of which no application was filed, the rent-roll of the estate comes to Rs. 1,840.

The estimated cost of the operations was Rs. 938, of which Rs. 410 was filed in court-fee stamps. There is nothing to be recovered, as the stamps cover the cost of settlement of rents.

Sanakumari, Kapileswar, and Baunsmul are small revenue-free endowments, surveyed and settled as part of the general operations. The following table sums up the general facts regarding them :—

| Village.   | Area in acres. | Former assets.<br>Rs. | Settled assets.<br>Rs. | Cost of operations.<br>Rs. | Recoveries.<br>Rs. | Balance.<br>Rs. |
|------------|----------------|-----------------------|------------------------|----------------------------|--------------------|-----------------|
| Sanakumari | .... 62        | 93                    | 114                    | 115                        | 33                 | 82              |
| Kapileswar | .... 37        | 22                    | 22                     | 117                        | Nil.               | 117             |
| Baunsmul   | .... 81        | 187                   | 187                    | 92                         | Nil.               | 92              |

\* Board to Commissioner No 185 A of 31st May 1880.

Applications for settlement of rent were only made in Sanakumari, and the proceedings have been paid for by court-fees.

615. Haldia and Malipara are two *khandait* tenures held at a fixed quit rent from before the conquest\* and were recognised by the British Government in 1819. The *khandaits* do not render any service to Government, but regard themselves almost as tributary chiefs, and many of the peculiar customs of the *killajat* estates are found among them in full force.

By Mr. Wilkinson these tenures were surveyed and settled, but in 1880 operations were stopped after the survey. In this settlement they were taken up in order to complete the Khurda *killa* and the survey and record-of-rights were made at the cost of Government.

Much trouble was caused in Haldia owing to disputes between the *khandait* and his brethren as to their rights to the jungle and waste land, and the claims of the latter party to be recorded as co-sharers in the estate. The property was divided at Mr. Wilkinson's settlement into three parts : *nijjat*, or lands in the possession of the *khandhit* himself; *bhaiyabhag*, lands by relations (*bhaiya*) for their maintenance; and *kotbhag*, the residue. It is the rights over this latter portion which have formed the subject of dispute, and it has been held that the '*bhaiyas*' have no title except to graze their cattle on and take fuel from the waste lands and jungle. A curious feature of some of the tenures in the *bhaiyabhag* is that part only of the rent is payable to the assignee and the rest to the *khandayat*.

The whole cost of settlement has been borne by Government and no applications filed for settlement of rents.

The following table summarises the principal facts :—

| Garh.        | Number of villages. | AREA IN ACRES      |                     | Number of tenants, | Rental    | Cost of operations. |
|--------------|---------------------|--------------------|---------------------|--------------------|-----------|---------------------|
|              |                     | Former Settlement. | Present Settlement. |                    |           |                     |
| Haldia ....  | 5                   | 5,130              | 4,984               | 1,984              | Rs. 1,602 | Rs. 1,438           |
| Malipara.... | 5                   | 5,237              | 4,725               | 1,099              | 928       | 823                 |
| Total ....   | 10                  | 10,367             | 9,713               | 3,083              | 2,530     | 2,261               |

The loss of area is due to the decision of a boundary dispute with Dompura after the survey of 1880.

616. Mauza Uparbast is a small revenue-free property of 371 acres. In 1896 the proprietor applied for a survey and the preparation of a record-of-rights. The work was carried out in 1898 by Babu Jagannath Dutt, who also settled rents for 218 tenants, and enhancement of  $3\frac{1}{2}$  annas per rupee being made on the ground of rise in prices. Assets were thus raised from Rs. 274 to Rs. 397, or by 45 per cent. The cost of the operations has been Rs. 390, the whole of which has been by the proprietor† and the balance of his deposit is to be refunded under Board's order No. 405 A., of 13th December, 1899.

617. The temples of Bhubaneswar are sacred to the worship of Lingraj Mahaprabhu, and are said by Mr. Sen to owe their origin to the Kuma Brahmins (see also chapter of this report). They are supported by an endowment consisting of eight villages in the Khurda subdivision of the Puri District, besides several small holdings scattered over adjacent Thanas. These lands are under the control of a Committee, of which Babu Priyanath Chatterji, M. A., B. L., is the managing member.

In Mr. Wilkinson's settlement of 1837, but not since then, a detailed survey had been made of the property, and on the 25th September, 1897 the Committee applied under Section 103 of the Bengal Tenancy Act for a survey and preparation of a record of-rights. The settlement was sanctioned by the Board of Revenue, and the work was taken up under the general notification for the survey and settlement of Khurda.

\* Vide pages 44 to 56, Volume III of Khurda Selections.

† Board's letter No. 405 A, Dated 13th December 1899.

The villages in respect of which the application was made were eight in number, viz :—

| Sl. No. | Name of village. | General number in Collector's Register B. Part-1. |              | Area (including waste) acres. |
|---------|------------------|---------------------------------------------------|--------------|-------------------------------|
| 1.      | Bhubaneswar      | ....                                              | 1371 to 1376 | 1,176                         |
| 2.      | Mahabir Sasan    | ....                                              | 1370         | 913                           |
| 3.      | Ogarsuan         | ....                                              | 1367         |                               |
| 4.      | Dakhin Nuagaon   | ....                                              | 6357         |                               |
| 5.      | Kuha             | ....                                              | 1353         | 145                           |
| 6.      | Khetrapal        | ....                                              |              | 166                           |
| 7.      | Sundarpada       | ....                                              | 1354 to 1364 | 262                           |
| 8.      | Gangeswar        | ....                                              | 1339         | 77                            |

Of these the last four contain also lands of the Khurda *khaas mahal*, and the record-of-rights was completed in 1897 at the cost of Government. For the remainder the Committee deposited Rs. 1,000, and the work was taken up along with that of the *ekhrajat mahal*. There was a good deal of trouble caused by the claims of *shebaitis* and other hangers-on of the temple to hold lands at quit rents or rent-free, and even now some cases in Bhubaneswar village remain for disposal.

So far, the result of the settlement has been to raise the rent-roll of these four villages from Rs. 1,122 to Rs. 1,543, the increase being due partly to the enhacement of former raiyati rents by three annas in the rupee, and partly to the assessment of lands hitherto held free of rent. The total rental of the endowment, as at present ascertained is Rs. 2,309 assessed on 1,747 acres and a produce rent from 34 acres.

618. Jamuna Jharpara is a small *khandaiti jagir*, of which the settlement was undertaken at the request of the tenants. It has a total area of 494 acres, and the settlement cost Rs. 511, or deducting process fees, Rs. 487. Out of this Rs. 38 has been paid by the raiyats, and proposals for the recovery of the balance have been formulated.\*

619. Though, perhaps, it would have more properly found a place in an earlier section of this report, I cannot finish this chapter without some mention of the peculiar treatment of *jalkar mahals* or fishery estates at the last settlement.

Sometimes the right of fishery was completely diverted from that in the riverbed or riparian estates. The most noteworthy instance is that of the two *jalkar mahals*, Gangahar Jalkar and Nadi Nanpal, which consist of the fishery rights in the waters of the Burabalang Gangahar Shuna, and Khandia Shuna rivers in Balasore, though the river bed was included at the last settlement in the area of the riparian estates.

Another case is to be found in the fisheries of the upper Mahanadi, nearly the whole being assigned to Pargana Panikhand, though the bed of the river is included in *killas* Atgarh and Motri and Patia. Similar anomalies are to be found in the record of the Katjuri fisheries, and have led to many boundary disputes. Sometimes a river was treated as a village, as in the case of the Gobri in Pargana Tikan, of which the area and fishery assets were divided between the two principal estates. Such villages have generally been eliminated in the present survey, and the area of the river included in that of the riparian villages some however, as the *Mahanadi Machhadiya*, still survive.

There is still another *jalkar mahal* in Cuttack "pata Mahanadi" No. 2845. It was purchased from Government by the Raja of Dompura and has been settled with him at a revenue of Rs. 2-9. The Collector should be directed to enquire into the circumstances of this estate.

620. It was at one time suggested that the beds of all navigable river, should be excluded from the estates through which they lay and recorded in the name of Government. Enquiry showed that at the last settlement all river beds had been included in the

\* See Correspondence ending with letter no. 645, of 18th March 1899, from the Settlement officer to the Collector Puri.



area of estates, and further that the channels within the temporarily-settled parganas were not of much value. The proposals were, therefore, after consulting the Advocate-General, dropped as regards Cuttack and Puri. In Balasore, Mr. Kingsford, with the proprietors' consent, recorded in the name of Government the navigable channels, that of the Burabalang excepted.\*

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\* Board to Government, No. 257 A of 25th April 1892 and Director of Land Records to Settlement Officer, Orissa, No. 1491 S. of 30th August 1899.