# FINAL REPORT

ON THE

# SURVEY AND SETTLEMENT OPERATIONS

IN THE

## DISTRICT OF SHAHABAD

1907-1916

BY

J. A. HUBBACK, I.C.S., Late Settlement Officer, Bihar.



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- Kaemi.—Used technically in the record-of-rights as a translation of "settled raiyat".
- Khalsa .- See Jagir.
- Malik.—Used in early Revenue literature for the traditional proprietor of the village, to whom malikana was paid by the person who collected rent from the raiyats (farmer, Zamindar or Amil). In the record-of-rights the word is used for the proprietor of an estate in the modern sense.
- Malikana.—Allowance of a dispossessed proprietor. The word is also used to describe lands retained by ex-proprietors for their subsistence, when parting with an estate.
- Miadl Bandobast.—Temporary settlement, used in the record-of-rights to describe the status of a proprietor, whose revenue is liable to alteration at the end of the period of Settlement.
- Milkist.—The right of a malik, used in the strict and also in the colloquial sense of that word (see malik).
- Mutassal jama.—Gross assets of an estate before deduction on account of local expenses of collection, i.e., allowance to Zamindars and village servants, both in actual cash and in maintenance (nankar) lands and service (chakran) lands.
- Muttarkat.—Properly muttarkat means "various", and is the word used in the Decennial Settlement roll for settlements made with other than the territorial magnates and amils.
- Nagdi.—Cash-rent as opposed to bhaoli produce-rent.
- Nazrana.—The present or "fine" paid on taking settlement of land, or in order to secure recognition of a transfer.
- Paira.—Catch crops sown in after the rice has been transplanted.
- Pakrohi jagirs.—Rent-free tenancies granted to persons appointed to watch the roads at every half mile, or quarter of a kos. See paragraphs 160 and 161.
- Rabi.—The spring harvest.
- Sair.—Miscellaneous collections of proprietors such as phalkar (levied on trees), jalkar (rent of fishing rights), etc.
- Salami. Identical with nazarana.
- Sanbharhu —A kind of tenancy, see paragraph 209.
- Sanjhia. A kind of tenancy, see paragraph 207.
- Schsalah —A Register compiled in 1817 by the Board of Commissioners for the Central Provinces, showing the villages comprising estates, so-called, presumably, from being compiled from the accounts of the previous three years.
- Shara Mualyan.—Used in the record-of-rights to signify a raiyat at fixed rent or rate of rent.
- Tanr.—High land unsuitable for growing rice. Mainly confined to hilly tracts, where rice-fields are terraced along the bed of a stream.
- Taufir.—An estate formed by accretion to another estate.
- Thakbast.—The preliminary rough survey of villages carried out by the Collector's staff before the professional Rovenue Survey of 1844-5.
- Waguzasht.—Literally "exempted". Estates of less than 100 acres held revenue-free, which were not assessed to revenue during the Resumption proceedings.
- Wirani.—Land, waste and unoccupied, at the time of the Decennial Settlement, which was consequently left outside the estates then formed.
- Zirat.—Used technically in the record-of-rights for proprietor's private land within the meaning of Chapter XI of the Bengal Tenancy Act.



### FINAL REPORT

ON THE

## SURVEY AND SETTLEMENT OPERATIONS

IN THE

#### DISTRICT OF SHAHABAD

1907—1916.

#### PART I.

#### GENERAL DESCRIPTION.

- 1. Extent of operations.—The present report deals with the operations in the whole of the district of Shahabad, except in so far as portions of the district were excluded from some or all of the operations by notification or by rules applicable to such operations. These excluded portions are made up of (1) area included in the administrative district of Shahabad lying below the southern high bank of the Ganges, (2) area for which a record-of-rights had been previously prepared under Chapter X of the Bengal Tenancy Act, (3) congested urban area in Arrah, Dumraon, Buxar and Sasaram Municipalities. On the other hand it relates to a small area adjoining the district but actually lying for administrative purposes in the district of Saran.
- 2. Boundaries of the district.—The district of Shahabad is bounded on the north by the river Ganges, on the east and south by the river Sone, and for the most part on the north-west and west by the river Karamnasa. It is thus much more closely defined by natural boundaries than most districts of the province. The only boundary which is artificial is that portion of the western boundary which is not defined by the Karamnasa. This boundary runs for the most part through the jungle area of the Kaimur hills, and there has consequently been no occasion for the readjustments of the boundary from time to time, which confuse the statistics of other districts.
- 3. Variations of Criminal jurisdiction.—On the other hand the constant fluctuations of the midstream of the Ganges and to a lesser extent the fluctuations of the course of the Sone near its confluence with the Ganges affect very considerably the area included in the criminal jurisdiction of the district and the area of its component subdivisions.
- 4. Subdivisions and thanas.—The district is divided into four Subdivisions, Sadr, Buxar, Bhabhua and Sasaram. The following table shows the area of the thanas and subdivisions and the number of villages in each:—-

Subdivision.		Thana.		Area in square miles.	Number of villages.	Police-stations (excluding them head-quarters).
1		2	·   	3	.1.	5
1. Sadr	Arrah	1		352	446	Earahra, Sandes.
:	Piro	•••		316	449	Sahar.
	Shahpur	•••		249	297	Jagdishpur.
			İ	917	1,192	

Subdivision.		Tì	iana.		Area in square miles.	Number of villages.	Police-stations (exclu- ding thans head- quarters).
1			2		3	4	5
2. Buxar		Buxar			314	614	Rajpur.
		Dumraon			345	<b>47</b> 0	Barahpur, Nawanagar.
				Ì	659	1,084	
3. Bhabhua		Bhabhua	***		910	1,037	Chand, Chainpur, Adhau-
	ħ.	Mohanea			386	677	ra. Ramgarh, Dargauti Kudia.
					1,296	1,714	
4. Sasaram		Sasaram			684	704	Chenari, Akbarpur.
		Bikramganj	•••		365	693	Dinara.
		Karghar	,		265	502	Nokha.
		Dehri			167	189	Nasriganj.
	:	<b>,</b>		i	1,481	2, 88	
		District T	otals		4,353	₹,078	

5. Explanation of the table.—The areas shown in this table include the tract lying between the northern limit of cadastral survey and the middle of the deep stream of the Ganges, as surveyed topographically in the course of the operations. The number of villages, however, is the number shown on the thana maps, and no account of villages lying in that tract has been taken, as village boundaries were not defined in it.

6. The Ganges diara tract.—The district falls naturally into four main distinctive tracts. The first is the diara and semi-diara tract lying between the Ganges and the main line of the East Indian Railway. It is an exceptionally fertile area, yielding large outturns of all the ordinary rabi crops, which are produced at small cost of cultivation on soil fertilized with Ganges silt.

7. The central plain.—The second forms the bulk of the district and consists of a plain extending south from the main line of the East Indian Railway as far as the Kaimur bills. It is made up, for the most part, of a series of fertile depressions alternating with sandy ridges (which Buchanan\* calls "poor swells"). Towards the west, as the Benarcs and Mirzapur boundaries are approached the soil becomes generally poorer and contains a large proportion of kankar nodules. Towards the south in the neighbourhood of the Grand Trunk Road much of the lower lying land is swampy and inclined to be waterlogged, while the higher land in the north of Mohanea thana and the west of Karghar includes a considerable proportion of rehra, i.e., soil impregnated with carbonate of soda, which renders it of very little value. The rivers flow through the whole tract in deep beds, with clayey banks, and the water consequently cannot be extensively utilized for irrigation. This tract is generally saved from infertility by the Sone Canal system, but the extreme west and north-west of the tract are beyond the scope of its protection and consequently bear very poor crops.

8 The Kaimur Hills—The third division of the district is the tract of the Kaimur hills in the south. These hills rise abruptly from the plain with a rampart of 400 to 500 feet crowned by a sheer precipice of 100 feet or so. The rampart is almost unbroken and there are no outlying spurs with a gentler ascent except between Sasaram and Dehri. Above is a plateau of about 850 square miles in extent rising up to eminences of about 1,200 feet above sea level, and consisting of rolling country covered with scrub jungle and some larger trees. The rivers that flow down from the plateau have made but little impression on the solid rock of the plateau itself, but they fall from it in water-falls of considerable height into

<sup>\*</sup> Dr. Buchanan's report of 1814 Selections from the manuscript were published by Montg. mery Martin in 1838 under the title "History, Antiquities, Topography and Statistics of Eastern India". I have used both this and also the origin I manuscript which is in the India Cffice Library.

deep canons, cut back into the plateau, which again open out into wider valleys still walled in with the steep slopes that are characteristic of the rampart described above. The water-fall of the Karamnasa called "Chhanpathar" on the extreme west of the district, and that near Karar are both very fine, but perhaps the most striking of all is the much smaller fall on the boundary between Dahar and Manradag with its steep plunge down a spiral stairway of a rock into a gloomy ravine full of thick jungle. The valleys of the plateau are cultivated and support a sparse population, while the higher ground is almost entirely left under scrab jungle, where cattle from the plains below are grazed during the dry months. On the eastern edge of the plateau a deep incision is made by Kuriari Koh, forming a broad flat valley of some square miles in extent. This separates off from the main plateau the small plateau of Rohtas, which is bounded on the south and east by the precipices overlooking the Sone valley, and on the north and west by Kuriari Koh, and is joined to the main plateau by a narrow neck on the west.

- 9. The Upper Sone Valley.—The only other tract of importance in the district is the narrow strip of the Sone valley between the plateau and the Sone. This is composed mainly of sandy soil but with the help of irrigation from several small hill streams is cultivated with fair results to a considerable extent.
- 10. Thana Characteristics.—The northern tract comprises about a half of Arrah thana, about one-third of Dunraon and Shahpur thanas, and one-tenth of Buxar thana. The central tract comprises the rest of these thanas and the whole of the Mohanea, Karghar, Bikramganj, Piro and Dehri thanas as well as about half Bhabhua thana and one-third of Sasaram thana. The Kaimur hills comprises half Bhabhua thana and one-third of Sasaram, about 850 square miles, while the remaining third of Sasaram thana consists of the narrow strip of the Sone valley.
- 11. Soils.—The soils of the district are described on page 50 of Mr. O'Malley's Gazetteer. He has omitted to mention the local name of Sigta used in the south of the district for loam in which sand predominates. The prevalence of kankar in the west of the district and the occurrence of stretches of valueless sandy ridges, too high for canal irrigation, also deserve mention.
- 12. Rivers.—The rivers of the district have been exhaustively described on pages 4 to 11 of the Gazetteer.
- 13. Rainfall.—The following table shows the average rainfall at the recording stations of the district, as revised by the Director-General of Observatories in 1913:—

Recording Station	ns.	Jannary.	February.	Mareh,	Aprill.	Mey.	June.	July.	August,	September.	October.	November,	Doorn.ber.	Arnaa'.
		2	3	4	5	G	7	8	9 -	10	11	12	13	14
1. Buxar		0.74	0.61	0.32	0.19	0.71	5.55	11 37	11:30	6.85	2.82	0.31	0:18	40.68
2. Dehri		0.63	0.76	0 48	0.50	0.72	6.21	10:93	12 33	6.91	2.04	18.0	0.22	41'-0
3. Bhabhna		0.20	0.85	0.43	0.18	0.47	5.23	11.42	12:00	7∵8	2 57	0 48	0.55	42:03
4. Sasaram		0.64	0.72	0.32	0.51	0.85	5.74	11:48	12190	7:19	2.24	0.28	0.18	43153
5. Arrah		0.77	0.68	0. 10	0.28	1.58	6:37	12:12	11:07	6*96	2.20	0.12	0.14	43114
6, Mohanca		0.80	0.75	0.11	0.58	0 32	5110	11507	12:29	6.8:	2.24	0.23	0.58	4195
7. Agiaon	}	0.20	0.83	0.53	0.59	0.60	7 68	11.35	10°06	7:34	2 20	0.58	0°u7	41:60
8. Rami agar		0.74	0.85	0.10	0.50	0.70	0.01	11 54	10 00	6.5.	1.55	0.12	0°c4i	38.51
9. Koath		0.08	1.02	0.27	0.25	0.20	5.36	11'98	11502	6:89	1.84	0.25	0.13	49:77
te, Sikraul	ļ	0.71	0.83	0.24	0:17	0.09	5127	11:05	11:21	6.21	1.81	0 27	0.11	28:92
11. Bassowan		0.25	1 14	0.26	0'18	<b>9</b> :39	5.79	11.92	12'23	7-71	2.71	0.12	0.35	43:20
12. Manoharpur		0.71	1 16	0.25	0.25	0:57	5:77	11 28	15:03	7:03	2°37	0 25	0.11	41.78
12. Albarpur		1:01	1*83	0.33	1.25	0.10	9 5	8 62	13*19	9143	0.62	0.10	0.07	46.73
District Average	}	0.7.	0.83	0.30	6.30	0.63	6.08	11 32	11.78	7 21	2.14	0.722	0.16	41.33

The first six stations have been established for 25 years or more, the next six for nearly 20 years, but Akbarpur had been a recording station for less than ten years in 1913, and hence no great importance can be attached to the figures for it. Generally the averages are slightly higher in the south of the district, but Dehri is about normal, while Arrah itself is distinctly above normal.

- 14. Health.—The health of the district is discussed at length in Chapter IV of the Gazetteer, and no new facts have, as far as I know, been brought to light. It is very generally believed that the advent of the Canals increased the prevalence of malaria as practically all officers who worked in the district report this belief. But it appears that as far as researches have been pursued the belief is ill-founded. Plague was raging in the northern thanas during the operations, and the villagers had become thoroughly accustomed to spending a good part of the cold weather in temporary huts outside their villages.
- 15. Health in the Kaimur Hilis.—The Kaimur hills have the reputation of being very unhealthy for foreigners, and accordingly arrangements were made for a Civil Hospital Assistant to be stationed at Adhaura during the Cadastral Survey and Khanapuri season of 1910-11. But it was not found that his services were required to any considerable extent. It is probable that the tract is healthy enough for any one, natives or foreigners, except during the rains when the drinking water is apt to get polluted with the decoctions of jungle products in various stages of decomposition. Fortunately field work in the hills was carried through promptly and there was consequently no opportunity to investigate the climate at that period of the year. At the same time it was found desirable to engage a house in Akharpur during the field season of 1911-12 to be used by inspectors, amins and tindals convalescing from fever contracted during their work in the eastern portion of the hills.
- 16. Natural Calamitics.—The subject of natural calamities in Shahabad district has been adequately dealt with in Chapter VI of the Gazetteer and nothing worthy of note has occurred since that was written. The district may be regarded as practically immune from famine except for the south-western and western portion of the central plain, where the facilities for irrigation are either wanting or inadequately utilized. There is a scheme now before the Local Governments of Bihar and Orissa and the United Provinces for irrigation from the Karamnasa, a project which has been considered more than once before, and should that prove practicable the whole district will be protected, except the Kaimur hills. There the people have the numerous jungle products as a food reserve and even in the famine years of 1896-7, these afforded an important alleviation of the distress.
- 17. Communications, Railways and Canals.—Communications have been distinctly improved since the Gazetteer was written. Besides the main line of the East Indian Railway and the Moghulsarai-Gaya portion of the Grand Chord, there is now a Light Railway from Arrah to Sasaram along the District Board road, and another from Dehri-on-Sone to Akbarpur, near to the ghat which leads up to Rohtasgarh. The latter is largely used for transport of limestone quarried on the slope of the hills. The Canal Steamer service is still kept up on the Dehri-Arrah Canal, and the main canals are still used to some extent for traffic by country boats. The revenue derived from tolls in 1914-15 was Rs. 13,656 and in 1915-16 Rs. 10,536 as against an average of Rs. 87,000 for the four years preceding 1900, Rs. 36,507 in 1900-1 and Rs. 22,708 in 1903-4. Nearly Rs. 67,00,000 was spent in making the canals first-class navigation lines.
- 18. Roads.—Two hundred and fifteen miles of metalled road and 548 miles of unmetalled road are maintained by the District Board, while 1,254 miles of unmetalled road are maintained by the Local Boards. The Grand Trunk Road, which is maintained by the Public Works Department, runs through the district for a length of 58 miles. A considerable length of Canal service roads is also maintained by that Department, but it is not available for public traffic without the permission of the Superintending

- Engineer. Details of the principal roads may be found in the District Gazetteer. The policy of the District Board has been to concentrate rather on maintaining in good condition the metalled roads than on improving the less important highways. As a result anything except a metalled road is usually very indifferent for the first two months of the cold weather, i.e., until the insufficient culverts, which have been washed out in the rains, have been repaired.
- 19. Postal and Telegraph facilities.—The district contains 103 Post Offices and 25 Telegraph Offices.
- 20. Population and occupations.—I have discussed these subjects in Part V in connection with the material condition of the agriculturists.
- 21. Manufactures.—The manufactures of the district are described at some length in Chapter IX of the Gazetteer. The only industry that has made much progress in recent years is the quarrying of limestone from the precipices of the Kaimur hills. This has been developed considerably by the opening of the Dehri-Rohtas Light Railway, and important works for burning the lime have been erected at Dehri. There is a small industry consisting of the manufacture of cups, etc., by Gonds at Khajopur Paturia in Bhabhua thana from a brown stone of low specific gravity. This stone when treated with oil turns a fine black colour.
- Castes.—The account of the principal castes found in the district, which is given in the Gazetteer, is generally adequate. But the references to the Kharwar, who form the most important element in the population of the Kaimur hills, are somewhat scanty. It may be of interest to supplement these references from an account given by Mr. H. D. Christian, the Subdivisional Officer of Bhabhua.
- 22. Origin of the Kharwars.—The Kharwars are a Kolarian cultivating tribe occupying the tableland to the south of the district. They are unmixed with any other tribe and are some of the purest aborigines to be found in India. They are allied to the Kharwars of Palamau. There is little doubt that they are the original inhabitants of the plateau and congeners of the Mundas and Cheros who were the first occupiers of Shahabad and the neighbouring districts. At the time of their immigration into the district in pre-Buddhistic times, the Mundas, Cheros, Kharwars, Bharwars and others were probably much more closely allied than they are now and consisted of sub-tribes of which the Chero seems to have been the chief.
- 23. Separation from the Mundas.—Some time before the commencement of the Christian era the Mundas and some other sub-tribes moved to Chota Nagpur, probably owing to economic causes, followed at a much later date (about the 6th century A.D.) by the bulk of the Cheros and Kharwars of the plains on the decline of the Chero power. The latter had by now adopted in turn Buddhism and Hinduism.
- 24. Language.—The language spoken by these sub-tribes prior to their emigration was similar to that still spoken by the Mundas in Chota Nagpur though at the present day there is no trace of it among the Kharwars and Cheros who seem to have abandoned it with their old beliefs.
- 25. Suiris.—The Suiris, whom tradition in Shahabad says, were the former occupiers of the district, were the same people, Suiri being the general name applied by the Aryans to all the sub-tribes above mentioned and being derived apparently from Asur. The remnants of these people are to be found in the Mushars, Binds, Rajwars, Bhogtas, Bhuinhas and others. The Kharwars alone in the hills remained on comparatively unmolested.
- 26. Present Social Status of Kharwars.—The Kharwars have to a certain extent become Hinduized, claim to be Surajbans and Sombans Rajputs and generally wear the sacred thread. Their social status is good as water is taken at their hands. Beef is forbidden them but not pig's flesh and intoxicating liquors are never drunk. There are several endogamous divisions among them of which the most clearly defined are the Bhogta and Raut. The Manjhi is also a division but none of the other Kharwars marry or eat with a large proportion of them. Throughout the tribe the form of exogamy practised is

the usual one prohibiting intermarriage within certain degrees of collateral relationship. Infant and adult marriage are both admitted but the former is considered more respectable. A widow is permitted to marry again by the Sagai form. Indiscretions within the caste are generally leniently dealt with but not so with persons outside the caste in which case the woman is turned adrift. Instances of intermarriage with the Kharwars of Palamau are fairly common.

- 27. Points of similarity with Mundas.—Very distinct traces exist of the original identity of the Kharwars with the Mundas, notably with regard to certain animistic beliefs, the existence of the baiga or village priest and their dances of which practically the only one left is the Karam. Women join in these dances but are grouped separately from the men. Throughout the plateau will be found villages bearing such distinctive Mundari names as Diridag, Darihara, Sarodag, Sarawandag, Oldag, Kuba, Okhargara, etc.
- 28. Grouping of villages.—All villages in the hills are in groups of from four or five to twenty, termed mahals or talukas; there is a chief village in each group, of which the headman, or chaudhri, as he is termed, is the headman of the group or taluka, and within living memory, in the case of some of the talukas the rent of each village in the taluka was realized by this headman from the village headmen and paid to the landlord. This proves the existence till quite recently of the Mundari parha system as regards rent. Even to the present matters of importance are referred to the parha headman and panchayat of village headmen and others, minor affairs being settled by the village headman and panchayat.
- 29. The headman and the baiga.—Again in each village of the taluka or parha there is a headman and priest, the baiga. The offices are frequently vested in the same man. The office of "baiga" is governed invariably by the law of primogeniture but that of headman is not; theoretically it should pass to the most intelligent and go-ahead person in the village, though generally it goes to the most intelligent of the late headman's sons. His principal function is religious. He worships the forest deities in Chait towards the east of the village, in Sawan towards the west, and in Aghan at the threshing floor, called locally pithar. No raiyat will sow his lands, or plant out his paddy seedlings, or cut the crop, until the baiga goes to the raiyat's lands and starts the work. The crops are not removed from the pithar until the baiga has completed the Aghani worship. The baiga is also consulted as to the auspicious day, dahi, for cutting wood from the jungle for wood ashes which are used as manure. He is also called upon for special ceremonies in case of epidemics or attacks of tigers and leopards. He is paid by a bundle of paddy from each raiyat's fields which he cuts himself, locally known as Alo or  $Panch\ Ansi$ . He also gets a portion of the threshed grain from the pithar and about five seers of Mahua flowers from each raiyat. Besides this he holds half a jiwan as a jagir from the landlord, and is provided by the village with goats, pigs, fowls, or sheep, required for his sacrifices. The office is hereditary by the law of primogeniture and the emblem of office, the sacrificial knife; is passed on from father to son. The baigai jagir is of course impartible.
- 30. Burial and marriage customs.—The present burial and marriage customs of the Kharwars are of no particular interest as they have been comparatively recently borrowed from Hinduism and do not materially differ from those of the lower castes of Hindus.
- 31. Rent customs.—Mr. Christian is of opinion that in a large number of villages at the present day what is termed the Mundari khuntkatti system is still in force. Here the cultivation and forest are divided up among the descendants of the original settlers and each man pays a fixed sum, according to his share, to the headman who adds his own share and pays the whole to the landlord. This they term the nazar, the Mundas call it chanda. This question will be found discussed in paragraph 475.

#### PART II.

#### LAND REVENUE ADMINISTRATION.

32. Variation in the constitution of the district.—It might perhaps have been expected that a tract like the district of Shahabad bounded as it is for the most part by rivers, two great and one considerable, would, except for the alteral tion of the courses of those rivers, have preserved its entity as a revenue unit from the earliest period of organized revenue administration without materia variation. This is not, however, the case, and I propose to describe briefly the changes that have taken place. A parganawar map of the district reduced from a map founded on the Revenue Survey of 1844-5 and placed at the end of this report, should be consulted in connection with this chapter.

#### THE MUHAMMADAN PERIOD.

- 33. The parganas.—According to Akbar's assessment of 1582 the Sarkar of Rohtas comprised seven parganas in the division of Sasaram and eleven in the division of Bhojpur. The same specification of parganas was preserved in the assessment of 1685, and in Ali Vardi Khan's assessment of 1750, although by the time of the 1685 assessment the two divisions had been constituted Sarkars under the names of Rohtas and Shahabad. Rohtas contained the parganas Haveli Rohtas, Chainpur, Sasaram, Siris, Kutumba, Chipla (Japla) and Palauncha (Belaunja). The first three are now part of the district and cover approximately the modern thanas of Mohanea, Bhabtua and Sasaram. Siris and Kutumba are now included in Gaya district, while Japla and Belaunja are now in Palamau district. The eleven parganas of Shahabad Sarkar were apparently Bhojpur, Bihia, Piro, Nonaur, Arrah, Danwar, Pawarah, Barahgaon, with Ratanpur, Kotah and Mangror. The first eight are still part of the district and a ninth was added between 1750 and 1765 by the revival of Dinarah pargana, which is mentioned in the Ain Akbari, but had been united to Danwar. The last three were dismembered from Subah Bihar and acquired by Balwant Singh, father of Chait Singh of Benares, and annexed to Sarkar Chunar between the same dates. Finally pargana Chausa, which was formerly a part of Sarkar Ghazipur, was added to the district of Shahabad in 1818. The above information is derived principally from Grant's analysis printed with the "Fifth Report."\* I do not think it worth while to give his figures for areas, as I have no means of checking his calculations of bighas.
- 34. The assessment.—The total assessment of 1582 on the Sarkar of Rohtas as then constituted was Rs. 4,03,765 for division Sasaram, and Rs. 6,18,221 for division Bhojpur, or Rs. 10,21,986 for the whole Sarkar. This would be the complete "mufassal jama", within which undoubtedly was included a mere estimate of the potential value of unmeasured land particularly in the hilly tracts lying in division Sasaram. The gross mufassal jama included the allowance for mufassal expenses of collection, i.e., allowances to zamindars and village servants, both in actual cash and in maintenance (nankar) lands and service (chakaran) lands. Even after making this reduction, it should be remembered that the net Sadr jama was divided between khalsa, the revenue payable to the Imperial Exchequer, and jugir, the income of which was assigned for the support of the local superior administration. Mr. Grant suggested for the whole of Subah Bihar that the khalsa absorbed one-third and the assignments in jagir two-thirds of the Sadr jama. As a rough guess it may be put down that the actual collection from Sarkar Rohtas for the Imperial exchequer was in 1582 Rs. 2,50,000 while Rs. 5,00,000 was assigned to the local administration in jagir.
- 35. Reassessment in 1685 and 1750.—The effect of the revision in 1685 was to raise the gross assessment of Sarkar Rohtas, formerly the division of Sasaram, from Rs. 4,03,765 to Rs. 4,55,538 and that of Sarkar Shahabad, formerly the division of Bhojpur, from Rs. 6,18,221 to Rs. 7,77,295 (I have transposed Grant's figures which are almost certainly inverted). The total gross assessment was therefore Rs. 12,32,833. The next revision of 1750 raised the assessments again to Rs. 5,39,565 for Sarkar Rohtas and to Rs. 8,26,845 for Sarkar Shahabad, or Rs. 13,66,410.

<sup>\*</sup> Fifth Report of the Select Committee of the House of Commons on the affairs of the East India Company (1812).

These increases were to a large extent brought about as in the rest of Bihar by the salutary practice of resuming jagirs from time to time and granting other tracts in jagir for the support of the local administration, thus gradually obtaining for the Imperial Exchequer the advantage of the increase of cultivation brought about by the care bestowed on the jagir lands by the local officer who derived their support from them.

36. Kasim Ali's assessment.—Kasim Ali between 1750 and 1765 forced up the assessment enormously. Sarkar Rohtas was assessed by him at a total of Rs. 13,94,218 and Sarkar Shahabad at a total of Rs. 15,47,055, thus more than doubling the total assessment of the two Sarkars, although by the time of his assessment the parganas of Ratanpur, Kotah and Mangror, valued gross in the 1750 assessment at Rs. 1,17,634 had been dismembered. At the same time, it may be remarked that in 1812, Buchanan estimated the gross value of the produce of the Shahabad district at about Rs. 1,20,00,000. The fourth part of this, which on the theory of Akbar's assessment was payable by the cultivator to the State, whether to be absorbed as mufassal zamindari charges or as jagir for the support of the local administration, or to be actually credited to the Khalsa, would be Rs. 30,00,000. The district had between 1763 and 1812 lost Siris, Kutumba, Japla and Belauncha parganas of which the asal fixed by Kasim Ali appears to have been Rs. 5,71,607. Hence his assessment for the district as constituted in 1812 was probably Rs. 23,66,666 inclusive of zamindari and jagir allowances. No doubt in the intervening 50 years there was a considerable extension of cultivation and the value of produce rose in terms of silver. But it is open to doubt, whether Kasim Ali's assessment, in this district at any rate, was so grossly excessive, as it is usually supposed to have been, assuming that he was aiming at recovering for the State the traditional share of the gross produce of the land. It may too be observed that even now 20 per cent of the total cultivated land held by raivats is held on produce-rent and in Buchanan's time, according to a rough calculation from one of his tables, it may be taken that 70 per cent. was so held. Further, from passages in his account, it appears that cash-rents had been recently introduced in various places, so that in Kasim Ali's time it may be safely assumed that at least 75 per cent of the land was held on produce-rent. For such lands even under the comparatively lenient systems of produce rent found in Shahabad, it is probable that at least 30 per cent of the gross produce is paid as rent and this would naturally cause the collections of the zamindars throughout the district to average considerably more than the one-fourth of the gross produce actually due to them on the original theory of assessment.

#### EARLY BRITISH PERIOD.

37. The assessment of 1766.—Be this as it may, in actual fact the assessment of Kasim Ali was for the most part rejected by Muhammad Reza Khan in 1766 and the assessment of 1750 taken by him as the basis of his net assessment. The details for the parganas, which now fall within the district are given in the table in paragraph 60 below. It may be interesting to show how the various parganas were treated. Haveli Rohtas, which was rated at Rs. 30,882 in 1750. was divided amongst the mokaddims or head raiyats, no doubt the Kharwar Chaudhris, and all collections absorbed in 1766 by them. Chainpur of which the asal in 1750 was Rs. 96,161 was settled principally with Arimerdan Singh while Sasaram (asal in 1750, Rs. 2,43,000), was settled with Babu Jagarnath Singh. and his brother Sinaut Singh, whose relations with the proprietors of many villages. of the pargana caused so much trouble during the decennial settlement (vide pages 626 to 630 of the "Fifth Report"). It is evident that Muhammad Reza Khan here distrusted the assessment of 1750, for he settled the two parganas at a net jama of Rs. 3,94,973, i.e., after making allowances for zamindari charges, as against the total asal jama in 1750 of Rs. 3,39,161. Kasim Ali had fixed the asal for these pargunas at Rs. 7,88,729.

In Sarkar Shahabad the asal of the nine parganas now included within the district was, in 1750, Rs. 7,09,211, and this Muhammad Reza Khan reduced by deductions on account of zamindari charges to a net jama of Rs. 6,09,268.

38. The Revenue Council.—The finances of the district were left entirely to the charge of the native agency from 1765 to 1769, although the Chief of Patna

controlled the collections made under the immediate management of Sitab Rai, Dewan of Bihar. In the latter year supervisors were appointed and in 1772 the Revenue Council at Patna was constituted. The supervisors were directed among other matters to obtain "a summary history of the provinces; the state, produce and capacity of the lands; the amount of the revenues; the cesses or arbitrary taxes; and of all demands whatsoever which are made on the cultivators, the manner of collecting them; and the gradual rise of every new impost".

- 39. The assumption of the full powers of Dewan.—The reports derived from the Supervisors revealed such confusion and oppression that the Court of Directors resolved in 1772 "to stand forth as Dewan, and by the agency of the Company's servants, to take upon themselves the entire care and management of the revenues". Under this resolution the Supervisors became Collectors and with the help of native officers, styled Dewans, chosen by the Board of Revenue, now constituted at Calcutta, proceeded to carry out a farming settlement of five years. The renters in Shahabad appear to have been as ignorant of the actual resources of the tracts for which they bid, as in other parts of Bihar, and the result of their speculations and consequent oppression was disastrous alike to the cultivators and to the public revenues. The system of farming the revenues throughout the provinces of Bengal and Bihar having failed, the European Collectors were recalled in 1774 and native amils substituted. The six provincial councils for the superintendence of the Revenue were constituted, Shahabad of course falling within the jurisdiction of the Patna Council.
- 40. Abolition of Provincial Councils.—This arrangement continued till 1781, when the provincial councils were abolished and Subah Bihar, except for Saran, was placed under the charge of Mr. Maxwell as Revenue Chief, subject to the supervision of the newly-constituted Committee of Revenue at Calcutta. In the meantime in view of the expiry of the quinquennial settlement in 1777 a temporary commission of three of the most experienced Civil servants had been appointed to collect the most exact information of the real produce or value of the lands. The information was collected through native Amins and on their reports annual settlements were made for 1778, 1779 and 1780. These settlements were made with the "Zamindars" of the time prior to 1765 for the most part, viz., as Mr. James in his Patna Final Report describes them "the territorial magnates and the more or less permanent farmers of the later years of Mughal rule".
- 41. Farming Settlements.—On the abolition of the provincial councils, Kallian Singh obtained the farm of the whole of the Subah Bihar, except Sarkar Saran, and divided it with his Naib Dewan, Raja Khiali Ram. The result of this arrangement is fully described by Mr. James in his Patna Report and I need only detail how it affected Shahabad.

Sarkar Shahabad fell partly to the share of Kallian Singh and partly to Khiali Ram, while Sarkar Rohtas went to Khiali Ram. However in both Sarkars mismanagement was rife, and in February 1782 Samuel Charters, the Patna Chief, submitted proposals for the farming of pargana Pawarah and the settlement of Chainpur and Sasaram with Mustafa Kuli Khan, minor son of Reza Kuli Khan, a former renter of these parganas. As regards the latter he noted that they were in better condition than any others held by Khiali Ram, but that "he had already seized upon all the free lands of every denomination, the first step towards the introduction of his system of ruin in that quarter". By June 1782 Charters had been succeeded by Mr. W. A. Brooke as Patna Chief. He proposed five years' farming leases for Arrah, Bihia, Bhojpur and Barahgaon, on the ground that the present farmers, who were Raja Bikramajit Singh and Babu Bhupnarain Singh were incapable of managing so large a property and were being oppressive to the raiyats. He visited Shahabad in July of that year and dispossessed the two principal farmers and records that the petty farmers and raivats were highly pleased and started cultivation, which had been neglected up to that date. Dinarah and Danwar were settled with Santoki Rai for five years, part of Bihia with his son Silat Ram for three years,

Piro, Nonaur and Pawarah continued with Bhupnarain for three years, Bhojpur, part of Bihia, Arrah and Barahgaon were kept khas, i.e., let out to raiyats or petty farmers.

42. Brooke's proposals for farming.—The arrangement of holding the last named parganas khas was not much better than the previous one for the interests of Government, and in July 1783 Mr. Brooke submitted fresh proposals for the farming of these parganas for five years, 1191 to 1195. He proposed to let Bhojpur to Mustafa Kuli Khan at a revenue rising gradually from Rs. 1,00,000 to Rs. 1,34,227, Arrah and Barahgaon to Baijnath Singh on revenue from Rs. 1,11,000 to Rs. 1,19,600 and Rs. 15,000 to Rs. 17,811 respectively, and the portion of Bihia to Sheikh Wali Muhammad on revenue from Rs. 43,000 to Rs. 54,378. The average collections of sadr jama from 1187 to 1190 had been, Bhojpur Rs. 1,11,551, Arrah and Barahgaon Rs. 1,13,998 and Bihia Rs. 42,773. Mr. Brooke said that he had so many instances of bad management of Amani Amils (i.e., tahsildars of Government Estates, in modern parlance) that he was now induced to recommend the acceptance of the enclosed proposals, being confident that should the parganas remain Amani, it would be a loss to Government. He asked, however, that if Amani management was to be continued, he might have authority to sign pattas, "as the raiyats have been so constantly deceived by the Amils that they have not the least trust or confidence in them".

At the request of the Revenue Committee he submitted a detailed account of the demand in Sarkar Shahabad which was as follows:—

				Amani.	Farmed.
		4	220	Rs.	Rs.
Bhojpur	•••			1,34,227	•••
Mofarakat Bihia			<b>%</b>	54,378	***
Taluka Bihia	•••	WHO SHE	Ø	•••	<b>42,5</b> 78
Arrah	•••	721734	<b>\</b>	1,19,601	***
Barahgaon	•••			17,811	•••
Danwar	•••			444	40,751
Dinarah	•••	सन्त्रमेव ज	ाने स्ते	•••	11,457
			•	3,26,017	94,786
				4,20,5	803
Piro and Nonaur		•••	•••	71,0	000
Pawarah	•••	•••	•••	32,	Farmed with Bhupnarain.
		Total		5,24,	208
					<del></del>

This may be compared with the net jama stated by Grant to be Rs. 6,09,268 in 1766.

43. Shore's deputation.—The Revenue Committee were, however, by now not content to leave the local officers with nothing but the control they could exercise from Calcutta, and so when Shore offered his services to form a new settlement for Bihar Province and to effect as far as possible a recovery of the balances, they were gladly accepted. The balances of the collections in Mr. Brooke's charge, roughly the present Patna Commissionership, were in 1783 no less than Rs. 4,59,000.

Shore reported on 18th December, 1783, and his solution for Shahabad was to lease the whole of the two Sarkars, to Ahmad Ali Khan, who was already the lessee of Rohtas Sarkar, i.e., Chainpur and Sasaram parganas.

The total jama was fixed at Rs. 9,10,208, i.e., Rs. 5,24,208 for Sarkar Shahabad and Rs. 3,86,000\* for Rohtas.

However, in November 1785, Ahmad Ali Khan petitioned to be allowed to relinquish the settlement of Sarkar Shahabad "owing to the notorious refractoriness of the Shahabad raiyats and the want of support from the Huzzoori to assist me in the losses which I have sustained by the Faujedarry Adawlat," and also complained of the interference tin his collection of Sair by the establishment of the custom house at Chausa.

- 44. Proposals of a Mukarrari Settlement.—Thomas Law, who was then Collector of Rohtas, had in March of that year recommended that Ahmad Ali Khan should be granted a mukarrari settlement of the two Sarkars for his lifetime. This the Board of Revenue had refused as "an unwarrantable supersession of the hereditary rights of the zamindars and a direct violation of the orders of the Governor General in Council". Already the idea of a Permanent Settlement was in Law's mind, and the Board had already made up their minds that the real maliks should get the benefit of any such arrangement. Both Brooke as Patna Chief and Law supported Ahmad Ali Khan's petition to relinquish Shahabad and this was agreed to, on fairly generous terms as regards balances. Sarkar Shahabad was then farmed for one year with Dast Dewan Singh, brother of Raja Bikramjit Singh.
- 45. Brooke as first Collector of Shahabad.—In 1787 Brooke, who had been Collector of Patna for a short time, was appointed the first Collector of Shahabad as a new revenue and administrative unit. Rohtas was annexed to Shahabad to form his charge in accordance with the rearrangement of charges throughout Bihar and Bengal, which was carried through by Shore at the request of the Governor General in April 1787. Brooke took over charge on the 21st September 1787. It was decided to hold Sarkar Shahabad khas as the country had suffered very considerably during the management of Dast Dewan Singh; Chainpur, Sasaram and Haveli Rohtas were to continue to be farmed by Ahmad Ali Khan and others. Dast Dewan Singh was the nominal farmer, but no doubt Raja Bikramajit Singh, his brother, was actually so regarded in the mufassal, as appears from Brooke's letter of 15th October 1787 in which he announces his intentions regarding the Settlement.†

"I have been favoured with your letter of the 21st ultimo intimating to me your instructions of keeping this district khas for this year, with instructions for forming a mufassal Settlement accordingly. It has ever been my wish to have a Settlement made on these terms, and it is particularly fortunate for this country that you have been pleased to adopt this mode, by which the raiyat may depend on receiving a proper recompense for his labour. The raiyats of this Sarkar were so much oppressed in the course of last year by Raja Bikramajit Singh's Amla, notwithstanding all my endeavours to prevent it that they have scarcely recovered themselves yet, and there has been little or no cultivation for the bhadai and kharif harvests; my time has therefore been necessarily employed since my arrival here, in promising the raiyats their just shares of grain by which alone substantial justice can be done and without which it would be impossible to induce them to cultivate for the rabi harvest, the heaviest in this district. They are now satisfied and I have the pleasure to hear that raiyats who had run off on account of the apprehension of the Raja's Amla, are daily returning. This will, I trust, insure plentiful crops, but it will be impossible to form a Settlement till I have properly ascertained the jaidad ‡ of each pargana and this cannot be as yet done as the waters are not sufficiently run off from the lower grounds to admit of ploughing. I intend to make a Settlement of every village in such a manner as to secure the raiyat his just share. By observing this rule the raiyats will all be happy and for the next year a great increase of cultivation may be expected and of course an addition to the jama."

This experience of *khas* management was clearly of immense value to Brooke, and perhaps the partial failure of the permanent settlement in Rohtas may be ascribed to the fact that he had not the same experience there.

<sup>\*</sup> The copy of Shore's Report in the Bengal Revenue Consultations gives Rs. 2,85,000 which is a clorical error.

<sup>+</sup> Consultation 37 of 26th October 1787.

<sup>‡</sup> i.e. Area under cultivation.

46. Shore's minute regarding the khas Settlement.—Brooke had received specific instructions from the Board for the settlement of Sarkar Shahabad on the basis of Shore's minute of September 20th, 1787, which ran as follows:—

"Notwithstanding the ill-success which has generally attended a khas Settlement, alRevenue Consultation. 20th September 1787.

Though thought to be the most advantageous for Government, yet considering the present circumstances of Shahabad I am induced to recommend this mode in preference to any other and that the Collector should be immediately ordered to commence it. The instructions for this purpose, may be strict and comprise the following objects:—

That the taxes asserted to be levied by the Amils in defiance of public prohibitions be abolished.

That the terms of the pattas of whatever nature be precise and not discretional.

That the *Mufassal* charge be precisely determined according to the established rates whenever they can be satisfactorily ascertained or that where that is not the case, they be fixed from the average of a number of years, allowing even a diminution when they are heavy and oppressive, and that the rates be published.

That the kistbandis be regulated according to the season of the harvests.

That in the formation of the jama, the halhasil and jama wasil baki of the proceeding year be made the ground work.

That the charges of the Amins and Sezawals whom it may be necessary to employ be fixed at moderate rates and the amount thereof deducted from the gross mufassal jama.

That having completed the settlement the Collector be directed to communicate to the Board a particular account of the formation thereof, stating in the fullest manner his reasons for any deductions from the 'jama.' ''

Of course, Shore meant this 'khas' management to be a preparation for the Decennial Settlement, for which active measures were already being taken.

- 47. Board's orders regarding the Decennial Settlement.—Brooke's administration of Sarkar Shahabad, held khas, during 1787-8 was a great success and earned the encomium of Government. He was apparently equally well satisfied with Ahmad Ali Khan's behaviour in Sasaram and Chainpur as he recommended in September 1788 that he should retain the farm of these two parganas for the next year and also that the Decennial Settlement should be made with him. To the latter proposal the Board demurred until they should be satisfied that settlement with the village maliks was impracticable. In August 1788 Brooke received the instructions of the Board with regard to the formation of the Decennial Settlement. With respect to Shahabad Sarkar, these were that the settlement might be made with Raja Bikramjit Singh for the estates of which he was proprietor provided he liquidated the balances for 1194 Fasti for which he was under restraint. But the settlement for estates of which the Raja was not proprietor, although included in his Raj, was to be made with the actual Zamindars, as far as possible, except those held by a mukarrari tenure, (i.e., Pargana Pawarah). The decision was left to Brooke according to the judgment which he might form of the success and practicability of the measure, "in doing which, the questions which occur for your consideration are these: whether the security to Government for the rents will be as substantial, as under the farming system, whether the multiplication of renters will be too great to admit of the requisite attention to the Settlement and collections, and whether the whole business upon the proposed plan may not be too detailed to admit of a sufficient degree of attention to the due conduct of it". The question of any increase or decrease in the amount of the jama was left to Brooke's experience, subject to the order that any final deduction required the Board's sanction and on the other hand to Lord Cornwallis' refusal to recommend "an augmentation of the rental, distressful to the zamindars and renters or such as shall occasion the necessity of remissions at the end of the year ".
- 48. Brooke's inquiries and views.—In April 1789, Brooke sought further guidance about the Decennial Settlement in particular whether Raja Bikramajit Singh's malikana villages should be re-united to the khutsa, whether other holders of Malikana land should receive settlement for the ninetenths of their zamindaris renounced, whether the settlement should be on

the highest or the average jama of the last few years, and whether an increase was expected, and if so whether immediate or progressive. As regards the last point he strongly advised against basing a settlement on the produce of the ensuing year, in view of the fact that the fear of such a policy the zamindars "might submit to a temporary loss by purposed neglect in order to gain a low assessment". He reported the general prevalence of an idea that a settlement of the Land Revenue in perpetuity was then in deliberation, and expressed himself warmly in favour of "Mr. Law's benevolent plan, a plan which, with a few subsidiary emendations, will insure the relief of anxious millions, diffuse universal satisfaction through every subordination of landholders, and extend the fame of our justice throughout the remotest kingdoms of the East". He reported again in June that he had formed the settlement of Sarkar Shahabad for 1196 Fasli with the zamindars except for a very few instances and in November 1789 expressed his intention of forming the Decennial Settlement of the district "by making a circuit of the different pargans composing it and remaining in each till the bandobast be completed". The Board highly approved of his intention.

#### THE DECENNIAL SETTLEMENT.

- 49. Brooke's proposals for the Decennial Settlement.—By November 1790, Brooke had completed his inquiries and submitted his proposals for the Decennial Settlement of the district. He wrote:—
- "I have the honour to forward to you my proposed settlement of this district, for ten Revenue Consultation, 8th November 1790.

  Revenue Consultation, 8th November 1790.

  Council of the 18th September last. I have not only attended to the capability of each zamindari but the ability of the proprietor. The Southern parts of Shahabad, as well as large tracts of parganas Chainpur and Sasaram, are mostly kharif. Scarcely recovered from the memorable famine of 1770, they suffered again, considerably by that of 1784. The produce depends entirely on a regular and timely supply of rain, the least failure of which reduces the revenue, and occasions the greatest distress to the inhabitants, whose poverty loads the calamity with the most trying aggravation.
- "You may possibily, Gentlemen, feel a momentary surprise, at seeing so very small a jama, in some places attached to so very great a rakba. I may venture to assert with confidence, that those places are the most heavily taxed in this district. The proprietors, in hopes of improving some of these waste tracts, during the course of their lease have agreed to pay more than they could possibly have consented to, on one year's Settlement. Many of these people are so poor, that they have not the means of suddenly benefitting themselves by any great extension of improvement. The gradual operation of unharassed industry will however, in a few years, raise the rents and supply an increasing fund for profitable speculation. The annual overflow of the Ganges secures a never-failing harvest to the northern parts of Shahabad, and the vicinity of that river affords an easy mode of disposing of it. In these tracts, contrary to what I have observed of the southern parts, the rents are high, compared with the 'nabba'. In years of searcity, the proprietors and farmers of such spots are considerably gainers. This, however, rarely happens and the reverse is by no means infrequent. I have, therefore, endeavoured to adopt a medium, advantageous not only to Government, but the farmer. As for the raiyat, he is sure of his share, without which no reliance could be placed on any Settlement. To the above remarks regarding the apparent disproportion between the quantities of land and the specified assessment, I may add, that little dependence can be placed on the Kanungos' recorded measurements which includes mountains, forests, rivers and tanks. When the rent is great, compared with the quantity of land, it is an almost invariable criterion, that the soil of such villages is remarkably good, and that it is filled with industrious raiyats who cultivate the nagui\* \* articles.
- "I have been utterly unable in many in tances to procure security. I have however, to the utmost of my power, enderwoured to settle with the most responsible persons in each pargana. It is to be hoped that the certainty and advantage of the decennial tenure will ensure the greatest punctuality in the discharge of the kists when due and be found superior to any securities hitherto taken.
- "Raja Bikramajit Singh, having given the security of respectable mahojans for the balance of 1194, payable in a year by monthly instalments, I have put him in possession of his zamindari and settled with him for the revenue of it. Those, who have claims on him, must prefer them in the Adalat (if a private adjustment cannot take place) and the Raja must satisfy them or liquidate their demands by selling a part of his zamindari. In settling with him, I

<sup>\*</sup>i.e., grow such crops as sugarcane which are not divided on the produce-rent system but for which the raiyat page a definite rate of cash-rent per bigha for the area grown with every such crop in each year. The system is usually called hastolud; in Shahabad.

have been obliged to make some allowances for his situation, and his want of capacity properly to manage his extensive estate.

"Rai Bakshi Ram enjoys pargana Pawarah in mukarrari, by virtue of a Sanad, granted by the Patna Council. Your letter of the 2nd ultimo contains specific directions to settle with the zamindars in mukarrari Mahals of this description. I shall therefore without delay proceed to form an equitable bandobast with the proprietors in pargana Pawarah.

"The small pargana of Haveli Rohtas was granted to Harbansi Rai's father, Raja Shah Mal, and has been confirmed by the Supreme Government to the son, in consequence of the assistance the Raja afforded our troops, in acquiring possession of the fort at Rohtas, in the war with Kasim Ali Khan. He has settled with his zamindars on long leases, indeed many of them enjoy mukarrars tenures under him. These are the only parganas in mukarrars in the district

"Previous to making the Settlement of Nur-ul-Husain Khan's zamindari, I observed a cautious delay. I wrote repeatedly on the subject to your Board, stating every circum-tauces relative to it in the most particular manner and requesting the most explicit instructions in your reply. Indeed, I was at last apprehensive that my frequent reiterations of the subject might really be troublesome. After postponing the assessment of this estate to the very last, I received from your Board the most clear and decisive directions how to proceed. I, then with confidence, made the best settlement in my power of these lands, giving the most unequivocal assurances to the different renters of stability and security during the term of their respective leases. This being promised, I venture to give my opinion, that not a single renter of this taluque will agree, on any account whatever, much less be desirous to pay through Nur-ul-Husain Khan. On these grounds I have thought it highly unadvisable to re-annex Nur-ul-Husain Khan's malikana. The measure would, in my opinion, be deemed by the Benares bankers, and others who are in possession, by sale or mortgage, a violation of a tenure confirmed by the Supreme Government of the country, would be totally resugnant to the inclination of the present renters, who would never voluntarily consent to intermediate payment, would create confusion in the allotment of the different villages, by fierce contests for the more eligible tracts, and intricate Adalat discussions to determine the several pretensions and in the end produce no one advantage to the State. The present renters will pay with punctuality, and many will be excited to double attention and caution by the hopes of purchasing on some future day, the proprietary right of the lands they now hold in farm. In this mode therefore, Government may expect, hereafter, a handsome profit as the value of land will gradually rise by the extension of improvement.

"Babu Bhupnarain Singh, the Zamindar of Piro and Nanaur, etc., etc., has sustained a considerable loss this year. This was occasioned partly by the very great fall in the price of grain, and partly by his keeping sir a greater extent of country than he could well manage. I have not, however, thought it expedient to give him any deduction, convinced that his zamindari is easily assessed on the ten years' lease, though he may have temporarily suffered from the causes above mentioned.

"It is a satisfaction to me to be able confidently to assert my conviction that I have not over-rated any man's estate throughout my whole district. When Government's avowed right to so great a proportion as nine-tenths of the rent, or in other words to nine-tenths of the net receipts, after deducting the cultivator's share, be considered, it would forcibly strike that mistakes here and there in the assessment can only be avoided by extreme caution and scrutiny. But notwithstanding the equity of my Settlement, sales will most likely be not infrequent in order to liquidate the company's balances. They will however be occasioned by the common contingencies of human life. Some will be careless, and manage ill, and some will be prodigal and idly dissipate. Some will discharge private debts instead of the public revenue and some will lavish immense sums on the marriage of a child or the celebration of a religious festival. You may however depend, Gentlemen, on my vigilance and superintending care to prevent, or alleviate, to the utmost of my power, the frequent occurrence of such disagreeable circumstances.

"The Sair and Abkari make no part of my Settlement."

50. Details of the Decennial Settlement.—How far the settlement was made with the old village "maliks" and how far with territorial magnates or with amils may be seen from an analysis of the "Account Settlement" submitted by Brooke to the Board.

Excluding pargana Pawarah, which was in mukarrari and was not permanently settled till 1795-6, the parganas of Sarkar Shahabad were settled at a revenue of about Rs. 5,00,000. Of this nearly 30 per cent was payable by Raja Bikramajit Singh of Dumraon, 20 per cent by Babu Bhupnarain Singh, and another 20 per cent was assessed on the Zamindari of Nur-ul-Husain Khan, settled with renters (farmers) to whom Brooke had practically promised a permanent settlement, a promise redeemed in 1799. About 10 per cent was assessed on settlement-holders of six estates, among whom was

Raja Bhagwat Singh of Buxar, whose revenue ranged between Rs. 14,000 and Rs. 1,500. The remaining 20 per cent. described as mutfarkta, was assessed on smaller settlement-holders, who may no doubt be taken to be village maliks.

Brooke did not anticipate much stability among the large estates. He writes of the Dumraon estate: "Notwithstanding I have assessed the Raja on terms extremely easy in order to obviate in some measure the fatal consequences to him of any bad management, yet I do not expect that degree of future improvement in this zamindari which I promise myself in the rest of Shahabad.

- "However, I think it not improbable that his estate will shortly be split into a variety of petty zamindaris in order to liquidate the various heavy and just claims for the payment of which his creditors will most probably proscute him in the Dewani Adalat."
- 51. The fortunes of the larger estates.—Events, however, proved Brooke's expectations to be wrong, and the Dumraon Estate has expanded rather than contracted since the Permanent Settlement. Babu Bhupnarain's estates, however, descended to the notorious Kuar Singh, and after confiscation became divided up, though Messrs. Thomson and Mylne received a considerable portion of them, and the present proprietor, Mr. E. Mylne, has added to them. Raja Bhagwat Singh of Buxar, the third branch of the Bhojpur family, lost his estates by revenue sales within a few years of the Permanent Settlement.
- 52. Sasaram Pargana.—The Settlement of Sasaram pargana was comp licated by the claims of Babus Jagarnath Singh and Sinnaut Singh, who had in 1771 obtained some recognition of their milkiat over 874 villages in this pargana from the Patna Council. They had actually got possession of 29 villages, as malikana. The problem is set forth at length in Brooke's letter of 29th September 1789 printed on pages 626-628 of the Fifth Report. Brooke's solution was to settle the remaining villages with people, who put forth the best claims to be malik getting an agreement from them to relinquish if other persons proved their rights in a court of law. These he called Urf maliks, i.e., "so-called proprietors". Government confirmed this arrangement and also, after some hesitation, confirmed the Sanad of the Patna Council granting the 29 villages to the two Babus.
- 53. Chainpur Pargana.—In Chainpur the settlement was concluded with the village maliks except in a few cases. Arimardan Singh, who had held settlement of a considerable tract in this pargana, was dispossessed as having been implicated in the murder of Nazimuddin Ali Khan, another zamindar of Chainpur, in 1785, and his estates were held khas and most of them now constitute the Government estates in Bhabhua thana. They were let at the time to certain Brahmins and Rajputs called jowars, who claimed a transferable right in the land and also claimed 20 bighas in each hundred or the equivalent in money, presumably as a rent-free tenancy. Brooke stated that their privileges had obtained for centuries, but that the lands rented by them were for the greatest part in a very wild state and from their situation likely to continue.
- 54. Haveli Rohtas.—Haveli Rohtas was still left in Mukarrari to Harbansi Rai, whose father had obtained the grant as reward for his help in the capture of Rohtas fort by Major Crawfurd in 1782, and was not permanently settled till 1813.
- 55. Vanderheyden's report on the Decennial Settlement.—The information about the southern parganas is mostly derived from the report of Mr. D. Vanderheyden of 7th October, 1793. He was deputed as Commissioner in Bihar to inquire into the state of the Decennial Settlement in Shahabad as in other districts. As regards Shahabad he reported most favourably except for a few minor criticisms of the failure to take security from farmers. He wrote:—

- "Mr. Brooke has performed the most essential parts of his duty with great zeal and diligence and much to the advantage of the district under his superintendence.
- "The point to which I principally allude is his constant care to secure the raiyats against all undue exactions. In a letter of May 1789 I observe he mentions to the Board: that with respect to the abolition of taxes, it is with particular pleasure he can inform them that no such thing exists in Shahabad and that they have not been heard of in that Sarkar during the last two years.' From all the enquiries I have made upon this subject, I have the greatest reason to believe the information he communicated was perfectly consistent with truth, and that by his constant attention to this point he procured the abolition of taxes throughout every part of his district. To do this was to do a most essential good to the country and the very great extension of cultivation, which is universally admitted to have taken place in this district during the last four or five years is, I think, chiefly ascribable to that measure."
- 56. The Settlement severely tested.—Law in February 1791, in his letter of resignation from the Board of Revenue, had already remarked that "from visits to Shahabad he had ocular proof of the rapid increase of cultivation under Mr. Brooke". Mr. W. A. Brooke was transferred from Shahabad to Burdwan at the end of 1791. His settlement of Shahabad was at that moment being severely tested. The two preceding years had been years of low prices which naturally made a fixed assessment somewhat difficult to collect. But the summer of 1791 was marked by a bad failure of the rains. before he left Shahabad, Brooke reported that "he was very apprehensive that the most unremitting attention of the Collector would not be adequate to the prevention of a diminution in the collections". His fears were soon realized. In August 1792 his successor, Mr. T. Brooke, made a strong recommendation for permanent reduction of the assessment particularly in parganas Chainpur and Sasaram. In Chainpur he reported there was a balance of Rs. 34,142 on a total assessment of Rs. 2,98,593 and that in the two years, 1197 and 1198 Fasli 312 villages had been transferred by private sale, representing a revenue demand of Rs. 69,290. In Sasaram there was a balance of Rs. 16,485 on a total assessment of Rs. 1,55,662, while considerable balances were also due from other parganas. He expressed the opinion that the assessments of Chainpur and Sasaram were pitched too high, pointing out that in 1196, the assessment had been only 1.s. 3,69,361 and even then there had been a balance of Rs. 15,000, while now the assessment was Rs. 4,54,255. His proposals were referred to Mr. W. A. Brooke, who opposed permanent reduction, but recommended a remission of Rs. 15,800 in Chainpur and Sasaram for three years and easy terms for the settlement of Babu Bhupnarain Singh's balance in Piro and Nonaur. The Board accepted these proposals.
- 57. Pargana Pawarah.—The Permanent settlement of pargana Pawarah was sanctioned by Government in June 1795. This pargana had been in mukarrari, i.e., settlement for the life of the settlement-holder on fixed revenues with Rai Bakshi Ram, son of Raja Khiali Ram. He had fallen in balance in 1199 Fasli mainly no doubt as the result of the drought and had been confined by T. Brooke's order. The mukarrari was declared forfeit, and after the pargana had been kept khas for two years it was settled principally with village maliks at a revenue of Rs. 43,701 in lieu of the mukarrari jama of Rs. 32,142, the mukarridar getting a pension of Rs. 3,000 per annum for life
- 58. Nur-ul-Husain's zamindari.—The zamindari of Nur-ul-Husain Khan, lying principally in Arrah pargana, but extending also over Barahgaon, Bihia, Danwar and Dinarah, was permanently settled under the orders of Government of the 21st November 1799. The zamindari, for which Nur-ul-Husain Khan had zot certain villages as malikana had remained in khas management since 1786. It was decided to settle permanently with the farmors in redemption of Mr. W. A. Brooke's promise of 1790 after a calculation of the assets, which resulted in an increase of Rs. 59,018, over the revenue obtained under khas management.
- 59. Haveli Rohtas.—The only pargana of the district, as it then was which still remained outside the permanent settlement, was Haveli Rohtas, which was in mukarrari to Harbansi Rai. He died in 1803, but Mr. Collector Twining continued the mukarrari with his widow and mother. The Board's proposals for resumption and permanent settlement with the village maliks were

finally accepted by Government in March 1813, and the revenue was raised from Rs. 11,119 to Rs. 19,166, the two Ranis getting pensions for life in addition to obtaining the settlement of some villages in which they held the milkiat.

60. Assessment of Parganas.—The following statement shows the assessment of the parganas of the district, excluding Chausa, in 1766, in 1791 and in 1815:—

Comparison of assessments on the pargana (Chausa pargana is omitted).

	Pargaua.		Area in sq. miles according to Revenue Survey of 1844-5.	Assessment of 1788 according to Grant.					_
Barkar.				Asul.	Net.		Decennial Scitlement Assessment, 1791.		Revenue in luis.
1			3	4					
			Rs.	Rs.		Rs.		Rs.	Rs.
Shahsbad.	Rohtas	•••	519	30,882	Nil	Nil		11,119	19,166
	Chaispur	•••	1,028	96,161	)	3,94,973	٢	2,95,517	2,94,914
	Sasaram	•••	813	2,43,000	3,94		ξ.	1,55,664	1,61,136
	Ehojpur		1,73,220	3		ŗ	1,38,521	1,42,771	
	Bihia		231	1,25,000		6,09,268	1,22,766 43,818 21,909 1,25,502 46,584 13,025	1,22,766	1,40,668
	Piro		202	40,341				43,818	45,449
	Nonaur		107	33,691				21,909	22,149
	Arrah		<b>2</b> 60	1,46,663	6,09			1,25,502	1,65,8 <b>56</b>
	Danwar	•••	<b>33</b> 6	3 32000				51,847	
	Dinarah	•••	55	1,36,804				13,025	17,021
	Pawarah	•••	113	<b>22,</b> 226				32,141	44,594
	Barahgaon	•••	84	31,226	P		L	25,073	28,437
	TOTAL	•••	4,202	10,79,214	10,0	1,241		10,30,639	11,34,003

In addition to Rs. 14,58,260 from permanently-settled estates in the original parganas of the district, Chausa pargana contributed in 1908 Rs. 42,092 from permanently-settled estates, and Rs. 79,871 from temporarily-settled estates while the rest of the district contributed Rs. 57,110 from temporarily-settled and farmed estates. Finally from estates held *khas* by Government in Chausa pargana and elsewhere the revenue demand was Rs. 1,20,870 making a grand total of Rs. 17,58,204. No later details for parganas are available, as the tauzi roll is no longer kept by parganas.

#### CHAUSA PARGANA.

- 61. Early history.—Chausa Pargana deserves special treatment, as its revenue history, reflecting its political history, has proceeded on different lines from the rest of the district. This pargana formed part of Sarkar Ghazipur, in Akbar's time. It is described in Grant's Analysis as one of the districts of Tokrai Bakht Singh. The Sarkar was however acquired by Balwant Singh, the father of Chait Singh, between 1740 and 1770 and formed part of the great zamindari of Benares, which fell to the Company in 1775. The zamindari was left by the Company with Chait Singh, until his rebellion in 1781.
- 6?. First British Settlement.—Thereafter it was resumed and settled in farm with Raja Mahipnarain in 1783 together with the other parganas of the zamindari. It was settled for four years by Mr. Duncan, in 1790, as a preparation for a permanent settlement, with the zamindars or village maliks, and

would in ordinary course have become a permanently-settled tract under Regulations I and V of 1795. But in 1794, when the settlement was about to expire, the zamindars threw up their engagements. In the following year, however, they accepted the new settlements except for Taluqa Indapur, and these settlements were made permanent. Taluqa Indapur remained in farm till 1812, when a fresh settlement of it was effected for ten years.

63. Dunsmure's Settlement.—In 1822 Mr. Dunsmure, the Collector of Shahabad, to which district the pargana was annexed in 1818,\* was deputed by the Board of Revenue, or Board of Commissioners of the Central Provinces comprising Bihar, Ramgarh (i.e. Chota Nagpur) and the Benares Province to form a fresh settlement. He not only revised the assessment of Taluqa Indapur but succeeded in bringing on to the revenue roll a considerable amount of land which had escaped assessment either as having been waste or for other reasons. Board in reporting to Government on the 29th July 1823 wrote: "After a very laborious research Mr. Dunsmure, was able to consider, as authentic, information and accounts, showing the pargana Chausa to have been divided into nine Tappas containing in the aggregate 535 villages asali and dakhili. accounts under Tappas directed him, as supposed by the Board to the sites of the lost villages. The same principle and method appear quite applicable to Bihar generally where the Register of Hoshiyar Jang or Mr. Vansittart shows in a year of British Government the ancient rent-roll in totals of villages, in Zillahs or Sarkars, Parganas, Tappas, etc. A comparison of this rent-roll with the present rent-roll of the Collector's books, would, we think, show many thousand villages in precisely the same situation and condition as these lately recovered in Chausa.'

How far the Board was correct in their view must be judged in conjunction with the principles laid down in the Bengal Board's letter No. 266, dated the 21st August 1838, which is quoted in paragraph 87. The resumption proceedings throughout Bihar carried out for the most part between 1835 and 1846 certainly yielded a considerable increase of revenue. Whether it was all legitimate is an interesting but somewhat academic question. However this may be, the actual results of Mr. Dunsmure's settlement, as proposed were to raise the revenue very considerably, results not perhaps altogether surprising when it is remembered that the Settlement Officer of those days drew a handsome percentage on the additions that he made to the demand.

64. Results of Dunsmure's Settlement.—In this case it appears that in 1822 the demand from the permanently-settled portions of Chausa Pargana was Rs. 40,548 and for the rest Rs. 23,650. Mr. Dunsmure succeeded in raising the latter to Rs. 50,487. The bulk of the settlements were accepted by the zamindars both in Indapur Taluqa and in the wirani villages, and it was proposed to make these permanent. Other portions were to be leased to farmers, but the farmers failed to keep their engagements and the estates became khas again.

Dunsmure's settlement is of particular interest as being the first attempt at a detailed investigation of mufassal assets in Bihar. He was directed to carry it out on the lines of Regulation of 1822, which was then being promulgated, and though he did not follow the procedure laid down there strictly, he made very detailed inquiries, both into the accounts of patwaris and into the actual capacity of the land. He even made crop-cutting experiments, and deduced the productivity of the land therefrom. It is perhaps worthy of note that in village Shahipur, he found the best land only gave  $4\frac{1}{2}$  maunds a bigha and the worst two maunds. This strikingly illustrates the infertility of the pargana, which was of course as well known to all officers, who had concern with it, as it is now.

65. Settlement not made permanent.—The Government showed great interest in the details of this settlement, and correspondence went on up to 1828, as there was grave doubt whether the assessment which was about 75 per cent

<sup>\*</sup> Vide the letter of the Board of Bihar and Benarcs, dated 26th June 1818, to the Collector of Shahabad. This Board was appointed by Regulation I of 1816 and was finally replaced by Commissioners in 1829. (See Field's Introduction to the Regulations, pages 165-6).

of the mufassal assets was not too high. In the end it was left as a temporary settlement for ten years with those zamindars, who accepted it, while elsewhere the estates were taken in khas management. The reason for not making it permanent was that Government was not altogether satisfied that the full inquiries prescribed by Regulation VII of 1822 had been made.

66. Abortive resettlement in 1833-4.—In 1833-4, Mr. Mackenzie, Collector of Shahabad, began to revise the settlement then expiring. But he fell ill before the settlement was completed and most of his proceedings were lost. The settlement was therefore left to be completed by the special Deputy Collectors, employed from 1835 to revise settlements and carry out resumptions throughout Bihar.

#### EFFECTS OF THE PERMANENT SETTLEMENT.

- 67. Aims of the Permanent Settlement.—The principal aim of the permanent settlement was no doubt to secure a moderate assessment regularly and punctually collected and at the same time to restore to their proper rights and privileges the zamindars and other landholders. How far in actual facts these rights and privileges were restored to the ancient class of village zamindars, is a question that has often been debated. In Shahabad it seems probable, thanks to the zeal and ability of Mr. Brooke, that these rights were restored as far as it was possible to do so, and that where the rights had been long ago absorbed by feudatory Chiefs such as the Rajas of Dumraon and Buxar, it was evidently impossible to do anything except to recognize the existing facts.
- 68. The rights of the raiyat.—But the rights and privileges to be restored were not only those of the zamindars, and it was clearly recognized by the principal authors of the permanent settlement that the actual cultivators as well as intermediate tenure-holders had rights which it was the duty of Government to protect. From Shore's minute of June 1789 it appears that Sir Philip Francis had (probably in 1776, when he first suggested the idea of a permanent settlement in opposition to Warren Hastings' proposals for a searching inquiry) proposed that it should be made an indispensable "condition with the zamindar, that, in the course of a stated time, he shall grant new pattas to his tenants, either on the same footing with his own quit-rents, that is, as long as the zamindar's quit-rent remains the same, or for a term of years, as they may agree". Shore, commenting on this, says: "The former (i. e., in modern terms, the fixity of rent as long as revenue is fixed) is the custom of the country. This will become a new asal jama for each raiyat, and ought to be as sacred as the zamindar's quit-rent. The patta should be expressed in the simplest terms possible, without a single abwab or muthot; so much per bigha of land which he cultivates varying only according to the articles of produce or quality of the soil."
- 69. Shore's proposals for the protection of the raiyat.—Shore's proposals in his minute of June 1789, for the protection of the raiyats, were briefly these:—
  - (1) Compulsory grant of pattas, by zamindars and their servants to all raiyats at their ascertained jamas.
  - (2) Compulsory delivery of rent-receipts.
  - (3) Prohibition against realization of losses caused by abandonment of holdings from the remaining raiyats.
  - (4) Prohibition against the imposition of new aburb or muthot on any pretence whatever.
  - (5) Simplification of demand into no more heads than asal, abwab and kharcha. The simplified account to be submitted to the Collector for inspection, after which it is to be enforced by the authority of Government, and any enhancement of the abwab or kharcha to be punished as an extortion. (No one would of course think of enhancing the asal without the sanction of Government.)
- (6) If possible the whole demand to be consolidated by mutual consent. This minute, of course, applied primarily to Bengal, and in his minute of September 1789, Shore does not discuss in detail how his proposal for the

protection of raiyats should be modified for Bihar. The first four proposals are practically repeated in the Resolutions proposed by Shore and accepted by the Governor General in Council. To them are added rules which may be summarized as follows:—

- (1) Rents paid by raiyats to be specific, if the patta contains asal and abwab both to be specified, and the raiyat is not to be liable to pay anything more on account of kharcha salami etc.
- (2) Where rents are adjusted on the land cultivated the rates and terms of payment to be expressed in the patta.
- (3) Where rents are paid in kind the proportion to be specified either in account (? jamabandi) or written agreement.
- (4) Nirkhbandi of rates payable for nagdi lands to be publicly recorded in every mufassal kachari.
- 70. Shore's minute regarding the position of Zamindars.—Shore recorded a further minute on the 8th December 1789 on the Resolutions proposed for the Decennial Settlement. He had by this time conceived grave doubts whether the Settlement ought to be made permanent.

One of his main objections is expressed as follows:-

"The relation of a zamindar to Government and of a raiyat to a zamindar is neither that of a proprietor nor a vassal, but a compound of both. The former perform acts of authority, unconnected with the proprietary right, the latter has rights without real property; and the property of one, and the rights of the other, are, in a great measure, held at discretion. Such was the system which we found, and which we have been under the necessity of adopting. Much time will, I fear, elapse, before we can establish a system, perfectly consistent in all its parts." He proceeds to criticize the proposals of Collectors, for correcting the prevailing abuses, as defective and the regulations of Government as indefinite. He instances the repeated prohibitions of new taxes and says "the idea of the imposition of taxes, by a landlord upon his tenant, implies an inconsistency and the prohibition in spirit is an encroachment upon proprietary right; for it is saying to the landlord, you shall not raise the rents of your estate?"

# 71. Lord Cornwallis' reply.—On this Lord Cornwallis minuted on the 3rd February 1790:—

"Mr. Shore observes, that this interference is inconsistent with proprietary right; that it is an encroachment upon it, to prohibit a landlord from imposing taxes upon his tenant; for it is saying to hun, that he shall not raise the rents of his estates; and that if the land is the zamindar's it will only be partially his property, whilst we prescribe the quantum which he is to collect, or the mode by which the adjustment is to take place between the parties concerned. If Mr. Shore means, that after having declared the zamindar proprietor of the soil, in order to be consistent we have no right to prevent his imposing new abwabs or taxes on the lands in cultivation, I must differ with him in opinion, unless we suppose the raiyats to be absolute slaves of the zamindars; every bigha of land possessed by them must have been cultivated und r an expressed or implied agreement, that a certain sum should be paid for each bigha of produce, and no more. Every 'abwab' or tax, imposed by the zamindar over and above that sum is not only a breach of that agreement, but a direct violation of the established laws of the country. The cultivator, therefore, has in such case, an undoubted right to apply to Government for the protection of his property; and Government is at all times bound to afford him redress. I do not hesitate therefore to give it as my opinion, that the zamindars, neither now nor ever, could poss as a right to impose taxes or abwabs upon the raiyats; and if from the confusions which prevailed towards the close of the Mughal Government, or neglect, or want of information, since we have had the possession of the country, new abwabs have been imposed by the zamindars or farmers, that Government has an undoubted right to abolish such as are oppressive, and have never been confirmed by a competent authority; and to establish such regulations as may prevent the practice of like abuses in future.

"Neither is the privilege which the raiyats in many parts of Bengal enjoy of holding possession of the spots of land which they cultivate, so long as they pay the revenue assessed upon them, by any means incompatible with the proprietary rights of the zamindars. Whoever cultivates the land, the zamindars can receive no more than the established rent, which in most places is fully equal to what the cultivator can afford to pay. Neither is prohibiting the landholder to impose new abwabs or taxes on the lands in cultivation, tantamount to saying te him, that he shall not raise the rents of his estates. No zamindar claims a right to impose new taxes on the land in cultivation, although it is obvious that they have clandestinely levied them, when pressed to answer the demands upon themselves, and that these taxes have, from various causes, been perpetuated to the ultimate detriment of the proprietor who imposed them. The rents of an estate can only be raised, by inducing the raiyats to cultivate the more valuable articles of produce and to clear the extensive tracts of waste land, which are to be found in almost every zamindari in Bengal."

- 72. The actual regulations.—The actual regulations, which were promulgated, failed to make clear without possible question, that the proprietors had not been given the right to enhance rents, chiefly, I believe, because the idea was so foreign to the scheme of the Permanent Settlement.
- 73. Intention of Government to fix raigats' rents.—But I venture to express, what has been a very gradually formed opinion, that a study of the papers regarding the Permanent Settlement will convince any fair-minded man, that it was the intention of Government to render the rents payable by the raiyats preeisely as stable as the revenue payable by the zamindars. I am myself of the opinion that the provisions regarding nirkhbandi, parganawar rates, etc., were intended to operate so that even land brought under cultivation subsequently should not be rented at higher rates than old-established cultivation. I regard it as practically certain that the authors of the Permanent Settlement would regard'the provisions of the Bengal Tenancy Act in restriction of enhancement of cash-rents by contract with bewilderment, while they would learn of enhancement of the landlord's share under produce-rent systems from the comparatively mild demand of nine-sixteenths, which was the utmost taken in their time, to the iniquitous extertion of 27 seers out of 40, found in some villages of Patna district, with unassumed horror. But I think the evidence is overwhelming that they intended that the cash-rents paid, by raivats for lands in actual cultivation under the cash-rents system at the time of the Permanent Settlement, could not by any means be enhanced, though the total income of a zamindari would naturally grow with extension of cultivation, by the substitution of valuable crops to which the hastobudi system applied for cheap crops subject to produce-rents, or by the substitution of more valuable for less valuable crops of which both were by custom subject either to the hastohudi or to the produce-rent system of rent. No doubt the legislature has recognized this last fact in some degree by definite enactments culminating in section 50 of the Bengal Tenancy Act. But I think that substantial justice would have been done, if in each district, as it came under Settlement operations, inquiries had been instituted to discover, as far as possible, the tracts in which cultivation had been established at the time of the Permanent Settlement, and if in such tracts the burden of proving that the raivats were not entitled to hold at fixed rates had been put upon the landlords. This burden they could have discharged either by showing that the rents had actually been enhanced (no doubt fieri non debuit sed factum valet) or that they were commuted produce-rents.

This principle has been practically applied in the guzashta area of Shahabad, and it may not be too late to apply it in some districts of Bengal. It is too late to apply it to the rest of Bihar.

74. Some evidence in support of the theory that raiyats' rents were to be fixed.—I may, however, quote some interesting facts which came to light in village Duil, thana No. 279, thana Shapur, a village, which is some eight miles south of the East Indian Railway line, and so outside what was considered to be the true yuzushta area. This village was resumed in 1826 under Regulation VII of 1822. In the Settlement rubakar it was laid down that the tenants who would agree to pay rent at the rates found then, were to continue to pay rent at that rate in perpetuity, and further that tenants, who were then holding bhaoli should they choose to pay cash-rent in future, should be entitled to have their rents commuted at the rates then laid down and the landlords would not be entitled in either case to alter or enhance the rates. This was part of the conditions of a Permanent Settlement made in 1826, and it certainly lends considerable support to the theory expressed above, and helps to explain the fact that in northern Shahabad enhancements of eash-rents have been very rare and that it has been frequently stated by raiyats and sometimes admitted by landlerds that even commuted bhaoli rents are not liable to enhancement.

Note,—Paragraph 73 was written before Mr. Tanner directed my attention to the discussion printed as the Appendix to the Report of the Bent Law Commission 1879-89. I find that my point has been put at made greater length in Mr. O'Kinenly's note of the 15th June 1880, pages 418 to 454, Volume II. Supported by the weight that Mr. O'Kinenly's immense learning and research lends to his opinion, which was backed by Sir A. Mackenzie. I feel that I have wested some expressions of different in putting forward the view above. It is also Lord Mackennell's view, see paragraphs 12 to 14 of his minute of 20th September 1893. Dr. Field in Chapter XXII of his "Landshob'ing" argues vehemently against this view.

- 75. Pattas and Kabuliyats.—The chief means, on which Government relied for the protection of the interests of the raiyats, was the exchange of pattas and kabuliyals. This was very nearly a complete failure in Shahabad as elsewhere. Mr. T. Brooke, the Collector, was called on to report on the progress made in 1793 and censured for his slackness in the matter. In excusing himself in his letter of June 1793, he writes:—
- "It appears that the obstacle to the distribution of pottas arises more in the disinclination of the raiyats to receive them, than in the landholders to grant them. For their general distribution the interest of the latter is materially concerned, but the objections of the former to receive them are such as can not readily be got over. For in entering into engagements for the cultivation of a specific quantity of land, they are subject to the payment of the rent, though the land should be uncultivated or though an unfavourable season should have destroyed the crop. The usual mode observed here is for the farmer to encourage raiyats to cultivate any quantity of ground that suits them without either written or even verbal engagement and the produce is then divided. Thus a raiyat one year may have 30 or 50 bighas in cultivation and from the casual losses either of cattle or from the badness of the season may not choose to have a fourth of that quantity the next. I have even known the same land cultivated by one man for the kharit harvest and by another for the rabi. The raiyats likewise prefer cultivating on the bhaoli tenure, paying their rents by a division of the crops, and at the commencement of the year they cannot be induced to cultivate on any other condition. Should the season afterwards turn out favourable, it is not unfrequent for them to assemble in a body and to insist upon the landholders granting them pattas at the rate which they themselves may dictate and when the landholders granting them pattas at the rate which they themselves may dictate and when the landholders are asked why they do not on such occasious prefer their complaints for such a manifest outrage, they have assured me the consequence would be the desertion of all their raiyats and that they submit to the trifling loss that may occur rather than risk the ruin of their estates.
- "Thus circumstanced I see not how a general distribution of pattas can be effected. The Board, however, may be assured that it shall be my strenuous endeavour to remove as far as possible the obstacles that oppose it, for could it be once accomplished the business of the Mal Cutcherry would be most light and easy. But with raiyats who go to their cultivation armed with matchlocks and talwars persuasion has little effect."
- 76. The raiyats, real objections to pattas.—I venture on the opinion that Mr. T. Brooke was not a very competent officer and was inclined to derive his information of revenue problems from landlords only. The letter certainly reads like a rechauffé, of landlords' excuses for not delivering pattas, with no perceptible seasoning of information derived from local inquiries among the raiyats regarding their real grievances.

These grievances were, I have little doubt, that they were afraid that the pattas would be taken as meaning that they held their lands at the discretion of the landlord, and that a renewal of the pattas, which, under Regulation VIII of 1793, were for ten years only, would be seized on by the landlords as an occasion for enhancement of rates. Their fears were not ill-grounded. It is needless now to point out that generally in Bihar the raiyat who, before the Permanent Settlement, had in theory at least his definite right to cultivate and a definite share in the produce of the land became in the course of the next hundred years for the most part no more than a mere tenant at will and was only restored partially to his old position by the Bongal Tenancy Act.

- 77. Buchanan's views about pattas.—As regards the fear of enhancement and the establishment of pattas, Buchanan's remarks are of much interest:—
- "Near the Ganges all the land is let by regular lease (patta) and each tenant gives an ('kabuliyat') agreement to pay the amount; but in the valuable pargana of Chainpur, the tenants are not willing to give such agreements, nor the landlords to grant specific leases. This circumstance on the part of the landlords arises from the fear, that the leases, in the event of a new settlement, would show their real profits; and on the part of the tenants to a fear, that these leases might be interpreted as an acknowledgment of a right in the landlord to exact a new rate of rents, when the lease expired. A decision of the Judge at Arrah, to be afterwards mentioned, seems to have quieted the minds of the people in the vicinity of the Ganges, and has induced them to accept of leases, and to grant stipulations for the payment of a certain rent; and such well-specified agreements are so highly advantageous in preventing oppression or litigation, that I cannot too eagerly recommend it to Government

<sup>\*</sup> Does this really mean that the proprietors had not yet in 1812 credited the assurances of the permanency of the settlement? Or had Euchanan in mind the thikuaars?

to enforce such being universally formed, first by ordering that no new lease without such stipulations should be valid, and secondly by ordering, wherever old rates are considered as good in perpetuity, that the Collector should fix the actual rate due and a new patta and kabuliyat to that amount, but in perpetuity should be granted."

- 78. The judicial decisions regarding enhancement of rent.—The reference to a decision of the Judge at Arrah is very interesting, and one could wish for fuller details. The matter is much confused, for in his account of pargana Arrah, Buchanan writes:—
- "When Mr. W. A. Brooke made the settlement for Lord Cornwallis'  $\frac{9}{15}$  (hs only of this estate are said to have been cultivated, and the assessment must have then been exceedingly high, owing to the low price of grain and to there being no money rent paid, except for poppy. Now everything pays a money rent except rice, which may form  $\frac{4}{10}$  the of the whole crop. Formerly the tenants contended, that, after they had cultivated for five years, the master had no right to raise the rent; and no one would take a lease; but Mr. Turner having decided that, whenever a lease expired, the owner might take what rent he could procure, the tenants are all eager for leases (patta) and give in return an agreement (kabuliyat) to pay a certain sum."

From this one would naturally conclude that the decision was adverse to the tenant's claim to hold at fixed rates, but it is difficult to see why such a decision should make the tenants eager for leases or why it should "have quieted the minds of the people in the vicinity of the Ganges". Further in his Survey of Bihar district (page 306 of Volume I, Eastern India) Buchanan writes:—

- "Some attempts have been made to raise the money rent and it is said that two opposite decisions have been given, the Judge at Gaya having declared that the landlords might let such lands as were out of lease in whatever manner they pleased; while the Judge at Arrah declared that only the old rates could be demanded, and the landlords have found it imprudent to insist on the demand."
- 79. A suggested explanation of Buchanan's information.—I can only hazard the suggestion that there were two decisions at Arrah, one that raiyats who held lands before the Permanent Settlement were entitled to hold on at the old rates, even at the expiry of a lease which was terminable in form; and another that raivats taking up fresh land were only entitled at the expiry of their first agreement to get a lease at rates agreed on between themselves and the landlord. The former would be the true guzashtadars situated in that part of pargana Arrah, which no doubt was fully cultivated, viz., the rabi area. The latter would be the new occupants of the aghani area, who first took land on the system of Sanbarhu still found in South Shahabad (vide paragraph 269) under which the rent is progressive for the first five years. I take it "a certain sum" and "a certain rent" in the two first passages I have quoted means "a fixed rent". The adjective had not become colourless by 1812. If this is so it would seem that even in the aghani area raivats who obtained pattas would become in modern parlance "fixed rate raivate", as was undoubtedly the intention of the framers of the Permanent Settlement. I have not been able to trace the decision or decisions to which Buchanan refers, nor have I been able to find any early

Meaning of guzashta. use of the word guzashta. I suggest that the word simply means "past" or "carried over", i.e., in existence prior to the Permanent Settlement. \*

I cannot find either confirmation or contradiction of Buchanan's statement that in pargana Arrah there were no cash-rents at the time of the Permanent Settlement except for poppy. At any rate, if his statement is correct, immediately

<sup>•</sup> Mr. Collector Nolan in his letter No. 929-G., dated the 25th July 1883, submitting Mr. (now Sir) D. J. Macpherson's report on the Nasinganj Estates to the Commissioner wrote: "Guzashta simply means old, and applies to the old tenants, whose right to hold at fixed rents was secured by the early Regulations." There is nothing that I have been able to find in the old papers about Shahabad including the unpublished portions of Buchanan's Mss. to support Sir D. J. Macpherson's theories about guzashtadars being village maliks or military feudatories. The explanation is repeated in the Guzetteer but it is mere guessing. Mr. Nolan was asked by the Board of Rovenne to inquire when guzashta was first used. In his letter No. 2630-G., dated the 29th February 1884, he stated that the earliest use he could find was in a decision of a rent suit dated 19th November 1827, in which occurred the words "Hasab Sharah guzashta painasta" meaning according to the past and by-gone rates". He considered "quzashta" was a convenient abbreviation of this phrase Many early papers were destroyed in the Mutiny and the records of the Permanent Settlement gave no information as to descriptions of land tenures. On receipt of this letter, Sir Henry Cotton, the Secretary of the Board, did not submit it to the Members but merely remarked that he adhered to his previous opinion which was that it meant that the loddings had been passed over so long (as regards change of rent) that right of enhancement had died out by relinquishment. The opinion is werthy neither of a scholar nor of a Revenue authority.

after the Permanent Settlement the produce-rents were commuted for all the *rabi* area along the Ganges, as it appears from his accounts of Bhojpur and Bihia as well as Arrah, that in 1812 it was all held on cash-rents, estimated by him at about Rs. 5 per acre.

- 80. Hastobudi rents.—Buchanan's remarks about the raiyats of Shahabad and the prevalence of hastobudi rents are also of interest:—
- "In this district I heard of few or no illegal exactions, a great proportion of the tenantry being too high-spirited to submit to the most trilling abuse, and being willing to fight with anyone for a cowrie. Some litigious fellows are however a nuisance, the present constitution of our courts, and the delays of justice opening a road for the operations of such pests of society, which they are now beginning to discover and in all probability will soon pursue with a very destructive success.
- "Tenants are not afraid of their landlords, nor are they attached to their interests, except when connected by caste or blood: but, where these ties exist, I observed several very honourable instances of affection and regard from the subordinate branches of families towards their common head.
- "Most of the nagdi or money rent, that is paid for the lands near the Ganges and in gardens and fields carefully watered near the villages, as I have said, is in general levied by leases, stipulating a certain rent to be paid for a certain extent of land, managed as the tenants please. This I have often mentioned as the best kind of tenure; and here extraordinary care is bestowed on all lands so let. In the interior however a good deal of land is let on hastobudi leases, that is it pays a certain sum of money for each bigha, according to the kind of crop with which it is cultivited and of course an annual survey is required. In this district the lands so let are chiefly, although not entirely, such as are some years cultivated with sugarcane or cotton, and in other years with much less valuable crops; and the great difference in the value of the crops on the same land, in different years, seems to have been the reason that has induced the people here to make an exception in the general rule. This reason should not, however, in my opinion, have led to the infringement of such an excellent form of lease. All that is necessary in such cases, is for the tenant, before he enters into a lease, to consider how much of his farm can with propriety be annually cultivated with such valuable crops, and to offer a rent in proportion."

#### RESUMPTION.

- S1. Resumption before the Permanent Settlement.—Government called on 16th February 1783 for an account of all Jagirs in Bihar Province. It was reported in April that the only Jagir in Shahabad was Khaje Muhammad Khan's in Sasaram Pargana of value of Rs. 7,055 and that this had been resumed on the death of the grantee. In April 1787, Law as Collector of Rohtas proposed that this resumed Jagir should be sold as a mukarrari tenure. However the question was held up while the claims of Khaje Muhammad Khan's son to the Jagir were considered but were finally decided against him in December of that year. But by that time Rohtas had become part of Shahabad district and the question of mukarrari tenures had merged into the larger one of a Decennial Settlement with a view to permanency, but Law's letter is of much interest as a contribution to the discussion of methods of Settlement:—
- " The Jagir of Mir Bachu in Sasaram having fallen in to Government on the demise of his father was resumed by me almost immediately after my appointment. The measurement of cultivated and uncultivated is 216,613 highes including Bishenprect, etc., but the collections are almost all absorbed in salaries and charges and the net Revenue amounted by the Treasury account in 1192 to Rs. 1,554 and in 1193 to Rs. 476. The diminution in the second year is attributed to gi'andazi and the cheapness of grain, and I have called upon the amin particularly to account for it. If however the Revenue is not affixed, temporary servants will endeavour to availthemselves of the inability in the Collector to pay attention to such trivial concerns. I have written for a particular statement of this year's produce, and with your permission by way of experiment I will put up this small estate to sale on the part of the Company as an hereditary mukarrari paying Rs. 2,000 or whatever may appear a proper revenue per annum. The prime cost will be so much not profit to Government, its future rents will be regular being liable only to any general increase. Many wealthy persons, now war is spreading terror all round us, would be induced to settle in the Company's territories could they purchase landed property; and I will not fail to explain that such tenures will not be exposed to the voxations of future investigation as the King's Sanads, etc., because the title deeds will be granted under the Company's seal. Permit me to solicit your particular consideration of this subject, which offers a timely supply of specie exclusive of a future revenue. Every novelty is apt to create a district, and at first the land will not sell at its proper value but by this instance I shall be enabled to form an idea of the effect of such a measure to a large extent on the mind of the natives."

- 82. Deane's Resumptions.—Apart from this isolated instance of resumption prior to the Decennial Settlement, resumption, in its modern sense of bringing of lands, which had escaped assessment at the Decennial Settlement, on to the revenue roll, first started in Shahabad in about 1799, when Mr. Deane, Collector of the district, succeeded in tracing out 453 villages out of 907 which he believed not to be on the roll of the Decennial Settlement. He reported in 1801 to this effect but had, as a matter of fact, already increased the revenue roll from Rs. 10,33,942 in 1206 Fasli to Rs. 11,02,726 in 1207 Fasli, of which Rs. 59,018 represents increase on account of the Settlement of Nur-ul-Hussain Khan's zamindari and the balance the assessment of alluvial accretions (Gangberamad) and unassessed lands (taufir).
- 83. Twining's estimates of lands liable to Resumption.—Mr. Collector Twining followed up this work and reported on October 15th, 1804, that he estimated the resources of unassessed lands (taufir) and villages waste at the time of the Decennial Settlement (wyrani) at Rs. 1,62,555.\*

Some action was taken on this in 1810-11 as the demand rose from Rs. 10,97,977 to Rs. 11,16,200. But no steps were taken to assess the 454 wyrani villages found by Mr. Deane, but not assessed by him, as Mr. Collector Carter reported that nothing had been done by 18th June 1814. He also reported a large tract of Gangbaramad land in Bhojpur as in possession of Raja Bikramajit Singh, without payment of revenue. The Board ordered assessment and reports of progress. Something was done as about Rs. 10,000 was added to the revenue roll between 1220 and 1222 besides the increase due to the Settlement of Haveli Rohtas.

- 84. The Sch Salah Register.—In 1816 the district with the rest of Bihar, Ramgarh and Benares, was placed under the charge of the Board of Commissioners for the Central Provinces, afterwards called the Board of Revenue, Central Provinces, which was in direct communication with Government. Mr. Deane, who as Collector of Shahabad in 1801, had been very active about resumptions, was one of the Board and he compiled in 1817 a register called the Sch Salah showing the villages comprising each estate with their areas, from the accounts of persons, who were candidates for the office of Kanungo, then about to be rovived. No doubt he intended to use this for the purpose of tracing further lands liable to resumption. However, very little was done before Government called for a special report in December 1828 when it was found that the progress of resumption in Shahabad between 1819 and 1829 had resulted in an increase of revenue amounting to Rs. 7,807.
- 85. Organized resumptions.—The Government was generally dissatisfied with the progress made and at last in 1833 realized the necessity for a special staff of Deputy Collectors for resumption and assessment of resumed lands. The work was carried out with more promptness in Shahabad than in some other districts and was practically finished by 1837, when the Board reported that 1,025 estates had been resumed yielding a total revenue of Rs. 1,80,950.
- 86. Illegal resumptions of small "Hukumi" grants.—This was however slightly reduced as the result of the discovery that many hukumi grants of less than 100 bighas had been illegally resumed, a fact which the Board reported to Government in their almost tearful letter No. 120, dated 9th January 1838, deploring the sad lack of knowledge of revenue law among their subordinate officers.
- 87. The Board's orders on pending cases.—The remaining cases on the Special Deputy Collector's file (Mr. Lushington) were struck off under the orders of the Board conveyed in their letter No. 266, dated the 21st August 1838. Mr. Lushington had reported that the cases left on the file had all arisen from the fact that certain villages or parts of villages or shares in villages which were found as appertaining to certain estates in Mr. Deane's Sch Salah register of 1817 were not found in Hoshiar Jang's Register of 1773 or in the Register

<sup>\*</sup>He incidently remarks with apparently little hope that the Fourd will take any notice that he has pent about Rs. 2,900 out of his private purse in wages to extra muharrirs presents to cld Kanunges, etc.

- of estates settled in 1790, or that the areas in the Seh Salah were more than the areas in the earlier registers. The Board's reply is of such importance that I give it in full:—
- "Second.—The Board remark that Mr. Lushington distinguishes the taufir cases under four heads or classes: the fourth of which must, they are of opinion, at once be rejected.
- "Third.—For (the Board observe) the Permanant Settlement of these Zillahs was not based on the rakha of the several villages, but each person engaged for his estate in the gross without any condition or even specification of rakha. The rakha (called Kitahi from being recorded in a book or register) is they are informed derived from the most ancient records of the Kanungos' office under the Muhammadan Government now denominated Dufter Pareena and again from a register compiled under the orders and superintendence of Mr. Deane in 1817, when Commissioner in Bihar and Benares, who preparatory to the re-establishment of the office of Kanungo (directed by Regulation II of 1816) invited every person having accounts in his possession and desirous of being appointed to the office of Kanungo to come forward as a candidate.
- "Fourth.—By this means a number of people were collected and from their joint contributions and labour the book or register alluded to by Mr. Lushington as the Seh Salah Register was prepared.
- "Fifth.—It thus appears that in the one case the rakba shown is that of half a century or more before the Permanent Settlement and in the other an account furnished from miscellaneous sources 25 years after that event and that neither of them guided or controlled the settlement in any degree.
- "Sixth.—This recorded rakha moreover is not at all to be depended upon. Experience has shown it to be frequently as much above the actual area, as it is sometimes found to be below it. Further, in the lapse of time, it cannot with certainty be known what was the measurement on which the recorded rakha was grounded, whether the Lodikhani or the Sikandari which differ materially.
- "Seventh.—Under these circumstances, the Board consider a claim on the part of Government to assess lands in a village included in a permanently-settled estate, merely because the existing actual rakba is found to exceed that on record in the Collector's register to be untenable and that it would not be upheld by the higher court or sanctioned by the supreme authority.
- "Eighth.—The first, second and third classes on Mr. Lushington's file are substantially the same, that is, the claim on the part of Government rests on one and the same ground, viz., that villages or portions of villages are said to exist of which no trace can be discovered in the Register of 1197, Fasli the year of the Permanent Settlement.
- "Ninth.—On this point the Board would observe that Settlement was not of villages or as it is called Mauzawari but of estates, composed of one or more villages, called Taluqwari and that the engagements executed by the proprietors contain no mention of villages but merely guarantee the payment of one net sum for the entire estate.
- "Tenth—But what is the evidence that these villages were not included in the Settlement? The question has been raised by persons who are ignorant of the principle on which the Permanent Settlement was formed, who consider that every bigha of land not actually assessed or contributing to the general assets of the estate at the time of Settlement, must necessarily have been excluded from it.
- "Eleventh.—This is a very common error amongst the native officers of account, who conceive exclusion from assessment and from Settlement to be synonymous terms. These were the people who drew up the Registers after the Settlement. The proprietors themselves did not file any list of the villages comprised in their estates, or if there be any exceptions they are very rare.
- "Twelfth.—It will therefore always, at the best, be doubtful whether any particular village not recorded in the Collector's register was included on the Permanent Settlement or excluded from it and it is evident that the onus probandi must in all fairness rest with the Government.
- "Thirteenth.—The Settlement was general and comprehensive and on this the proprietors rest their claims. If exceptions exist it is for the officers of Government to point them out and to prove that the lands were excluded from the Settlement. This the Board apprehend cannot be done. Indeed it appears from Mr. Lushington's letter that the attempt has been made and that it proved fruitless; the evidence in support of the Government claim having been rejected by the Special Commissioners. One ease in this instance would rule all.
- "Fourteenth.—Under these circumstances and with advertance to the principles set forth in the orders of Government, dated the 2nd May 1837, the Board are of opinion that no claim to additional revenue should be preferred on behalf of Government on the several cases noted

- by Mr. Lushington and if you concur in this view of the subject, you are requested to address that officer, communicating to him a copy of this letter and authorising him to strike all the above mentioned taufir cases off his file."
- 88. Financial result of resumption.—The financial result of the resumptions has already been stated in paragraph 85 to have been an increase of the total revenue by Rs. 1,89,950. The total land revenue demand of the district rose as a result of the resumptions and of the inclusion of Chausa Pargana from Rs. 11,34,003 in 1815 to Rs. 13,55,282 in 1843.

## THE REVENUE AND DIARA SURVEYS.

- 89. The Procedure of the Revenue Survey.—The Revenue Survey was carried out in Shahabad district in the years 1844-6. It was, as elsewhere, preceded by a Thakbast Survey, by an unprofessional staff working under a Deputy Collector who prepared rough sketch maps of the villages adopted as units, to afford a guide as regards boundaries to the professional Revenue Surveyors. Where two or more estates fell in one village a khethat map was also prepared either at the time or later, which is also a rough sketch map, but shows the blocks of land appertaining to each estate.
- 90. Defects of the Survey.—There is no doubt that the Survey was distinctly inferior in this district, particularly in the Kaimur Hill area, where boundaries were merely sketched in and even physical features were surveyed incorrectly. There was also very indifferent comparison of boundaries between this district and the neighbouring districts of Patna, Gaya and Palamau lying across the Sone, and obviously no clear orders were sought or at least obtained as to how the Sone bed was to be treated. The Revenue Survey Report on the district, which I saw in 1915 in the India Office, is meagre and practically useless and though I believe the annual reports usually give some interesting details, I have not been able to get hold of them.
- 91. Resumption resulting from the Revenue Survey.—The Revenue Surveyors discovered a certain amount of land liable to pay revenue for which no revenue was paid, and the land revenue demand expanded from Rs. 13,55,282 in 1843 to Rs. 14,09,708 in 1853. In some other cases notes, that villages were unassessed, were left recorded in the Revenue Survey Registers and two such notes gave rise to interesting questions of Revenue law in connection with the present operations.
- 92. "Unsettled" land in village Mariharpur.—Revenue Survey village Hariharpur No. 473 of Pargana Bhojpur was cadastrally surveyed together with village Gopnuawan, thana No. 318 of thana Buxar. It was reported to be unsettled, i.e., held without payment of Land Revenue and this fact was found to have been noted in the Mahalwar and Mauzawar Registers of the Revenue Survey, while in the Thakbast records it was shown to be a separate village not included in any mahal. In 1846 the Collector took up resumption proceedings, but by a rutakari dated the 2nd November 1847 he struck the case off his file, acting as he said in accordance with the orders of the Board of Revenue dated the 21st August 1838. These orders have already been quoted in paragraph 87. In spite of this the village continued to be recorded as unsettled in the Land Registers. The Board of Revenue, Bihar and Orissa, by Resolution No. 242, dated the 17th November 1913, held that the Collector's order of 1847 was final under section 21 of Regulation II of 1819 having been passed in accordance with the Board's order. It was subsequently ordered by the Board that the record-of-rights should be corrected and the land in question recorded as a rent-free tenure formed out of the estate Pandey Patti to which it appertains.
- 93. "Unsettled" land in village Mahran.—The other case was that of village Mahran, Revenue Survey number 1952, Pargana Chainpur and than number 407 Bhabhua. The land of this village was found at the time of the present operations to be held by the proprietor of the estates called Manikpur bearing tauzi numbers 2758 and 2759 which lie in the neighbouring village of the same name. It was noted by the Revenue Surveyors as "unsettled". In this case no attempt appears to have been made as was made in the case of

Harikarpur to assess it to revenue, and on the facts being represented to the Collector in 1912 by the Settlement Officer, South Bihar, inquiries were made and a proposal to resume was made to the Board of Revenue. The Board, however, considered that in view of the statement in the Lower Provinces Board's letter of 21st August 1838, that the Permanent Settlement in Shahabad was talukwari and not mauzawari, i.e., without any specification of the villages comprising each estate, it was most unlikely that Governmentwould by any possible means be able to prove that the village, Mahran, was not covered by the Settlement made with the proprietors of Manikpur, more particularly in view of the facts that the village Mahran is held and was, as early as 1844, held by those proprietors, and that in December 1846 the Collector was definitely informed that in the opinion of the Revenue Surveyors the village was unsettled and yet took no steps to assess it to revenue. The Board, therefore, in letter No. 17-111-8, dated the 6th May 1914, held that the village should be taken as a part of the permanently-settled estates, Manikpur and the Settlement Officer was directed under section 104 G (2), Bengal Tenancy Act, to make the necessary corrections.

- 94. Diara Survey of 1863-4.—A Diara Survey under the provisions of Act IX of 1848 was carried out in the Gangetic diara in 1863-4.
- 95. Result of the Diara Survey.—As much of the land on both sides of the Ganges i.e., the Shahabad side and the Ballia side, belonged at the time to the Dumraon Raj, it was found that no considerable adjustments of revenue on account of alluvion and diluvion were required. Hence no very great change occurred in the total revenue demand as the result of this Survey. The Diara Survey considerably modified the villages as demarcated by the Revenue Survey, and gave rise to some very hotly contested Civil suits in which the Dumraon Raj was interested, particularly as regards village Chaki Naranga, thana No. 28, Shahpur and other villages lying to the south and east of it. The Dumraon Raj was confirmed in possession of large tracts of land, which had oscillated between Shahabad and Ballia districts.
- 96. Turk Ballia and the law of alluvion and diluvion.—A question of great importance is now being raised, as the result of the present operations, in the matter of a tract of land called Turk Ballia. This constitutes an estate previously borne on the Ballia tauzi roll, but transferred to the Shahabad tauzi roll, and recently purchased by Government for one rupee in the absence of other bidders at a Revenue sale. The actual site of the estate or some part of it is believed to be in the possession of the Dumraon Raj. As the matter is likely to come before the Courts, it is inadvisable to discuss it at length, but it may be noted that the principal question will probably be how far the right created by accretion applies to land not originally in the public domain but previously in the possession of private individuals paying Government revenue.
- 97. Diara Survey of 1881-3.—The Gangetic Diara was again surveyed under Act V (B. c.) of 1875 in the years 1881-3 when the adjoining district of Ballia was under Survey and Settlement. A large area was reported by the Survey staff to be accretions to estates, and probably liable to assessment, but for the causes indicated in paragraph 95 above very little of it was ultimately found to be assessable. This survey again altered the boundaries of villages according to possession and hence there are three official Surveys covering the same tract but showing materially different units in that tract. In the present operations the difficulty has to some extent been avoided by excluding from the operations the unstable land. But it would be very desirable if the law were amended so as to secure geographical stability in diara tracts, oven where physical stability is wanting. The units of administration both in

diaras and elsewhere ought to be as far as possible perfectly definite geographical areas, preferably demarcated by permanent marks, but at any rate capable of being demarcated at any time as required and not dependent on the rights or power of the owner of the unit to encroach on the land surrounding it. Of course there are cases, in which administrative convenience requires for administrative purposes a boundary, which fluctuates geographically. But there seems to be no reason why the unit of Survey should continue to depend on the capricious basis of possession.

## MODERN PERIOD.

§8. Partitions.—There is not a great deal to be said regarding the Land Revenue history of Shahabad district in recent years beyond what will be found in the Chapters on Government and Temporarily-settled estates. Partitions have been numerous as the following table shows:—

			Year.			Total number of estates of all kinds.	Percentage of increase.
1852	***	4++	1 + 5	•••	•••	3,500	•••
1872	•••	•••	•••	•••	***	4,907	40
1892	•••	•••	•••	Terres)	***	7,260	48
1912	•••	•••	•••			10,724	48

Roughly speaking the number of estates on the tauzi roll will double itself in something less than 40 years.

99. Revenue sales.—Figures for revenue sales of whole and part estates for the 20 years 1895 to 1915 have been examined with the following result:—

				4000	Mark Commence of the last of t			
Avo	erage yes	rly figu	res for the period.	सद	Number sold.	Government Revenue.	Price realized.	Proportion of price to Revenue.
						Rs.	Rs.	
189519	05	•••	***		131	17,189	<b>1,</b> 59,144	9.3
190519	915	•••	•••		43	6,248	27,813	4.5
189519	915	•••	,,,		87	11,719	93,479	8.0

Thus it appears that the demand is becoming more and more easy to collect without recourse to the extreme measure of a revenue sale, and it is now only the estates, where for some reason the demand reaches the comparatively high proportion of one-quarter of the value of the property that come upfor sale. In the period 58 estates in all have been bought in by Government for lack of bidders,

100. Incidence of Land Revenue.—I have shown in paragraph 375 below that the total land revenue demand of the district was in 1912 about 17.8 per cent of the assets after deducting cost of irrigation in produce-rent lands and of cultivation in the lands held by landlords, and about 19.8 per cent of the landlord's income after deducting collection charges. Considering how much of the district is either Temporarily-settled or Government estates, this is distinctly

below the figure for Patna. The incidence of land revenue on total and on net cropped area in certain districts of Bihar is shown in the following table:—

					Land Revenue in per 100 acres.	
	Dist	rict.		On total area.  Rs. 65 115 77	On net- cropped area.	
	 		 	Rs.	Rs.	
Shahabad Patna Saran Monghyr Bhagalpur	   	  	 	115	102 152 98 52 33	

These figures ignore small portions of the districts not included in the statistics, but are probably quite accurate enough for comparison. The incidence on total area affords no very useful comparison as districts vary so much in the proportion of unculturable land to total area. The incidence on net-cropped area, after making allowance for difference in average fertility, is a fair guide to the pitch of the assessment. From this it appears that Shahabad is heavily assessed as Bihar assessments go. Saran is almost certainly more fertile, while Monghyr and Bhagalpur are certainly not only one-half and one-third as fertile as Shahabad. Buchanan estimated in 1812 that the cultivated area was 2,294 square miles or 1,466,160 acres. The land revenue demand in 1815 was Rs. 11,34,003 or Rs. 77 per hundred acres of net-cropped Hence the demand has probably increased on the whole faster than the actual extension of cultivation, that is to say Government by resumption and other means has been able to secure some portion of the increased money value of the crops due to rise in prices. Prices of staple food-crops have risen in the proportion of 100: 263 according to Buchanan's figures.

101. Land Revenue and the annual income of the district.—Another comparison which may be of interest is between the value of the gross produce and the revenue at the two periods. For crops alone, i.o., excluding fruit, etc., Buchanan's estimate for the district in 1812 was Rs. 1,16,14,181 while the land revenue demand in 1815 was Rs. 11,34,003 or 9.78 per cent of the value of the gross produce. I have calculated elsewhere that the value of the gross produce of crops for the whole district was in 1912 Rs. 4,75,47,284 while the land revenue demand was Rs. 17,78,578 or 3.74 per cent of the value of the gross produce.

# PART III.

#### THE PRESENT OPERATIONS.

#### CHAPTER I.

#### SURVEY AND PRELIMINARY RECORD-WRITING.

102. Order in which the thanas of the district were taken up.—For the purposes of the Survey and Settlement operations the district of Shahabad was divided into four portions, which were taken up in successive years. These portions were as follows:—

	Tha	na.		Season of Traverse Survey.	Season of Cadastral Survey and Khanapuri,	Seacon of Attestation.
	]	1		2	3	4
Arrah		•••	•••	1907-8	1908-9	1909-10
Dumraon	•••		•••	j		
Buxar	•••	•••		CETTERS		
Piro	•••	***	E S	1908-9	1909-10	1910-11
Shahpur	•••	•••				
Bikramganj	•••	•••	100	j		
Mohanea	***	***		11777		
Karghar	174	***		1909-10	1910-11	1911-12
Bhabhua	•••	•••	77	यमेव जयते		
Dehri	***	•••		} 1910-11	1911-12	1912-13
Sasaram	•••	***	•••	)	1011-10	¥(1%-19

103. Control.—Work began in November 1907. At that time Mr. P. W. Murphy, i.c.s., was Settlement Officer of Bihar. I acted for him from May 17, 1909, to October 11, 1909, and again from April 29, 1910, to November 9, 1910, from which date the charge of Shahabad was separated from the charge of the districts under completion, viz., Patna and Monghyr, and I was in charge of the Shahabad Settlement until December 8, 1912, with the exception of the period March 29, 1911, to October 9, 1911, during which time the late Mr. P. S. Shettle, i.c.s., acted for me. On December 8th, 1912, Mr. Murphy relieved me, and remained in charge till September 18, 1913. Mr. E. L. Tanner, i.c.s., then succeeded Mr. Murphy and has remained in charge up to the close of the operations, except for the period April 14, 1914 to September 1914 during which time Mr. A. B. Duncan, i.c.s., acted for him. Mr. J. F. W. James, i.c.s., Mr. C. L. Philip, i.c.s., the late Mr. P. S. Shettle, i.c.s., Mr. E. L. Tanner, i.c.s., Mr. F. G. Rowland, i.c.s., Mr. A. B. Duncan, i.c.s., and Rai Sahib Nilmani De, were in subordinate charge of the work for various periods.

The headquarters of the Settlement were at Bhagalpur until October 1910, when the old Civil Courts at Arrah became available. The headquarters were again moved to Gaya in March 1912, and located in the abandoned Opium offices, a new building being erected to provide additional accommodation. Rai Sahib Nilmani De was Assistant Settlement Officer, Headquarters, till October 1910, Maulavi Shamsuddin Haidar from that date to May 1914, and Babu Sudhanshu Bhushan Mitra to the close of the operations.

104. Traverse survey.—The traverse operations were carried out by No. IV Traverse Party of the Survey of India under the control of Lieutenant-Colonel Crichton and Major Hirst. The area traversed in each season was as follows:—

		Season.		Area in square miles.	Name of thanas traversed.
		1		2	3
1907-8		•••	•••	346·(·7	Arrah.
1908-9	•••	•••	•••	1529 65	Dumraon, Buxar, Piro, Shahpur and Bikramganj.
1909-10	•••	•••	•••	1560.99	Mohanca, Karghar, and Bhabhua.
1910-11	•••	•••		851.07	Dehri and Sasaram.
		Total		4257.78	

105. Amalgamation of Revenue survey villages.—The Traverse Survey programme was carried out punctually and accurately as usual, and the defects which came to light at cadastral survey were few. In the season of 1908-9 some difficulty was found in locating the large number of minute revenue survey villages. This was obviated in later years by the use of the jurisdiction maps which were available before Survey and Settlement operations in this district for the first time in the history of the Bihar Settlement. With the help of these maps provisional amalgamations of small revenue survey villages were made and communicated to the Traverse Party, who prepared a single plot for each village as provisionally adopted under section 3 (10) (b) of the Bengal Tenancy Act, leaving the boundaries of the revenue survey villages included therein to be surveyed by the cadastral staff. There were some complaints, especially in the last year of survey, that the traverse stations were insufficiently marked, and this is a matter which, it is understood, has received special attention since the control of the traverse survey has been vested in the Director of Land Records and Surveys.

106. Traverse survey carried to northern high bank of Ganges.—The traverse in the north of the district was carried right across the Ganges and connected with permanent stations on the Ballia and Ghazipur high bank.

107. Traverse survey in Kaimur Hills.—In the difficult area of the Kaimur hills the traverse was particularly well done, and the subsequent difficulties of deciding village boundaries in that area were very much minimized by the care which the sub-surveyors had taken to have the boundaries pointed out by the Baigas, and to run traverse lines in close proximity to those boundaries. The only serious defect was found in the southern boundaries of eight villages situated in the south-west corner of Bhabhua thana, adjoining the long, narrow tongue of Sasaram thana, where the traverse stations had not been placed near enough to the top of the precipice which overhangs the Sone valley, to allow of an accurate survey of the cadastral boundaries, without additional traverse.

# CADASTRAL SURVEY AND KHANAPURI.

108. Control.—The operations of Cadastral Survey and Khanapuri were, in accordance with the practice adopted in the season of 1907-8, carried out under the sole control of the Settlement Officer. Mr. Philip was in subordinate charge during the field seasons 1908-9 and 1909-10. I was also in subordinate charge in 1909-10, Messrs. James and Rowland in 1910-11, and the late Mr. Shettle in 1911-12. Mr. J. II. Murphy was Professional Adviser throughout

109. Progress.—From the records of the area and khasra sections of the Survey branch, it appears that the progress of the work was as shown in the following statement:—

Š	eason.		Survey, square miles.	Record- writing, square miles.	Names of thanas.
	1		2	3	4
1908-9	•••		340°61	329-17	Arrah.
1909-10		•••	1504.02	1493.70	Dumraon, Buxar, Piro, Shahpur and Bikramganj.
1910-11		•••	1560.78	1560.78	Mohanea, Bhabhua and Karghar.
1911-12	•••	•••	850-60	843.73	Dehri and Sasaram.
То	tal	•••	4256 61	4232:38	

110. Area covered by the operations.—It is not worth while to spend time in explaining precisely why the area surveyed comes out greater than the area for which records have been written. The precise area covered by the operations and the area treated exceptionally or excluded from the operations altogether is set forth in the following table, which is taken from the statistical registers deposited with the Collector of Shahabad. The area of each village in these registers has been carefully agreed with the area entered in the thana lists and the areas in the second column will be found to agree with the areas in the third column of statement above:—

Т	Tiana.		Area for which records have been prepared in present operation.		surveyed area for which statistics are		Previously surveyed- area for which statistics are not available.	Topogra- phically sur- veyed in present operation.	Area of congested town sites surveyed in blocks in present operation	Grand Total.		
	1						5	6	7			
Euxar	Subdivision.		Aeres.	Sqr.miles.	Acres.	Acres.	Sqr.miles.	Acres.	Acres.	Acres.	Acres,	eqr.miles.
Buzar	***		191,584	299.34	1.717	193,301	302.03	,		111	193,412	302-20
Dumraon	***		191,510	299-23	4,303	195,813	305-95	5,900		210	201,923	315.20
	Total		382,091	598-67	6,020	389,114	607*98	5,900		321	395,335	617:70
Sadr 1	Subdivision.											
Arath			210,674	329:17	2,055	212,729	332728		7,316	1,142	221,487	346.57
Piro			191,559	299:31	9,682	201,241	314:43	1,073			202,314	316-11
Shabpur	***	•••	147.757	230.91	1	147,787	230.81				147,787	230.91
	Total		550,020	859°39	11,737	561,757	877.72	1,073	7,316	1,412	571,588	893-59
Sagaren	n Subdivision.											
Bik manganj		·. <b></b>	233,549	364-91		233,543	304:91				233,543	361.91
Ka char			1.9,563	264.94		169,563	264:94				169,563	264.94
Sas rani			407,424	683-17		437,424	683*47			303	437,727	683:94
Deleri	***		105,769	165*26		1:5,769	165-26		1,190		106,959	167.13
	Total		946,299	1478:58		946,299	1478'88		1,190	303	947,792	1480.91
tikubhr	a Suldivision		1		1							
Dh. shun			582,599	910:31		582,599	910:31			125	582,724	910.20
Mo. aea			246,743	385:53	٠	246,743	385 53				248,743	385.28
	Total		829,312	1::95'::4	ļ <del></del>	829,042	1295'84			125	829,467	1296 03
Grant Total	for District		2,707,755	4232-38	17,757	2,725,512	420012	6,973	8,506	2,191	2,743,182	4288:23

This statement requires some explanation.

111. Previously-surveyed area.—The area shown in column 3 was previously surveyed and a record-of-rights prepared under Chapter X of the Bengal Tenancy Act in the years shown in the following statement:—

 Buxar
 ...
 ...
 1901, 1903-4 and 1907

 Dumraon
 ...
 ...
 1900

 Arrah
 ...
 ...
 ...
 1901-2

 Piro
 ...
 ...
 ...
 1901-2 and 1907-8

These operations include the surveys of some villages of the Dumraon and Hathwa Estates completed under the supervision of Mr. Coupland, and petty surveys carried out under the control of the Collector. It should be noted that irrigation statistics are wanting for the 4,303 acres dealt with in Dumraon thana, and for 3,496 acres out of 9,682 acres dealt with in Piro thana. The area shown in column 5 was also previously surveyed and a record-of-rights prepared under Chapter X of the Bengal Tenancy Act, that in Dumraon thana in 1893, and that in Piro thana in 1890-1. In these operations no statistics were collected, or at least none are now to be found in the Arrah Collectorate. All this area was necessarily excluded from the present operations by virtue of the notifications of which details are given in Appendix B. In some cases where the maps were old or lacking in accuracy, a topographical survey was made for the purpose of completing the standard 1" maps of the district.

- 112. "Abadi Municipality."—The area in column 7 consists of congested urban site lying within the municipalities of Buxar, Dumraon, Arrab, Sasaram and Bhabhua. On the 16" cadastral maps these areas were merely surveyed in blocks to show roads and lanes and entered in the record-of-rights in a separate khewat and khatian under the heading Abadi Municipality in manner described in paragraph 209 of Mr. James' Patna Final Report. The municipalities of Dumraon and Sasaram were surveyed in detail at the request and at the cost of the Municipal authorities, and a khasra showing the owners and occupiers of the houses prepared. The congested urban area of these municipalities was surveyed on the 6!"=1 mile scale and a wall map on the 16" scale prepared for the whole area within the municipal boundaries.
- 113. Survey of Jagdishpur.—Some area in the village Jagdishpur of Shahpur thana was also treated as Abadi Municipality, but as it formed part of Mr. Mylne's temporarily-settled estate which was under revenue settlement, it was found necessary at a later stage to prepare a detailed record and map, and hence the area appears in column 2 of the statement above

There remains the explanation of the figures in column 7.

- 114. Topographically-surveyed areas.—The figure against than Dehri represents two villages, Kaithi Mahazi and Kachhawa Mahazi, lying within the district boundary, but wholly below the high bank of the Sone.
- 115. "Nadi Sone."—Elsewhere the bed of the Sone as far as it lies in Shahabad district has been included in some village of which a record-of-rights has been prepared, but has been shown without any definition of the rights of landlords or tenants in it under the entry "Nadi Sone". This practice was adopted for the portions of the Sone which lie in Arrah, Piro and Bikramganj thanas without serious objection. When, however, thanas Dehri and Sasaram were taken up, some objections were raised both by the Collectors concerned on behalf of Government and by private proprietors. Several test cases were heard at length by Mr. Duncan. There was clear evidence that in some cases the bed of the Sone had not been included in the Permanent Settlement of the land above the high bank, but in other cases the evidence was defective. The net result was to induce the conclusion that the question could not be decided without investigating the case of each village separately, and as the Settlement Officer is not given powers to identify estates according to title or assess land held in excess of the Settlement, the representatives of Government and the private proprietors were both agreed that the expenses of the inquiry would not be justified and that this area should be shown in the records as " Nodi Sone" without

specification of any proprietary right. The only other difficulty arose from the fact that a comparison of the Shahabad and Patna Revenue Surveys and to a lesser extent the Shahabad and Gaya and the Shahabad and Palamau Revenue Surveys revealed gaps and overlaps.. These gaps and overlaps were divided between the two contiguous districts.

- 116. Ganges diara.—The problem of the Ganges was much more thorny, and gave a great deal of trouble at all stages. The Sone, except for a few miles near its confluence with the Ganges, is a remarkably stable river, and neither alters the position of its high banks nor permits the formation of culturable "chars" in its bed to any considerable extent. The Ganges, however, in Shahabad district, after it has passed Buxar, is subject to constant changes of course, and at some places is subject to fluctuations which cover a breadth of upwards of eight miles, while at the extreme eastern end of its course along the boundary of the district its vagaries are further complicated by its junctions with Gogra from the north and the Sone from the south.
- 117. Previous surveys of Ganges diara.—The major portion of the tract which is subject to the fluctuations of the Ganges had already been surveyed on three occasions, viz., in 1 44-5 in the course of the Revenue survey, in 1863-4 in the course of the Diara survey, and in 1882-3 in the course of the Ballia district and Diara survey. In all these three surveys village boundaries were laid down on the maps, though not of course on the ground, and in each survey the boundaries differed and entire villages disappeared and were replaced by new and differently bounded villages. The maps of the 1882-3 survey, which show in faint lines the boundaries of the villages of the previous surveys, as far as they could be accurately put on, are exceedingly complicated as might be expected. In view of these circumstances it was a matter for consideration whether a detailed survey of the tract was desirable.
- Collector of Shahabad when the operations began, had pressed for a fresh diara survey under Act IX of 1847. He represented that at the previous diara survey of 1882-3 a large area outside permanently-settled estates had been found. He was also anxious for a detailed survey for administrative reasons. An examination, however, of the papers relating to the previous Diara Surveys showed that for the reasons indicated in paragraph 95 above, no very material increase of revenue had resulted from those surveys. For instance only an insignificant portion of the 18,000 odd acres reported by the officers of the Diara Survey of 1882-3 as being accretions to privately-owned estates in Shahabad had actually been assessed to revenue after that survey. These facts naturally put an entirely different complexion on the financial arguments in favour of a detailed survey. It was also found that all the Government and temporarily-settled estates in the district except one Government estate village in thana Arrah, and a group of four small Government estates in thana Dumraon, lay south of the traverse line. If cadastral survey were carried up to that line they would all be taken up in ordinary course, except those five estates.
- 119. Administrative arguments for a diara survey.—As regards the administrative arguments in favour of a detailed survey, the chief trouble of the local authorities was the difficulty of laying down boundaries of the revenue or diara surveys in cases that came up either on the revenue or criminal side. This difficulty of course arises from the absence of fixed marks and is inherent in diara areas. It was finally agreed as the result of a conference between the Director of Land Records, Mr. McPherson, the Director of Surveys, Lieutenant-Colonel Crichton, and Mr. Marr and Mr. Johnston, who were making over and taking over charge as Collector at Arrah, that the administrative difficulties would probably be fully met by the scheme proposed by Major Hirst of preparing congregated maps showing the relative positions of the boundaries of all surveys in the diara with fixed marks on the ground shown on the maps. The subsequent history of this scheme as far as it affects Shababad district will be discussed later, but it may be noted here that as far as relaying a particular

boundary is concerned, the most profitable course for the Collector of Shahabad to follow is no doubt to apply for the services of the Survey Department as soon as possible after the river has receded at the beginning of the cold weather. The Survey Department will not even require fixed marks near the boundary to be relaid, but will be able to work from fixed marks at a distance on the stable ground beyond the diara.

- 120. Decision of the Board of Revenue.—The decision that was arrived at and subsequently approved by the Board of Revenue, was that the instructions laid down in Government Resolution No. 914-T.R., dated the 12th October 1896 (printed as Appendix G.-10 of the Bengal Settlement Manual), should be followed. In effect this meant (1) that the cadastral survey and record-writing should be carried up to the line already adopted by the Traverse party with such modifications as the Settlement Officer thought necessary; (2) that the diara area, lying north of the line adopted as the limit of cadastral survey with the exception noted in (4) below should be surveyed topographically on the 4"=1 mile scale as far as the permanent stations on the Ballia high bank without any attempt to map village boundaries; (3) that the area topographically surveyed with the exception noted in (4) below should be withdrawn from the scope of the district notifications under section 101 (1) of the Bengal Tenancy Act and section 3 of the Survey Act. (The amendment of the latter notification was necessary because that section directs that the boundaries of estates, tenures, mauza or field shall be demarcated.) (4) That the five Government Estate villages, viz., Mahedewa Diara thana No. 3, Revenue Survey No. I and Jurisdiction list No. 2 (2) in thana Arrah, and Bisupur Revenue Survey Nos. 45, 46 and 48 and Jurisdiction list Nos. 393, 394, and 395 and Bisupur Milik Revenue Survey No. 47 and Jurisdiction list No. 392 in thana Dumraon should be cadastrally surveyed and a khasra only written for them, which should be made over to the Collector for revision of revenue settlement, if and when found necessary. Further, that these villages should be withdrawn from the notifications under section 101 (1) of the Bengal Tenancy Act, but not withdrawn from the notifications under section 3 of the Survey Act. The notifications required were published as Nos. 1860-1863-T.K., dated the 3rd October 1910.
- 121. The thana maps.—The question, however, remained how the one-inch thana jurisdiction maps should be completed. Mr. H. McPherson, as Director of Land Records, proposed to the Board to show the whole of the area between what may be conveniently called the southern high bank, though it is strictly speaking, merely the limit of record-writing, and the mid-stream as "river blocks" on the thana maps, and, on receipt of the congregated maps, under preparation by the Director of Surveys showing for the whole Ganges bed the boundaries of villages at different surveys, to reduce these maps to the one-inch scale and file them with the thana maps.
- 122. The Board's orders regarding the maps.—Sir D. J. Macpherson, the Member of the Board, on 13th September 1911, declined to sanction this course on the ground that any map prepared by Government for whatever purposes might be regarded by the Courts as an admission against Government, and that the proposal of the Director of Land Records might prejudicially affect the interests of Government, as indicating that portions of the river bed, which as a navigable river is the property of the State, are actually included in villages and implicitly in the estates, of which such villages form a part.
- 1°3. Interpretation of the orders.—Sir D. J. Macpherson's orders were communicated to me, as Settlement Officer. I took them to mean that no portion of the bed of the Ganges was to be included in any village map or any record-of-rights, and proceeded to exclude all such areas from the maps and records. In some cases the records had already been finally published and in these cases I instituted proceedings under section 108A for the correction of the records, and in the case of two villages, Nagpur and Sanjoel in than Arrah, completed the proceedings. In other cases the section 108A proceedings

were left pending until the notifications excluding these portions from the scope of our operations should have been published. In other cases again the records had not been finally published, and here I merely struck out the river area without recourse to section 108A. This work required my personal attention to a great deal of somewhat difficult detail, and could only command it when I could spare the time from the more important work of the field season. It was not, therefore, till June 1912 that I was in a position to submit draft notifications for the corrections of the notifications in accordance with the Board's orders as I interpreted them. The Director of Land Records, Mr. J. Reid, questioned the need for these notifications and was inclined to doubt my interpretation of Sir Duncan Macpherson's order, though he admitted that it was the logical outcome of the opinion expressed by the Board. A further detailed examination of the records and maps was made, and it was found that as far as they related to privately-held and permanently-settled estates the area which it was proposed to exclude from the operations was for the most part merely described as "Nadi Ganges (River Ganges)" or "Gairmustakil topo" (shifting area surveyed topographically) and in neither case was the area included within the *khewat* entry of any particular estate.

124. Further orders by the Board.—The Board held that in view of these entries there was no danger of prejudicing Government's future claims in the bed of the river, and in the few cases where the definite possession of landlord or tenant had been recorded as the result of the enquiries of the Settlement Department that it was not proper to cancel such entries by the executive action of excluding the area from the notification under the Bengal Tenancy Act. The Board accordingly ordered that the record-of-rights and endastral maps should be restored to their condition at final publication or as on the evo of final publication, as the case might be, except where the Settlement Officer had actually passed orders under section 108A, which cannot be set aside except by the Special Judge.

The case of Government and Temporarily-settled estates, however, was different. Here the orders of Government expressed in the letter of the Bengal Government No. 914-T.R., dated the 12th October 1890, are definite, that such villages should be excluded from the notification and these orders were confirmed by Government order No. 1449, dated the 4th April 1910. For the villages containing such estates a notification was submitted to Government excluding villages Shankarpur, thana No. 441, Arrah and Rajapur Taufir, thana No. 63, Dumraon, from the notification under the Bengal Tenancy Act.

It had also been discovered in the course of the re-examination of the question that a strict interpretation of the somewhat complicated notifications No. 1860-T.R. and No. 1862-T.R. of the 3rd October 1910 involved the exclusion of the small village Molna Chak, thana No. 437, Arrah, from the operations. This had never been intended and accordingly the Board submitted to Government notifications reviving the original notifications with regard to this village, which were published as notifications No. 5951-5952-R dated the 27th August 1913.

The Board also passed orders in the same letter No. 17-47-4, dated the 19th August 1913, regarding the final form of the thana maps. The thana maps of Arrah and Dumraon thanas had been corrected to agree with the purport of Sir Duncan Macpherson's order as I understood it, and notes had been put on the maps to the effect that "the black single dot and stroke line along the north is the line adopted as the limit of the area for which a record-of-rights should be prepared and finally published. Where this line coincides with the high bank it is shown by the high bank symbol with dots below it. The boundary of criminal jurisdiction extends to the middle of the deep stream of the Ganges." The Board's orders now were to restore the villages and their boundaries shown in the diara areas in the draft thana map of Arrah thana, and to expunge the note of the 5th June 1912 on that map and the dots placed along the high bank symbol. It was also ordered that a note should be put on that map to the effect that in the diara area the boundaries of

villages are for the most part merely approximate plotting from the Revenue Survey maps. In the Dumraon thana map it was ordered that the villages Bisupur, Bisupur Milik and Rajapur Taufir should be marked as was originally done, while the boundary of Dobha Taufir should be corrected to agree with the cadastral map. It was also directed by the Board that in the thana lists notes should be made against certain villages that no record-of-rights has been finally published and against others that a record-of-rights has been finally published for a portion of the village only with a specification of the area so treated.

- 125. Umarpur Diara.—The treatment of Umarpur Diara, deserves special mention. This tract of land lies in the extreme north-east of Buxar thana adjoining Dumraon thana and extends from the actual bank of the Ganges castwards for a distance of nearly two miles, and has a length north and south of about three miles. It is made up of two Revenue Survey villages, viz., a portion of the village of the same name, and a portion of Keshopur, otherwise known as Sora Tanr. Other portions of these villages lie respectively south and east of the tract, and comprise stable land. It is separated for the most part from these two portions of villages and from the other villages, which bound it on the east, Mangrail and Misrauliya, by a sandy trench which was at one time the main stream of the Ganges.
- 126. Previous disputes.—The proprietor of the tract is Maharaja Keshava Prashad Singh of Dumraon, whose predecessor purchased it at a Civil Court sale in 1880. The tenants are the original proprietors or their representatives. The relations between the Raj and these persons have been very strained for a long time and have given rise to litigation extending over a period of fifty years. In 1907 an agreement was entered into between the Secretary of State in Council, the Maharani of Dumraon and the tenants, who are generally known as the Narhi Babus. The important terms of this agreement were that the Narhi Babus agreed to pay certain rents for the lands in Umarpur Diara, and were in turn recognized by the Maharani as having occupancy-rights. A map and record of tenancies was prepared at the time much in the same forms as that generally used in Settlement operations under the Bengal Tenancy Act. This map covered practically the whole tract, except the more pronounced portion of the old bed of the Ganges referred to above.
- 127. Reason for original inclusion in the operations.—The area, though of course of the nature of a diara, has acquired a certain degree of stability and it waspossible to make a cadastral survey of it, though ordinarily it would have been decided to exclude it from the Survey and Settlement operations in accordance with the orders of Government contained in Resolution No. 914-T.R. dated the 12th October 1896. It was in fact so treated at the beginning, but in the field season of 1909-10, when cadastral survey and khanapuri was going on in Buxar and Dumraon thanas, the Manager of the Dumraon Estate, then under the Court of Wards, requested that it should be included in the operations. His chief ground for this request was that it was hoped that difficulties about collection of rents, which were very serious, would be minimized by the use of the Certificate procedure. The request was granted. It was found that additional traverse survey was necessary, and owing to a mistake in chaining the traverse plots were received too late to complete the cadastral survey and khanapuri in that season. The traverse points were accordingly carefully marked in view of the probability that the tract would be submerged during the rains, and in the following season, 1910-11, cadastral survey and khanapuri were carried through, and attestation was taken up.
- 128. Attestation difficulties.—Here fresh difficulties arose. The Narhi Babus had executed kabuliyats, as the result of the agreement of 1907, agreeing to pay certain rents for certain holdings which were made up of plots covering certain field numbers in the map of 1907. The Raj Jamabandi was also based on the same map. It was, however, discovered at attestation that our map did not correspond with the map of 1907, and further that our preliminary record of tenancies differed very considerably from the Raj Jamabandi. In view of the existence of the kabuliyats and the very short time that had elapsed since 1907, no record-of-rights that did not agree practically in all details with the

papers of 1907 would be of any use to the Raj or acceptable to the tenants. It was clear, therefore, that an entirely fresh survey and khanapuri would be required in the course of which the papers of 1907 would have to be referred to for every plot and every entry in the record. The reasons for the failure of the first attempt at survey and record-writing were, in the first place, that the estate management were at no pains to secure any agreement with the papers of the 1907 survey, that is to say, they neglected the ordinary duty of the landlord which is to have khanapuri done according to his Jamabandi. In the second place the tenants, in some cases intentionally, in others through ignorance, made statements which were at variance with the facts recorded in 1907. A further difficulty arose from the fact that the map of 1907 had not been prepared on the basis of a traverse survey nor under professional or trained supervision, and what was of almost equal importance the original map, in spite of an energetic search, could not be found, and all we had got was a trace in by no means perfect condition.

127. The preparation of a record-of-rights abandoned.—In the meantime the Dumraon Estate had been released from the Court of Wards, management, and the chance of the private management obtaining sanction for the use of the Certificate procedure was not very great. It was, therefore, proposed that the attempt to prepare a record-of-rights under the Tenancy Act should be abandoned and the tract withdrawn from the notifications under the Bengal Tenancy Act. This proposal was accepted by Government and the necessary notification was published as No. 993-R of the 18th February 1913.

130. Areas according to criminal jurisdiction.—It will appear from the foregoing remarks that the total area of the district and the areas of the individual thanas which are bounded by the Ganges are not capable of easy determination. The boundary of the criminal jurisdiction is the middle of the deep stream of the Ganges, and this varies materially from year to year. I have had the area, which lies between the limit of cadastral survey and the middle of the deep stream as topographically surveyed in the course of these operations, calculated by Mr. J. H. Murphy, the Deputy Director of Surveys, and it is given in the following statement:—

Thana.		Area of thans as given in col. 8 of statement in paragraph above.	Add area excluded from the record- of-rights, but lying south of the Ganges deep stream.		Area of thana according to criminal jurisdic- tion in square miles.
1		2	3	4	5
Buxar		502:20	12.23		314.43
Dumraon		315.20	20.69	0:18	345:03
Total Buxar Subdiv	vision	617:70	41.92	0:18	65944
Arrah	•••	816.57	18:45	7.62	252:40
Piro		316-11			316-11
Shahpur		230.91	17·78		215.69
Total Sadr Subdivis	sion	893/59	31-23	7 162	917-20

Thana.	Area of thana as given in col. 8 of statement in paragraph above.	Add area excluded from the record- of-rights but lying south of the Ganges doep stream.	Deduct area included in the record-of-rights, but lying north of the Ganges deep stream.	Area of thans according to criminal jurisdiction in square miles.
1	2	3	4	5
Bikramganj	\$64.91			364-91
Kargher	264.94	•••	•••	264.94
Sasaram	683.94	•••	•••	683.94
Dehri	167.12			167.12
Total Sasaram Subdivision	1480:91			1480.91
Bhabhua	910.50		•••	910.50
Mohanca	385.53			385.53
Total Bhabhua Subdivision	1296.03			<b>12</b> 96 <b>·0</b> 3
Grand Total Shahabad District	428S·2 <b>3</b>	73.15	7.80	4353.58

Within this area lies the village of Sheopur Diara in thana Dumraon which is administered for revenue purposes from Ballia.

131. Number of plots and khalians.—The magnitude of the work of cadastral survey and khalapuri may be judged from the following statement:—

Sonson.	Season.		Area in square miles.	Number of plots.	Total No. of Khatians,	No. of plots per square mile.	No. of plots per khatian.
1		2	3	4	. 5	6	7
(909-10		421	329·17	498,7 <b>2</b> 6	118,864	1,515	4.19
1910-11		2,492	1193-70	1,857,367	316,621	1,243	5.86
1911-12		2,216	1560.78	915,635	166,325	586	5.21
1912-13		\$89	848.73	446,695	81,776	<b>52</b> 6	5.46
Total		6,018	<b>4232</b> ·38	3,718,423	683,586	878	5.43

132. Village unit.—The village adopted as the unit for the record-of-rights was generally the revenue survey mauza. In a considerable number of cases, however, advantage was taken of the provisions of section 3 (10) (6) of the Bengal Tenancy Act, and minute Revenue Survey villages were amalgamated. The amalgamations were reported to the Board of Revenue for approval in accordance with the instructions contained in the Settlement Manual, and the survey has been "adopted" by Government as defining villages for the purpose of the Bengal Tenancy Act.

133. Jagdishpur Jungle Mahal.—One set of cases deserves especial mention. The Jagdishpur Jungle, in which Kuar Singh held out for many months after the relief of Arrah, had been surveyed during the Revenue Survey of 1844-5 as being composed of portions of a number of villages, other portions of

which lay entirely outside the jungle. When the tract was leased to Messrs. Thomson, Burrows and Mylne, together with the confiscated villages outside the jungle, though on somewhat different terms, one of the stipulations was that they should dig a ditch round the jungle to define it. This was done, and from that time forward the area inside the ditch known as the "Jungle Mahal" was treated entirely separately from the "Baharsi" or outside villages belonging to the same grantees. To restore the old revenue survey villages would have caused an immense amount of trouble both to Mr. Mylne, who is now the temporary settlement holder, and to his tenants, and would have done no good to anyone. It was therefore decided to subdivide the "Jungle Mahal" into villages of convenient sizes according to the areas treated as units for collection purposes by Mr. Mylne, and to treat the resultant fragments of revenue survey villages lying outside the "Jungle Mahal" as villages for the purpose of the Bengal Tenancy Act. The Traverse party had been to the trouble of traversing the boundaries of the old-revenue survey villages, but by replotting the traverse stations on fresh sheets it was found possible to carry out the cadastral survey successfully without requiring a fresh traverse survey.

134. Units adopted in Ganges Diara.—In the tract adjoining the Ganges the villages of the Ballia survey of 1882-3 were generally adopted as units in lieu of the villages of the Revenue Survey, which had lost their identity. Lists, showing precisely what changes of unit have been made, were prepared and made over to the Collector.

135. Payment of amins in hill area.—The cadastral survey itself presented hardly any problems of interest. In the hill area of thanas Bhabhua and Sasaram, the amins instead of being paid by outturn were paid at fixed rates subject to deductions if their outturn was found abnormally low. This was necessary, as in many villages there was little or no cultivation, and the only work required was the survey of the boundary and an occasional hill stream.

136. Standard of check of survey.—The amount of check applied to the survey was as follows:—

Season.		Chock in linear miles per square mile of survey.									
		By Assistant Settlement Officers.	By Kanungoes and Head In- spectors.	By Inspectors.	Independent.	Total.					
1		2	3	4	5	6					
1908-09		.20	-52	1.66	1.32	3.70					
1909-10		·21	-62	1.91	1.53	4.27					
1910-11	•••	·19	.55	1.21	1.19	3.44					
1911-12		·18	.54	1.35	.97	3.04					

On the total area there was a check of 3.52 linear miles per square mile of survey and of that 2.24 was personal and 1.28 independent. The reason for the apparent falling off in the standard of check in the last two seasons was that of the tracts under cadastral survey in these two seasons about 500 and 300 square miles, respectively, were hilly, area, in which check of detailed survey was not required to the same extent as in closely cultivated areas. Further, the staff required for the supervision of survey in those seasons was naturally not as large proportionately to the area surveyed as in ordinary seasons. Besides the check mentioned above some re-survey of blocks in village sites was done as a test of the accuracy of that work, and a considerable amount of line check was applied to the areas in the Ganges and Sone diaras under topographical survey.

137. Boundary comparison.—A minor innovation was introduced in the season 1909-10 relating to the comparison of boundaries of adjoining villages. In order to ensure that Inspectors did not shirk the trouble of going to the spot to adjust discrepancies between the boundaries surveyed by the two amins, each Assistant Settlement Officer and each Kanungo was directed personally to re-survey two common boundaries in each Inspector's "halka" of their circle, and compare the results with the Inspector's boundary comparison books. No serious discrepancies were discovered, but it is a useful precaution against fudging, and as a result discrepancies found in recess were materially diminished.

138. Boundary disputes.—The following statement shows the number of boundary disputes instituted and decided:—

						reyed.	stituted.	appeals.	No. of ap origin	peals in wi al decision	nich the	Percentage of boundary dispute to total No. of Tilages.
	1	iame of the	ins.	_		Villages curreyed,	Disputes instituted.	Number of appeals.	Upheld.	Modified.	Berersed.	Percentage dispute to of villages
		1				2	3	4	Б	6	7	8
	Sa	ıdə Subdivi	sion.				}					
Arrab		•••		•••	}	421	153	56	48	7	]	36
Piro	***		***	***		438	116	36	35		1	36
Shabpur	***	***	•••	•••	~	297	98	47	45	2	•••	32
				Total	6	1,155	367	138	128	9	1	81
	Bı	szar Bubdie	pisio <b>m.</b>		É							
Bular	•••	•••		***		613	83	38	36	2	}	13
Demraon	•••	***		***	10	451	83	47	39	8		18
				Total		1,004	165	85	75	10	***	15
	Sasa	ıram Bubdii	vision,		3	त्यमेव ह	यने					
H kramganj	***	•••	•••	•••	}	693	133	72	64	8		19
Karghar		•••	•••			502	57	18	10	8		11
Sameram		•••	•••			704	157	54	49	4	1	22
Dehri	•••	***	147	•••		185	65	15	15			35
				Total		2,084	411	154	138	16	1	19
	Bh	abha Subdi	vision.		,							
Bhabhua		***	***	•••		1,037	102	26	23	3		9
Mohanea		a+4				677	76	22	16	6		11
			Total			1,714	178	48	39	9		10
			GRAFF	TOTAL		6,018	1,299	478	419	52	2	21

<sup>139.</sup> Reasons for infrequency of boundary disputes.—The number of disputes per 100 villages surveyed was thus slightly under 22. This is an exceptionally low figure for Bihar, the previous lowest being 32 in South Monghyr while in Darbhanga there were as many as 65. The principal reason for the low figure was probably the provalence of landlords holding large and fairly compact estates, such as Maharaja Keshav Prashad Singh of Dumraon, Mr. Mylne and others, but some credit is perhaps due to the supervising stuff for insisting that disputes should be instituted and submitted for decision at the earliest possible date, thus minimizing the opportunities for fomenting frivolous disputes.

- 140. Some important boundary disputes.—The most difficult and important disputes occurred in the north. In particular, a dispute in the tangle of the north-east corner of Arrah thana, where the branches of the Sone find their way to the Ganges, gave considerable trouble. The Government estate village of Suarmarwa was involved, as well as a Patna district village, and trouble had been going on for a number of years. In 1895 Mr. Feley, I.c.s., then Assistant Collector at Bankipore, and Maulavi Sher Ali, Deputy Collector at Arrah, had jointly decided the boundary, and a somewhat dilapidated copy of their map was found in the Patna Collectorate. On the basis of this with the help of their judgment and the few features of the ground that had remained unchanged a decision was reached and boundary pillars were erected. I was somewhat astonished to receive from the Arrah Collectorate a year or so later a request to revise my decision on the ground that it did not give Government as much as had been claimed, and I find that more recently my successor has been informed by the Khas Mahal Deputy Collector that the pillars are no longer in existence. This has been found by enquiry not to be the case, but what the Khas Mahal Deputy Collector meant to say was that the pillars were not where he thought they ought to be. Mr. Murphy rightly declined to take any further action. I mention this as illustrating a lack of appreciation of the position of a Survey or Settlement Officer when deciding judicially on the claims of Government, which is sometimes to be met with among Government servants. In this particular case the Khas Mahal Deputy Collector of the time had appeared for Government in the appeal, and the case of Government was adequately put. No one could reasonably question that it is the duty of Revenue Officers in such cases to abide by the decision given and carefully maintain the boundary marks erected, unless and until the decision is modified in the Civil Courts on the ground of title.
- 141. The Sheopur Diara disputes.—Another important dispute, or rather group of disputes, occurred between the village of Sheopur Diara which, while lying south of the main channel of the Ganges, is treated for revenue purposes as being in Ballia district, and the Shahabad villages belonging to the Dumraon estate immediately to the south. Here, after careful enquiry, the boundary adopted in the Ballia Survey of 1882-3 was accepted and demarcated by 20 pillars.
- 142. Special form of boundary pillars used in diaras.—These pillars consist of lengths of old railway line embedded in masonry bases, and it was hoped, that as they present a smaller superficial area to the floods of the Ganges, they would be more likely to stand than solid masonry pillars. I believe they have lasted for the six years since they were creeted, as the Collector of Ballia has recently referred to them, in forwarding a claim of the Sheopur Diara landlords to possession beyond them.
- 143. Preservation of marks in the diaras.—But it would be desirable if the Collector of Shahabad could arrange to have these and other important marks (as, for example, the 16 pillars erected to mark the boundaries between Raipur-Bargaon in Saran district, and Rampur Diara and Makdumpur in Arrah thana) inspected by a responsible officer from time to time. They have all been marked on the village maps and also on the boundary mark mujmilis. There is no doubt that the vagaries of the Ganges in the portion of the district which lies beyond the limit of cadastral survey will continue to provide plenty of occupation for the Criminal and Revenue Courts, so that wherever definite boundaries have been clearly marked on the ground, it is most advisable to see that they are preserved. In all cases in which pillars were creeted as the result of a boundary dispute, they have been formally assigned to the landlords concerned under the provisions of the Bengal Survey Act, and any failure to preserve the marks for which they are responsible should be severely visited upon them.
- 144. Boundary disputes in the Kaimur Hills.—The boundary disputes in the Kaimur hills in the south, though not very numerous, were of considerable importance. Before traverse survey was begun in this tract, it was decided that it would be a great advantage if the landlords of villages there could be got to agree beforehand that in uncultivated lands the Revenue Survey boundaries should be followed. The principal landlords of the tract were

accordingly asked to appear in person or to send representatives to Bhagalpur which was then the headquarters of the Settlement, in October 1909. This the majority of them did, and expressed themselves agreeable to the proposals. The Traverse party was accordingly asked to traverse as near to the Revenue survey boundaries as possible. Fortunately, as it turned out, the sub-surveyors were unable to carry out this instruction very completely. For when cadastral survey began, it was found that the village "Baigas" (who combine to some extent the characters of priest and headman) had pointed out in the majority of cases the actual boundaries, which were generally undisputed as between the adjacent villages, and often marked at frequent intervals by small piles of stones, or single upright stones called "tuddas". These marks were evidently of considerable antiquity and may have been in existence at least as far back as the thakbast survey which immediately preceded the Revenue survey. At any rate it was found that in most cases the boundaries thus locally known and marked differed widely from the Revenue survey boundaries, and that the sub-surveyors had actually, as a rule, run their traverses close to the boundaries pointed out on the ground.

145. Defects of the Revenue Survey in the Kaimur Hills.—It was further found by an examination of the Revenue survey maps and a comparison of them with the ground that the boundaries thereon could not in many cases have been actually surveyed, but must have been merely sketched in. They lay frequently more than a mile away from the traverse of the Revenue survey, sometimes with one or more hill ridges intervening, and could not have been measured and drawn in with any approach to accuracy by any known method of survey. The inaccuracy of the Revenue survey in this tract was further exemplified by the fact that the channel of the river Lursi, a tributary of the Karamnasa, into which it runs through a deep gorge cut out of solid rock, was shown as a straight line in place of an almost semi-circular curve. In the face of these facts the proposal to accept the Revenue survey boundaries throughout was of course dropped and where disputes occurred they were generally decided without a great deal of difficulty on trustworthy local evidence or in accordance with the natural features of the country, with the Revenue survey boundary as a last resource only.

146. Mapping of tuddas and erection of trijunction cairns.—The "tuddas" have as far as possible been shown on the village maps, and the trijunctions of villages were carefully marked on the ground with cairns, placed either over the ordinary trijunction stone embedded in the earth, or, where the points fall on solid slabs of rocks, over triangular marks chiselled on the rocks themselves. Two or more upright stones, on which square marks have been cut, have been erected to mark traverse stations, in each patch of cultivation.

147. Dispute in the Southern edge of the Kaimur Plateau.—A very important dispute occurred on the southern edge of the plateau, between villages lying in the tract between the Sone and the plateau and villages lying on the plateau itself. The former were owned by the Sonepura Estate, an estate administered under the Encumbered Estates Act in Palamau district, while the latter were principally Government Estate villages. The whole question was whether the slopes of the plateau below the precipice belonged to the hill villages or to the plains villages. The Revenue Surveyors had in many cases included the whole or portions of these slopes in the plateau villages. The question was considerably complicated by the fact that the incorporeal right of the Banskati Mahal originally extended over the plains villages, but was specifically given up as regards the Sonepura Estate villages in 1813. In so far as the dispute was between Sonepura and other private proprietors the decision, in the absence of clear evidence of possession by Sonepura, followed the Revenue survey boundary and this decision has stood on appeal. But in the case of Government Estate villages the original decision of the Assistant Superintendent of Survey has been set aside by the Commissioner in exercise of his powers of supervision and control under Section 58 of the Bengal Survey Act.

When the case came before me as Superintendent of Survey, I held that in the first place no possession had been clearly proved as against Government by the Sonepura Estate. Secondly, I had before

me a letter from the Government of Bengal No. 659-T., dated 28th July 1879 in which the following passage occurred:— "Turnings to the question of the territorial right of Government in the land on the slopes of the hills, the Lieutenant-Governor accepts the Board's conclusion that such right must stand on some other basis than the mere fact of the State being the proprietor of the Banskati Mahal. It is shown that the Revenue Survey assigned almost the whole of the slopes either to the villages below on the plains or to the villages above on the plateau, and that the Government can maintain no proprietary right whatever in by far the greater part of the slopes. Sir S. Bayley is decidedly of opinion that Government is bound to respect the boundaries defined by the Survey, which however inaccurate it may be, was made by Government itself through its officers and publicly confirmed." With the whole correspondence before him the Commissioner has shown clearly that the meaning of this passage is not as I supposed that Government was then prepared to stand to the Revenue Survey boundary at all points, but merely that where the boundary was adverse to the claims of Government, such claims must be withdrawn. Thirdly, I had before me the definite admissions of the Mukarraridars, to whom all the Sonepura villages have been let for sixty years or so, that they did not claim the slopes. But before the Commissioner the Sonepura Estate was able to produce the original leases of these mukarrari settlements, from which it appeared that the right to collect "banskati" dues on the slopes had been definitely reserved to the proprietor. As these dues are the only source of revenue derivable from these slopes, except mineral rights, which also rest in the proprietor, the mukarraridars had nothing to lose by the admissions, which are therefore of no evidential value. In view of these facts there is no doubt that the original decision was wrong.

- 148. Verification of the boundary with Mirzapur District.—The boundary of the district where it marches with Mirzapur district in the United Provinces was very carefully verified with the report of Mr. (now Sir) D. J. Macpherson, Joint Magistrate, Bengal, and Mr. Grierson Jackson, Deputy Superintendent of the Family Domains of the Maharaja of Benares, January 27th, 1885, and where the Karamnasa river does not form the boundary, cairns were erected at intervals of about one mile.
- 149. Check of boundary marks.—In the areas dealt with in the first three years of the operations, boundary marks, of which the majority were stones placed at the trijunction of three villages, were erected by the Traverse party and checked by the Cadastral amins. About one half of them were checked by the Cadastral Inspectors, who also, if necessary, moved them to their correct positions, when not already found there, and a certain proportion again were checked by the Assistant Settlement Officers. In the following year at attestation all the marks were again checked by special amins deputed to the attestation camps for this purpose, while the attestation officers themselves checked something over 10 per cent. It was found in the season 1910-11 that over 12 per cent. of the marks put down had disappeared by the time of attestation, most of which had no doubt been removed during the previous year. It was accordingly decided that the marks should be made over by the Cadastral staff to the dafadars and chaukidars of the villages concerned, and receipts for them were taken. The marks were still checked, as before, during attestation.
- 150. Boundary mark maps and register.—Boundary mark maps on the scale of 2"=1 mile have been prepared for all thanas, together with registers showing each mark, and have been made over to the Collector. The marks have been scrially numbered in the register and on the maps for each thana. In the plains tracts the ordinary triangular stone has been used to mark trijunctions of villages and is shown in the maps as an open triangle. Other boundary marks in the plains area have been shown on the maps as open squares. In the billy tracts cairns erected on the trijunction points have been shown on the maps as triangles inked in, while, where cairns have been erected not on the trijunction points, but as close to them as the nature of the country permits, these have been shown as squares subdivided by a cross. Wherever

old marks have been adopted as trijunction or boundary marks in the present survey, they are indicated by squares, inked in, on the 16" maps and on the 2" boundary mark majmilis.

151. Boundary marks in the diara.—Reference has been made in paragraph 119 above to the special Ganges Diara survey proposed originally by Major Hirst. The object of this scheme is the provision of a special set of maps showing permanent marks and other prominent points in the diara tracts, to facilitate the relaying of boundaries as required. Work has been in progress since 1908, and though the operations have been completed for most of the district of the Province concerned, there remains a considerable tract in the district of Shahabad. This extends from the point where the Ganges is joined by the Karamnasa near Chausa to about the western boundary of Arrah thana. In Arrah thana the permanent marks have been creeted and are shown on the than 1" and boundary mark 2" maps. It would certainly be desirable to have them erected for the rest of the district, as it is possible that from a revenue point of view it will be in future of increasing importance for the Collector of Shahabad to watch the fluctuation of the Ganges. The result of the Turk Ballia case to which I have referred in paragraph 96 will, if favourable to Government, make it imperative to have a simple means of examining the position of the Ganges at frequent intervals. To secure this, I would suggest that from about 5 miles below Buxar, where the river begins to fluctuate, not only should the permanent marks be put down, as has already been done, in furtherance of Major Hirst's scheme, but also a second row of marks half a mile precisely south of the first row should be put down. If the river cuts in anywhere the first row of marks will go, but the second row will enable the Collector to know accurately how far diluvion has proceeded. If the river recedes at any place a fresh mark or row of marks should be put down half a mile north again.

# KHANAPURI.

152. Comparison of size of plot and holding with other districts.—As may be seen from the statement in paragraph 131 above the numbers of plots found in the area was 3,718,423 and the number of khatians (representing holdings) 6,83,586.

The average sizes of the plot and of the holding in the districts of Bihar are shown in the following statement:—

	Champaran.	Muzaffarpur,	Saran.	Darbhanga.	North Mongbyr.	  North Bhagalpur	
1	2	3	4	5	6	7	
Average size of plot	0·74 5·19	0 40 2·00	0·35 1·83	0·38 2·06	0·70 2·90	0·64 4·65	

	Purnea.	South Bhagalpur.	South Mongbyr.	Patna.	Shahabad.
1	2	3	4	5	6
Average size of plot  Average size of holding	0·81 <b>4·</b> 72	0 <sup>.9</sup> 0 6·41	0·73 4·80	0:36 1:93	0·73 5·43

153. Check of khanapuri.—The	percentage of	khanapuri	check attained
in each year was as follows:—			

			Check by Assistant Settlement Omeers,		By Inspectors.	Total.	
	1			2	3	4	5
1968-09		•••	***	0.5	1.9	10.9	13:30
1909-10		•••		1.13	3.25	12:00	1648
.010-11	***	•••		1.51	3 99	12:74	17:94
011-12	•••	•••		1.77	3:14	13.12	18:43

In the whole area 614,677 plots were fully checked during khanapuri out of a total of 3,718,423 plots, or 16 53 per cent. Besides these some 10,000 plots were checked by Assistant Settlement Officers by comparison of the maps and the khasras only. The check, on the whole, was more adequate than in Patna (148 per cent.) and South Monghyr, second season (15.5 per cent.), the other tracts in which khanapuri has been carried out under the single control of the Settlement Officer. For the reasons given in paragraph 59 of Mr Murphy's South Monghyr Final Report a comparison with the standard of check maintained by the Survey Department is unprofitable.

- 154. Khewat-writing.—Khewat-writing was done by Inspectors under the close supervision of Assistant Settlement Officer and Kanungos. On the whole, the work was easier than in most other districts, partly owing to the prevalence of large estates, and partly to the greater ease with which Collectorate villages were identified as the result of the preparation of the jurisdiction lists and maps before the present operations.
- 155. Identification of Estates.—In many cases two or more estates held by the same proprietors in one village were found to be indistinguishable on the ground, but with the help of the records of the thakbast survey and other old papers in the Collectorate, in the majority of cases the different estates were identified. In no case was the attempt to distinguish the estates abandoned except under the definite orders of the Settlement Officer.
- 156. Proposal to empower Collector to amalgamate estates.—In Bhinrari, Shahpur thana No. 291, it was found that two estates had been indistinguishable at the time of the thakbast survey, and other cases of the same kind were found, in all of which the shares of the proprietors concerned were precisely the same in each estate. Section 100 of the Estates Partition Act provides that the Collector may amalgamate estates on the application of the proprietor, but there is no means of doing so, unless such an application is made. It would seem to be desirable to empower the Collector to call upon proprietors, in cases of this kind, to demarcate their estates, and failing a demarcation to his satisfaction, to amalgamate the land-revenue demand.
- 157. Wagnzasht Estates.—It was found that many small revenue-free estates, of area less than 100 acres, known as "wagnzasht" had not been entered in the Collector's Register B. These were traced and should be entered up in the process of the correction of the Collector's Land Revenue Registers on the basis of settlement khewats.
- 158. Railway B class land.—Railway B class lands, sold out revenue-free when no longer required for railway purposes, were identified with the help of the land acquisition plans. At the instance of the Board of Revenue a very careful comparison of the lands still in possession of the East Indian Railway along the Moghalsarai-Gaya line was made in 1913-14 with the help of the land acquisition plans filed in the Board's Office.

- 159. Sone canals and village irrigation channels.—The record of land occupied by the Sone canals and village channels issuing therefrom caused some difficulty. It was ultimately decided that the canals and their distributaries as well as the canal side and canal read land being entirely owned and managed by Government should be entered under a separate Khewat, Part I entry as "Kaisar-i-Hind nahar A". The village channels, however, run on land which was acquired by Government, but of which the management was handed over by Government to the persons who applied for their construction. These persons are called "registered proprietors" or "owners" of such channels. The entry in the record necessarily varied according as these "registered proprietors" were or were not landlords or tenants of the estate or "patti" within which the channel lay. In the former case so much of the village channel as lay within the estate or "patti" in which the registered proprietors were interested was recorded in the khatian for uncultivated land in general possession of the inhabitants (Gairmazrua am), and the names of the registered proprietors entered in the remarks column with a reference to section 58 of the Canal Act (III of 1876). Where the "registered proprietors" had no interest in the estate or "patti" through which the channel ran, a separate entry in Khowat, Part I, was made in the name of "Kaisar-i-Hind nahar B" with a reference in the remarks column to chapter V of the Canal Act. Under this an entry was made in Khewat, Part III, in the names of the "registered proprietors" of the channel and in the status column a reference to section 58 of the Canal Act was made. The channel and its banks were then recorded in a khatan under this knewat entry.
- 160. Pakrohi jagirs.—A large number of small blocks of land were found to have been allotted as 'pakrohi jagirs' to chaukidars appointed to keep watch over the principal roads, particularly the road from Koelwar through Arrah and Buxar to Chaussa and the Grand Trunk Road. Many of these were found to have been entered as revenue-free in the Collector's Register B. It was decided to enter all as "pakrohi jagirs" under the khewat entry of Kaisar-i-Hind, as no evidence was forthcoming at the time that like the ordinary "Chaukidari Chakaran," they formed part of the proprietor's estates. This decision has been recently challenged by the Collector, and the matter is under discussion. It is further under consideration whether the grants can be, and should be resumed, where it is found that the services of the holders are no longer required, or where they have illegally alienated the lands.
- 131. Previous discussion of "pakrohi jugirs."—The question of "pakrohi chankidars" was considered by Government and the Board in 1904-6. It appeared then that some of the grants of land were "Budshahi", i.e., grant under the authority of the Mughal Emperor, others were of comparatively recent date, given by zamindars since the Permanent Settlement, some even as late as 1874, when the Mathunrie mail robbery occurred. These latter appear to have been granted at the request of the Collector-Magistrate by the zamindars. who were required by the terms of their settlements to provide for the safety of the roads. Government in 1906 passed no final orders, but it was merely suggested that the matter might be taken up during the Survey and Settlement of the district. I suggest that in so far as the grants are "Badshahi," they cannot be resumed. In so far as they were made by the zamindars since the Permanent Settlement, they are, if capable of resumption at all, only to be resumed by the zamindars, who may be left to look after their own interests. It would appear that the "Badshahi" grants were correctly entered in Register B, and if they have been removed therefrom in the course of the revision of the registers on the basis of Settlement Khewats, they should be restored. Mr. Harris in his letter No. 688-J of March 1905, reported that Mr. Power, Collector in 1836, had prepared a list of these tenures and had them measured and mapped out, and that the maps and measurement papers had been preserved.
- 162. Chaukidari Chakaran.—The treatment of "Chankidari Chakaran" lands may be conveniently dealt with here, although the greater part of the work was done at attestation. The existing lists of such land, which were supplied

by the Collector, were somewhat defective and also lacking in definiteness. Enquiries were made during khanapuri, the Attestation Officers were all appointed Commissioners under Section 58 of the Chaukidari Act (Bengal Act VI of 1870) to ascertain "what lands, if any, were assigned for the maintenance of the officer who was bound to keep watch in any village and report crime to the police, and in respect of which such officer was at the time of the passing of the Act liable to render service to a zamindar." Enquiries were made in each village, and a considerable number of blocks were found, both those which had been actually "transferred" under the provisions of section 50 by the Collector to the zamindar, subject to an assessment payable to the village Chaukidari fund, and those that had not been so transferred. From the reports and proceedings of the Attestation Officers, thanawar registers were compiled and made over to the Collector, who is now in a position to resume and "transfer" all the lands not hitherto "transferred," and to keep a watch on the contributions payable by zamindars to the Chaukidari fund.

- 163. The various kinds of "Chaukidari Chakaran" found in Shahabad.—
  The following different cases of unresumed "Chaukidari Chakaran" lands were actually met with in Shahabad:—
  - 1. Land in possession of the Chaukidar for which he pays no rent. The Chaukidar receives no pay.
  - 2. (a) Land in possession of the Chaukidar. The Chaukidar pays rent to the sarpanch, which is credited to the Chaukidari fund.
    - (b) Lands in possession of the Chaukidar. The Chaukidar pays no rent, but suffers a reduction of his pay in lieu of rent.
  - 3. Facts as in (2) but the amount paid by the Chaukidar is credited against the total chaukidari assessment of the zamindar in whose estate the land lies.
  - 4. Land in possession of the Chaukidar who pays rent partly to the sarpanch and partly to the zamindar.
  - 5. Land in possession of a person other than the Chaukidar, who pays rent to the sarpanch.

As was pointed out to the Collector of Shahabad in my letter No. 1242-S.H., dated the 26th April 1912, in respect of types 2(a) and 2(b), it is questionable whether any benefit would be derived from transferring the lands, as the Chaukidari fund at present receives the full rent paid for such lands. In respect of type 5, the Chaukidari fund appears to be regarded as the proper rent receiver and transfer proceedings would entail a loss to the fund.

164. "Chaukidari Chakaran" in the Kaimur Hills.—In the Kaimur Hills where type 1 is almost universal, no "Chaukidari Chakaran" land had been resumed and transferred, and it is certainly undesirable that the Act should be put into operation in that tract. The Chaukidars have little to do, and so can afford the time to cultivate their chakaran lands adequately. Over and above the profits of their chakaran lands they get from each raiyat of their village one bundle of his crop once a year and also 25 to 30 seers of the crop at harvest time. The former contribution is locally known as "puri" and the latter as "kharwan." From Aghan to Magh, i.e., while the paddy harvest is usually stored in the houses, the Chaukidar is expected to go to each house every night and gets  $\frac{1}{2}$  to  $\frac{1}{8}$  seer of cooked food from each villager, which maintains him and his family for about three months in the year in the average village. This is called "bhatia." The villagers also make small contributions to the Chaukidar for clothing, etc. In view of this primitive arrangement for the support of Chaukidars it would clearly be a matter of great difficulty to introduce the regulation methods of pay, and to resume and "transfer" the Chaukidari Chakaran land.

165. Internal disputes.—The number of internal disputes in each season is shown in the following table:—

The disputes in the hill area are separately shown.

	Area in square miles.	Number of disputes.			
1908-09		,	•••	329-17	13,350
1909-10	•••	•••	• • •	1493.70	$60,\!530$
1910-11, plains	•••	***		1035438	28,107
1910-11, hills		• • •	***	525.10	1,270
1911-12, plains	•••		•••	552.86	<b>13,</b> 558
1911-12, bills		•••	***	295.87	1,149
		Total	•••	4232:38	117,964

This gives the comparatively low average of 28 disputes per square mile, whereas in Patna the average was 49, and in South Monghyr 32. Excluding the hill area, however, where disputes averaged less than 3 to the square mile, the average for the rest of the district is nearly 34.

- 166. Nature of disputes in Arrah thana.—The most troublesome difficulties of the first season's khanapuri in Arrah thana, were those common to all Bihar, viz., disputes between co-sharer proprietors as to lands in separate possession (Patti disputes) and the suppression of low caste raiyats and landlords' claims to hold land in their cultivating possession. The features of these disputes are well-known from the reports of other Bihar District Settlements, and I do not propose to dwell on them. The only exceptional class of dispute in this thana arose from the prevalence of mortgage of raiyati rights. In some cases more than one mortgage with possession had been effected for the same piece of land, and as mortgagees had frequently succeeded in getting their names substituted in the landlords' papers for the names of the original raiyats, much difficulty was experienced in ascertaining the facts.
- 167. Tree disputes in the Dumraon Raj.—In the season of 1909-10 the principal sources of dispute were the claims of the Dumraon Estate to half rights in timber on the cash-paying holdings of their tenants, and the claims of tenants to hold land rent-free. As regards the former claims the Khanapuri officers were directed to collect the evidence offered by the raiyats that they had exercised full rights over the timber of such trees. A large body of such evidence was collected. I then called on the Dumraon Estate authorities to rebut the evidence and arranged to inspect all the evidence they could collect. I found that except for some indications that, on special occasions, such as the "Sradh" of the late Maharaja, there had been a few instances of trees being obtained without full payment, there was absolutely nothing to support the claim. It might have been expected that in a large estate like this, a regular income from timber would be obtained. Further, the construction of the East Indian Railway, the Sone Canals, and the numerous roads, would have supplied opportunities for the establishment of the claim in Land Acquisition Courts. But in fact as I have said there was no such evidence forthcoming and accordingly the raivats were recorded as having full rights in the trees on their cash rent-paying holdings.
- 168. Rent-free claims in the Dumraon Raj.—The rent-free claims were mainly troublesome, because the Dumraon Estate contested all of them. The management could hardly do otherwise as their agents in the Khanapuri Officer's Circles were not competent to discriminate, and the papers of the estate, which had only recently been taken over by the Court of Wards and was involved in the well-known litigation on the subject, were in confusion. Fortunately the claimants usually had good evidence in favour of their claims, which were not supported, as such claims were in Purnea district, with masses of forged documents.

Other difficulties about the tree entries may be briefly referred to here though they were not confined to the Khanapuri area of 1909-10, nor indeed wholly to Khanapuri.

- 169. Pistrict Board trees.—The District Board and the Dumraon Estate made overlapping claims as to the possession of trees lying along the District Board roads. It was ultimately ascertained that the trees in the avenue from Buxar to Bhojpur did belong to the Dumraon Raj. The District Board also admitted that the trees along the Koilwar-Chausa Road, excluding this portion, had been generally planted by villagers, but it was found that the Board has for a long time exercised control over the cutting of them. This fact was recorded in the Khatians, while the right of private individuals to enjoy the fruits was also recorded. As regards the trees in avenues along the other District Board roads the full rights in fruit and timber were generally found to belong to the Board. Along the Grand Trunk Road, which is kept up by the Public Works Department, full rights were found to be with Government. In the case of some Local Board roads the right of the Local Board to control cutting was recorded, but generally it was found that the trees had been planted by villagers and no such control had ever been exercised.
- 170. The rights in jungle.—The customary rights connected with grazing cattle, cutting timber and collecting forest produce in the Kaimur Hills were recorded in a special Khatian called the "Fard Rewaz Jungle" which was attested, draft and finally published as part of the record-of-rights. The instructions issued in connection with the record enjoined enquiry into the following points:—
  - (1) Of what Mahal does this village form a part?
  - (2) Are the forest rights of this village peculiar or common to the whole Mahal?
  - (3) If common, do the villagers exercise these rights over the whole Mahal?
  - (4) Is the jungle in the village a protected forest under the Forest Act?
  - (5) Have any of these rights and customs the sanction of law or of Government, e.g., are the conditions laid down in the lease of these villages, if so, under what sanction and of what rights?
  - (6) Has a system of passes been instituted in the village, and if so, is there any distinction between a general pass and a special pass?
  - (7) Do the raiyats of the village appropriate the fruits of all the jungle trees?
  - (8) Do they pay anything for this right?
  - (9) Do the raiyats of the village collect dry wood for their own purposes, e.g., for fuel and making wood-ash manure, without restriction?
  - (10) Do the raights cut green wood for any purpose without permission?
  - (11) Do the raiyats of the village cut green wood or timber for their domestic use, e.g., for roofing their houses or making their own ploughs and yokes? Is there any restriction on the sale of such wood, e.g., that only such amount may be taken as a ntan can carry down to the plains with him?
  - (12) Do the villagers cut green wood for sale, and, if so, what tariff is imposed?
  - (13) Have the villagers any right to quarry stones and, if so, what right?
  - (14) Have the villagers any right to collect lac or other jungle products?

    If so, what right?
  - (15) Do the raiyats of the village graze their cattle in the jungle without payment? Is any distinction made between buffaloes and other cattle?

- (16) Do outsiders graze cattle in the village, if so, what they pay and to whom? Is the right limited to the inhabitants of certain villages?
- (17) Do outsiders exercise any other rights in the village and, if so, what do they pay for such rights and to whom?
- 171. Bakasht claims.—The chief disputes during the Khanapuri seasons of 1910-11 and 1911-12 were those between landlords claiming land as bakasht and tenants claiming occupancy rights. The very serious disputes between Bahu Chandrika Prasad Singh and his raiyats in a group of villages lying about 10 miles south-west of Sasaram deserve special mention. In these villages the landlord or rather his son, Babu Basudeo Narain Singh, was trying his best to secure all the best lands as his own cultivation, and to reduce the tenants who actually cultivated the bulk of them to mere tenants-at-will.
- 172. The Dariapur case.—As an illustration of his methods the case of Autar Singh of Dariapur may be quoted. This case was investigated with great care by Ar. Shettle and I derive the information from a note which he wrote for the information of the District Magistrate in 1912.

In this village the landlord regarded about 400 to 500 bighas as his zirat, although on investigation of his claim at Attestation it was proved to be baseless and he was unwilling that any raivat should be regarded as having a right of occupancy in any of it. Undoubtedly from the laudlord's own papers practically all the land has been actually let out to various tenants at one time or another within the last few years. In 1312 Fasli Autar Singh executed a registered deed of surrender of his holding of 29 bighas in favour of the land-lord. In the jamabandi written at the end of that year he was shown as holding 29 bighas on produce rent and 14 bighas on cash rent. No papers of the three following years were forthcoming, but in 1316 he was shown in the landlord's papers as holding 29 bighas on produce rent and 24 bighas on cash rent. It is the reasonable conclusion that the deed of surrender was never acted upon. In the papers of 1317 and 1318 his name does not appear as a tenant, but there is good reason for doubting the value of these papers. For on 15th September 1911 the landlord filed a Civil Suit in the Subordinate Judge's Court at Arrah against Autar Singh. The plaint set forth that after surrendering the 29 bighas in 1312 and allowing the landlord to be in possession for 1313-16, Autar Singh forcibly resumed possession in 1317 and had wrongfully remained in possession for that year and 1318. It also stated that Autar Singh cultivated lands other than the 29 bighas for which the landlord intended to sue him for arrears of rent. This must be for the Fasli years 1317 or 1318, because the jamabandi of 1316 which shows Autar Singh as a tenant shows no arrears. Clearly then in the first place the jamabandis of 1317 and 1318 are incorrect in not showing Autar Singh as a tenant and further Autar Singh was in possession for 1317 and 1318. On the 3rd July 1911 Bhagwat Lall, servant of the landlord, put in a petition to the Subdivisional Officer, Sassaram, that Autar Singh and others were threatening to prevent him from cultivating 500 bighas of zirat, which had some time or other been in their temporary possession, and the Subdivisional Officer was asked to institute proceedings under section 107, Criminal Procedure Code, against them. On the 13th July 1911 the Subdivisional Officer issued a notice on the raivats stating that they were adopting a truculent behaviour with regard to ziral land in connection with which the period of their kabuliyats had expired and warning them to commit no breach of the peace. On a further application by another servant of the landlord the Subdivisional Officer ordered the police to see that no breach of the peace took place and constables should be posted in the village at the time of the cutting of the crop. On the 30th November 1911 the raivats protested in the Subdivisional Officer's Court that they had grown the crops, but the landlord with the help of the police was cutting and carrying the crops. They stated that the cause of the quarrel was that the landlord demanded that in view of the approach of Survey (the Cadastral Survey in the tract was then being carried out) they should execute kabuliyats for terms of years for lands in which they had occupancy rights. It appears from enquiry made at the time that this was true. The

Subdivisional Officer took no action and referred the parties to the Civil Courts. It may be noted that in August 1911, Autar Singh and others were tried in the Sub-Deputy Magistrate's Court at Sasaram and convicted of assault on one Gajadhar, with whom the landlord had settled some other so-called zirat land. The cause of the assault was alleged to be that they resented the settlement of the land with Gajadhar. This case certainly bore the closest resemblance to the ordinary false case, which is so much dreaded by tenants in this part of the district, and elsewhere as a potent weapon in the hands of a landlord against refractory tenants.

perfectly clear from the landlord's own admissions in his It is jamabandi and Civil Court plaint that Autar Singh was in possession of the 29 bighas in dispute in 1312 and in 1316, in spite of the alleged surrender in 1312, and it is also exceedingly probable that he was continuously in possession right up to November 1911, when the landlord having successfully misled the Subdivisional Officer cut the crops with the help of the Police, while Autar Singh was in jail. Even if the surrender in 1312 was genuine, Autar Singh resumed occupancy right in the land as soon as he resumed tenancy, as he was a settled raiyat of the village, unless the landlord could prove that the lands were true zirat, which he was quite unable to do. The whole case is typical of the ease with which well-to-do and influential landlords (Basudeo Narain Singh was an Honorary Magistrate at Sasaram) can defy the other provisions of the Bengal Tenancy Act for the protection of raisats as long as they are permitted to defy the provisions, which direct that proper rent receipts should be given.

173. Murder of Basudeo Narain Singh.—The upshot of all this trouble was that Basudeo Narain Singh was murdered in April 1912, and Autar Singh and four others were tried and sentenced to death, but ultimately the sentence was commuted to one of transportation for life. Such crimes are to be expected when tenants are exasperated in this way by a long period of hopeless fighting in Civil and Criminal Courts, in which their rights are too often not properly represented by the bar or understood by the bench. This case is typical of a large number of similar encroachments on the occupancy rights of raiyats in Bhabhua and Sasaram Subdivisions.

174. The Khajura case. - In Khajura, thana No. 778, Thana Bhabua, there was a dispute at khanapuri regarding a large area which was claimed by the landlord as his bakasht land and by the tenants as their raiyati lands. Most of it was decided to be in the possession of tenants. The landlord on learning the decision, applied to the Subdivisional Officer, Bhabhua, in the course of the summer of 1911, under section 145, Criminal Procedure Code, and the Second Officer, without holding a local enquiry or in any way discriminating between the evidence offered as regards each individual field, found possession of the whole tract with the landlord, mainly on the ground that the Khanapuri Officer had stated that there was reason to believe that the landlord had forcibly dispossessed the raiyats from some plots just before Khanapuri. The Attestation Officer (a Munsif) who subsequently made a very thorough enquiry came to the conclusion, that part of the land had originally been in possession of the landlord, but that the greater part of it had for a long time been in possession of the raiyats, and showed conclusively that the landlord's papers on which the Magistrate had relied as proving the landlord's expenditure in khas cultivation were unworthy of credit. Here the section 145 order tied our hands completely and though the Attestation Officer did his best to obtain a compromise, no satisfactory solution was reached.

175. The Daridih case.—Again in Daridih, thana No. 511, thana Bhabhua, the raiyats were found to be in possession by the Khanapuri Officer, and again the landlord succeeded in getting the Subdivisional Officer, Bhabhua, to take proceedings under section 145, Criminal Procedure Code. These were kept pending from March 1911, till after the Attestation Officer had, in the following field season, decided the re-opened dispute and upheld the finding of the Khanapuri Officer. In the meantime the Inspector of Police had made an enquiry and come to the same conclusion.

The section 145 case was then taken up and sent for enquiry to an Honorary Magistrate who happened to be a landlord in a neighbouring village. He disagreed with all previous findings and the Subdivisional Officer accepted his opinion that the landlord was in possession.

176. The disadvantages of section 145 proceedings during settlement operations.—Besides illustrating the kind of dispute that occurred in this part of the district, these cases also illustrate the way in which Settlement operations may be stultified even while they are actually soing on. The Settlement procedure provides for the investigation of such disputes at 3 stages, before the record is finally framed, viz., at Klanapuri, Attestation and hearing of section 103-A objections. It seems unnecessary that the parties should be encouraged to seek for a simultaneous investigation by another authority. The Magistrate is only concerned with preserving the peace and that can be effectively done by binding down the person against whose possession the Settlement Officers have found, until he has established his claim at a later stage of the Settlement operations or his title in the Civil Courts.

177. Origin of these disputes.—No doubt these disputes arise first from the ignorance of raivats in the past regarding the provisions of law with respect to occupancy rights. They know well enough, as a rule, that they cannot be turned out of their ancestral holdings. But besides these there is usually in a village a considerable portion of land made up from three sources, viz., the proprietors' old zirat land, probably of small extent, the area recently brought under cultivation, and the land abandoned by raivats or purchased by the landlords at auction sale. The landlord sometimes cultivates a portion of this himself, but more frequently has let out the bulk of it to raiyats, who hitherto have not regarded themselves as possessing any occupancy rights in this class of land. It is only when the Settlement operations are about to begin that the landlords and raiyats wake up to the situation. If the raiyats are weak the landlord often succeeds in persuading, "peacefully" or otherwise, the raivats to surrender their tenancies for a year or two, promising to give the land back later. When they are stronger, the raivats have kept possession. I have little doubt that the landlords as a class have lost as the result of our operations a very considerable amount of land in Bihar, which, if they had ever taken the trouble to keep accurate and detailed accounts, would have been recorded as true "zirat." They have lost it in many cases by their persistent policy of confusing with true " zirat" all the land from the raiyati stock that has ever come into their possession. It is to be hoped that the Settlement operations will educate the raiyats to an appreciation of their rights in all land which they hold.

### CHAPTER II.

### ATTESTATION.

178. Progress.—Attestation of the records-of-rights of the district was carried out in accordance with the following programme:—

	Season, cf		Number of camps.	Arca in Esquare miles.	Number of plots.	Number of holdings.	Officers in subordinate charge.	Thanas.	
	.1		2	3	4	5	в	7	
1909-10			5	829.17	498,726	118,864	Mr. C, L Philip	Ariah.	
1910-11	***		19	1493*70	1,857,867	316,621	,, P. S. Shettle ,, F. G. Rowland Rai Saheb Kilmani De.	Du mraon, Buxar. Pir , Shahpur, Bikramganj.	
1911-12	**1	<b></b> i	10	1560-78	915,635	166,325	Mr. P. S. Shettle	Mohanca, Bhabhua. Kaighar.	
1912-13	•••	***	5	848.73	446,695	81,776	Mr. E. L. Tarner	Uchri. Sasaram.	

Work was particularly heavy in the first two seasons, chiefly on account of the *Guzashta* question. In 1910-11 attestation continued till well into April, and in some camps till May or even June in spite of the deputation of additional officers to assist. In the last two years work was comparatively light.

179. Money rent disputes.—Money rent disputes were not of great importance in the first two seasons as even where the Guzashta right was not established, it was found that few enhancements had been made since the Bengal Tenancy Act, and there was consequently seldom need to determine how far they had been legal. In the south of the District, however, disputes of this kind were more frequent. In some cases it was found that raiyats were deliberately understating their rents, and pleaded that they could not pay the old rents, now that they could no longer grow opium. This is unusual, as in South Monghyr, and I believe in Patna, raiyats were generally not particularly anxious to grow opium of recent years, as the level of rates paid by the Opium Department had remained stationary for about 25 years before the cultivation in Bihar was abandoned, while the prices of other crops had risen materially. Consequently raiyats quickly took to growing other crops, when the inducements to grow opium, of which the advances were the chief, were withdrawn.

Some typical cases of rent disputes may be of interest.

180. Khirawan rent disputes.—In Khirawan No. 55, thana Dehri was given in thika by the proprietor to a pleader in Sasaram from 1315 to 1321. In 1315 a measurement was made, and the rents of the raiyats were enhanced on the ground of excess area. By the lease it was agreed that the thikadar would only realize the old rents, and any enhancement obtained would be appropriated by the proprietor. The papers of the landlord showed that the assessment of excess area was really an enhancement in disguise, as in many cases an additional rent had been placed on holdings whose areas had decreas-It was therefore decided to treat the case as an ordinary enhancement case and to examine whether the legal limit of 2 annas in the rupee had been exceeded and where it had to cut down the enhancement. It may be mentioned that in this village there was evidence to show that recourse had been had to the practice of harassing tenants by bringing Small Cause Court cases against them in other districts. It is not very pleasant to think that a member of the Sasaram Bar should take up a thika of a village for the purpose of illegally enhancing rents on a fictitious measurement and impose the new rents by utilizing this disreputable method of oppression.

Note.—In village Kudwa, thana Karghar, No. 411, where the landlord had been trying to introduce danabandi instead of hatai a refractory miyat was charged with a criminal offence in the Chapra Magistrate's Court. The prosecutor was a man of strew. The naiyat spent the best part of Rs. 500 in defending the case, which was found to be false and to have been probably instigated by the landlord. The raiyat received Rs. 50 as compensation which is the maximum the law allows.

- 181. Baliara rent disputes.—In village Baliara, No. 153, thana Arrah, there had been constant quarrels between the landlord and his tenants, of which the last had occasioned a serious riot in the year before attestation. At attestation the landlord claimed a large part of the village as his zirat, whereupon the raiyats retaliated by disputing the rents. The Attestation Officer found the zirat claim to be unfounded and using this as a lever persuaded the landlord to withdraw this claim if the raiyats could be persuaded to accept the rents claimed by him for the lands. The Attestation Officer, Mr. N. R. Mukharji, succeeded in bringing the parties to an agreement, and the lands were recorded as occupancy holdings and the rents claimed by the landlord settled as fair under Section 109-C., Bengal Tenancy Act. Mr. Mukharji deserved great credit for his tactful handling of this dispute.
- 182. Section 109-C., Settlements.—In the whole district 2,361 cash rent tenancies and 26 produce rent tenancies were dealt with under section 109-C., the total rent settled for the cash rent tenancies being Rs. 35,366 as against Rs. 37,294 claimed by the landlords, while Rs. 619 was settled as the rent for the 26 produce rent tenancies. Naturally not so much use was made of this section as in South Monghyr or even in Patna, where rent disputes were much more prevalent.
- 183. Hardesarae reut disputes.—In the village Hardesarae, thana No. 226, Karghar, the raiyats claimed to hold at rents lower than those claimed by the landlord, Hara Prasad Das, a man of some wealth and influence in Arrah town. The raiyats produced a number of "kacha" receipts, for several years signed by one Mahadeo Upadhya and for the last year 1319. Easli by one Sheodhari Singh. The latter was tabsildar at the time of attestation and according to his statement had been tahsildar since 1312. According to the raiyats he had been tahsildar only for a few months, and prior to that Mahadeo Upadhya had been tahsildar. On behalf of the landlord Sheodhari Singh filed books of counterfoil printed receipts from 1313 to 1318, books of accounts and Jamabandis from 1313 to 1318. The question of course was whether the raiyats' receipts or the landlord's papers were the forgeries. The Assistant Settlement Officer, Babu Bijoy Behari Mukharji, held a very careful enquiry. In the course of it Sheodhari Singh admitted that kacha receipts had been given in 1319 and offered as the reason that the printed receipt books had not come out in time. It was clear, however, that if the receipt books were genuine at all the receipt book of one year had been used frequently for the following year, so this excuse was of the flimsiest.

Mahadeo Upadhya, who was a resident of a village 10 or 12 miles away, was summoned and he denied that he had ever been tahsiidar or even in the village, except for one night, five years ago on his way through to Sasaram. (This is of course the usual story to account for the raiyats knowing his name). However when the Attestation Officer asked him to write his name, he first put up a childish scribble and on being told that would not do, proceeded to write it in as shaky a hand as possible. Finally after some delay the patwari of the village, Suraj Lal, who had been keeping out of the way, appeared before the Attestation Officer Sheodhari Singh had named him as the writen of the accounts filed on behalf of the landlord. Suraj Lal made a clean breast of the whole business, and stated that kacha receipts had all along been given, and that those produced by the tenants had been written either by himself or by his nephew or by his father and signed by Mahadeo Upadhya or recently by Sheodhari Singh. He stated further that he had been called in to Arrah by Hara Prasad Das, and the papers produced had been prepared in Hara Prasad Das's house in order to support the enhancement claimed. The nephew and father corroborated the evidence regarding the writing of the kacha receipts.

184. Criminal prosecution for forged rent receipt counterfoils in Harde-sarae.—On this evidence coupled with the internal evidence of the papers themselves criminal proceedings were instituted against Sheodhari Singh and against Hara Prasad Das, who was clearly implicated both by Suraj Lal's statements and also by the fact that the books' bore his private scal. The Assistant Settlement Officer sent the case to the District Magistrate under

Section 476 of the Criminal Procedure Code on the 3rd April 1912, and it was taken up on the 12th April. On the 9th May a rule was issued by the High Court. The case was then considered first by a bench of two Judges and finally by a Full Bench. The questions considered were (1) whether Section 439, Criminal Procedure Code, applied to orders passed under section 476 by a Revenue Court; (2) whether such orders are capable of being revised by the High Court under any other provision of law; (3) whether if they are, the Bench of Criminal Jurisdiction is authorized to deal with them. The Full Bench ruling is given in Calcutta Weekly Notes, Vol. XVII, page 647. The decision was that section 439 did not apply, but that the orders were subject to revision by reason of Section 115 of the Civil Procedure Code and of Section 15 of the High Court Act, and that the Bench of Criminal Jurisdiction had no inherent jurisdiction but could be specially authorized by the Chief Justice under Section 14 of the High Court Act. That Bench was accordingly authorized and finally discharged the rule in March 1913, and the record was returned for hearing on 11th April 1913. The two accused were committed to the Court of Sessions on 8th July 1913. A fresh rule was obtained against the commitment order, which was quashed as regards Hara Prasad Das on the ground of insufficiency of the evidence as the patwari Suraj, Lal, had of course by this time given an entirely different story from the confession he had made to the Attestation Officer. The case against Sheedhari Singh was tried by the Additional Sessions Judge and he was acquitted. I do not think that any blame can attach to the Settlement Department for the failure to secure a conviction in these circumstances. It is regrettable both on account of public justice and the private interest of accused persons that it should be found necessary to delay the trial of such a case for a year, while questions of the power of the High Court to interfere are being considered by that Court.

- 185. Cash and produce rent disputes in Mathurapur. -- In village Mathurapur, Thana Piro, No. 378, there were wholesale disputes, the landlord claiming all the land as held on produce-rent (batai) with cash rents only for special crops (hastobudi) while, practically all the raivats claimed to hold on cash rents. The landlord's papers showed only a small portion of the raivats' land as nagdi (i.e., the land in which special crops had been grown) and that at very high rates, but for three years 1305, 1306 and 1307 they showed a much larger area and that at an average rate of Rs. 4 per bigha (Rs. 5-8-0 of an acre). These were the years for which road cess returns had been filed, and the jamabandis for those years agreed with those returns. Further, the nagdi areas for each of those years for each raiyat were the same, which was an inconceivable coincidence if those areas were simply the areas on which special crops were grown. But while it was apparent that the landlord's papers of other years were false, there was no satisfactory evidence to show what was the actual amount of land now held on cash and on produce rent or what was the actual cash rent-paid. It was finally decided to accept the raivats' statements as to the land held on each and on produce rent, and on the cash rent area to record a rent based on the average incidence for each raiyat shown in the road cess returns. Where a raivat was now recorded as holding at cash rents, but no average incidence was deducible for his land from the road cess returns, the average incidence of the whole body of cash rent land in those returns was applied to his holding.
- 186. Proposal to empower Attestation Officers to settle fair rents on application of one party.—Whether this decision has been attacked in the Civil Courts, I do not know. But it is clear that in a case like this the Revenue Officer should have power to settle at once and finally or subject only to an appeal to the Special Judge, the rents of all tenants on their application, a power given to him by section 85 (3), (5) of the Chota Nagpur Tenancy Act.
- 187. Mr. Shettle's comments on the Chakwath disputes.—With regard to a somewhat similar case in village Chakwath, than No. 215, Shahpur, the late Mr. Shettle wrote:—

<sup>&</sup>quot;It certainly is a remarkable country where this sort of thing can go on. Here have the lives of a large number of persons been embittered, their worst passions roused and a large part of their savings dissipated, simply and solely because one man wanted to exploit

a village. This has gone on for half a century during all of which time there has been administrative headquarters at Arrah about 20 miles away. It is probably true that in cases like this the Courts have done as much to foment disputes as to settle them. Moreover, when one considers what it is all about one finds that the questions are absurdly simple.

In the first place, how much money have wretched peasant farmers to pay yearly to the landlord? In the second place, who has cultivated a certain piece of land? These are questions that one wou'd think should hardly ever arise, and whenever they did they ought to be capable of solution in five minutes. Yet, as I say, the ordinary administration of a district is not able to prevent these questions being continually raised in Courts nor yet to secure their decision with the celerity and inexpensiveness, that they merit. The Courts are so distant and their precedure so dilatory and expensive that a resort to them virtually means a denial of justice to poor litigants. I do not mean that wrong decisions are given. That is far from being the ease, but I mean to say that justice which is very costly and justice which is delayed is really no justice at all.

Had there been an officer of Government living a few miles from this village Chakwath whose Court was not hedged in by Amlas and Mukhtars and who was himself well aware of the state of affairs in the village, I think this state of affairs could never have been reached. There could not be a greater reflection upon the value of our Criminal Courts than the fact that the ordinary reply to any question as to why a raivat has submitted to illegal conduct on the part of his landlord is that had he resisted the landlord would have brought a false case against him. Now to defend a case however false would probably cost at least thirty rupees. How, is a wretched peasant with a holding whose annual rent is Rs. 5 to defend such a case. My point is that if justice were obtainable locally the landlord would not dream of bringing a false case."

188. Enhancements under the Court of Wards (Partappur).- A case of enhancement which is of some interest occurred in Partappur, Thana No. 62, Thana Dumraon, in season 1910-11. The village belongs to the Dumraon Raj, but was in thika to Babu Harihar Prashad Singh from 1295 Fasti to 1316, which corresponds to 1909 A. D. It borders on the Ganges. The land, regarding which the question of enhancement arose, had accreted on the Shahabad bank of the river some; time before 1286, and first came under cultivation in that and the following year. Up to 1290 yearly leases were given at rents mutually agreed upon, but from 1290 in some cases or 1292 in others, registered leases for terms of 7, 9 or 10 years were given to the tenants. The rate of rent then adopted was Rs. 6-3-0 per higha (five-eighths of an acre). When the leases came to be renewed by the thikadar they were renewed, some at this rate and some at Rs. 8 per bigha. In 1316 Fasti, when the Dumraon Estate, then under Court of Wards, resumed khas management, the 1st Assistant Manager, Mr. Bignold, was deputed to resettle the lands at the tenants' request. He invited bids for the lands, and the first block was settled at the highest bid of Rs. 18 per bigha. The bidder appears to have been a raiyat, who had not held the land before. Mr. Bignold felt that this method was likely to be harsh, and proposed to the remaining tenants actually in possession that they should accept a reasonable enhancement. The rateactually agreed on was Rs. 10-8-0 for the most part, though in some cases the rate went up to Rs. 15. The sanction of the Collector and Commissioner was obtained for the resettlement.

At Attestation the raivats who appear to have agreed to the enhancement at the time, contested the settlement and claimed to hold at Rs. 6-3-0 or Rs. 8 as before. The contention of the Dumraon authorities was, in the first instance that the lands were diara lands in which the tenants could not obtain a right of occupancy, except by 12 years' continuous occupation as provided in Section 180, Bengal Tenancy Act. As a second line of defence it was asserted that the lands were zirat in the sense of Chapter XI of that Act. As regards the first point it was decided that land which has been under continuous cultivation for 30 years cannot be regarded as diara within the meaning of section 180, even though, as was alleged on behalf of the Raj, the thikadar may have taken care in most cases to shift the tenants from one block to another. Nor is it possible for land, which was first cultivated, according to the evidence, in or about 1880 to be true zirat, as it was neither cultivated by the proprietor for twelve continuous years before 1885, the date of the passing of the Bengal Tenancy Act, nor could it be alleged that it was recognized by village usage as zirat. When these facts were pointed out to the Manager through the Collector, his reply was that the lands had steadily improved owing to the deposit of Ganges silt, and that the raiyats had agreed to the enhancements. These contentions are, no doubt, perfectly true, but neither will legalize the enhancements as they were made under contract, and hence must be limited by section 29 of the Bengal Tenancy Act. It was decided after reference to the Director of Land Records that the enhancement must be cut down and the Dumraon estate left to apply under section 105 for enhancement, if the authorities thought fit to do so. This case illustrates the necessity for a constant watch on enhancements in Court of Wards Estates. It is possible that the rates, to which the Assistant Manager secured the raiyat's agreement in the first instance, were by no means harsh in view of the exceptional productiveness of the lands. But they were as a matter of fact illegal, and it is incumbent on the management of these estates to set the example of strict, and even meticulous observance of the Tenancy Law.

- 18.). Attestation Officers not encouraged to disentangle abwab from rent.— The cases quoted above which are of course merely typical, will show that attempts, successful or otherwise, to enhance rents above legal limits are not unknown in Shahabad. Still as might be expected, where the custom of fixity of rent has been firmly established in one part of the district, while in others the population is still sparse enough to create some demand for tenants, the principal energies of Attestation Officers were not, as in some other districts, devoted to the discovery of illegal enhancements. In fact they were definitely instructed that it was not necessary in every village to scrutinize landlords' jamabandis for several years with this object in view. They were also told that it was unnecessary, where there was no dispute, to try to disentangle abwab from the rents now paid. Where, however, the raiyat contested the rent claimed by the landlord on the ground that it included abwab, and the Attestation Officer had before him evidence which clearly proved that certain abwab had been included in the rent paid, he had no option but to cut out the abwab. It was of course also held that proof of amalgamation of abwab with rent was not sufficient to rebut a claim to hold at fixed rent which would otherwise be substantiated.
- Chainpur pargana belonging to the Maharaja of Benares claims were put forward that certain lands were held on the batai system of produce rent. It was found that a measurement had been made in 1316 Fasli and all lands found in excess of the area previously shown in the landlord's jamabandis as cash rent paying, were recorded in the measurement papers as held on produce rent. Needless to say, these claims were not accepted by the Attestation Officers, and the Maharaja was referred to the provisions of Section 52 of the Bengal Tenaucy Act, if he wished to obtain additional rent for area really held in excess of that actually settled with a raiyat. In order to prove realizations payments for current rent were credited to arrears and payments for two or more holdings in different villages to one holding only. In other villages the same landlord had arbitrarily fixed high cash rents in lieu of produce rents, but there was no evidence as a rule that these cash rents had been paid by the raiyats and the holdings were recorded as under produce rent.
- 191. Proposal to require courts to scrutinize private commutations of produce rent.—The matter, however, brought to notice the fact that there is no provision of law by which a Revenue Officer or a Civil Court can scrutinize an agreement or compromise by which a raiyat agrees to pay a cash rent in lieu of produce rent. This is evidently quite as dangerous a method of obtaining rack rents as enhancement of cash rent pure and simple and a provision similar to sections 109-B and section 147-A should be enacted when the Bengal Tenancy Act is next amended.
- 192. Rent receipts in the Maharaja of Benares' villages.—It is important that the control over the subordinate staff in the Maharaja's villages should be improved and that the distribution of proper rent receipts enforced. It should, I think, be brought to the Maharaja's notice that rent receipts should be written in Kaithi and not in Urdu as they were in 1912.
- 193. The value of the record-of-rights in regard to rent.—It is reasonable to hope that as a result of the preparation of the record-of-rights the provisions of the Bengal Tenancy Act will operate to prevent further illegal enhancements, and the record-of-rights itself will provide a satisfactory guide to Court

before whom the rent legally payable is in dispute. In Shahabad, as in other districts recently dealt with, a rent note is written for every village, whether each rents have been disputed or not, and is bound up with the Collectorate copy of the record-of-rights. It is therefore quite possible to see precisely how the officers of the Settlement have arrived at the rents which appear in the record. But there is no doubt much room for improvement in the knowledge of the officers of Government, especially Munsifs, regarding the Bengal Tenancy Act itself.

194. Mr. Monahan's criticisms of Munsifs' work under the Bengal Tenancy Act.—The law regarding the acceptance by courts of compromises, which are not in accordance with the Bengal Tenancy Act, was considerably strengthened in 1907, but the law is of little use if the courts ignore it. Regarding this point Mr. G. J. Monahan, 1.c.s., when District Judge of Shahabad, wrote in his Annual Administration Reports of 1911 and 1912, regarding the effect of recent legislation on the workings of the courts:—

"I do not think that the new provisions of the Bengal Tenancy Act are fully understood or followed by all courts. I came across a ease recently in which a landlord had obtained a compromised decree at a rate much higher than that originally stated in the tenant's written statement or than that entered in the record-of-rights. No evidence had been recorded as is required by section 147-A. I directed a further enquiry to be held. This was done and the compromise was once more accepted by the Court upon verbal evidence which, to my mind, was unsatisfactory and insufficient. The working of this section undoubtedly presents some difficulties in areas in which no record-of-rights has been prepared. However, once this record is completed it is easy for the Civil Court by comparison of the rent entered in the record-of-rights with that stated in the compromise petition to determine summarily whether the latter is legal or not. In my opinion no compromise in a rent suit by which a tenant agrees to pay a larger rent than that entered in the record-of-rights should be accepted by any Court unless the landlord proves by the production of reliable papers that the entry in the record-of-rights is wrong. I recently came across some other cases in which the provisions of Section 111, Bengal Tenancy Act, had been disregarded. This is not a new section but its application is new in this district as the record-of-rights is only now being prepared. Decrees for enhancement of rent had been passed in these suits regardless of the fact that Section 111, Bengal Tenancy Act, was an absolute bar. I have directed the Court concerned to inform the parties that all the proceedings were illegal and invalid, and to record an order to this effect on the record.

"The most striking feature of the year under report was the large increase in institution of suits which, as I have already said, was probably due to the fact that Survey and Scttlement proceedings are in progress in the district. It is usual for a party dissatisfied by a decision of the Settlement authorities to endeavour to snatch a decision from the Civil Courts before the record-of-rights is finally published. This is especially true with regard to rent suits when a landlord whose illegally enhanced rents have been disallowed at attestation endeavours to get ex parte or compromised Civil Court decrees for rent at the rates claimed by him, beforethe final publication. In this connection it may not be out of place to remark that there is still a certain amount of want of co-operation between subordinate Civil Courts and Settlement Courts, although the employment of Munsifs on Settlement work is gradually improving matters. However some subordinate Civil Courts are still too apt to grant decrees against entries in finally published record-of-rights on insufficient grounds. They do not seem to realize sufficiently the care with which these records are prepared and the precautions which are taken to eliminate errors. I find I have to repeat most of my remarks of last year about the way in which the new provisions of the Bengal Tenancy Act are ignored, by the Civil Courts of this district. I have looked into a good many compromised and expante cases and I regret to say that the result of my investigation is that I find that the provisions of sections 147-A, 147b, 1485 (I), Bengal Tenancy Act, and order VII, Rule 3, Civil Procedure Code, have been scarcely ever complied with. That is to say, when rent decrees are passed on compromise there is generally nothing to show that the Court has satisfied itself by any enquiry that the compromise is legal. Also in areas in which the record-of-rights has been finally published plaints have generally been filed without the particulars required by the sections of law above mentioned. Moreover, generally, ex parte or compromised suits have been decreed without any reference to the record-of-rights. In order to see if the law was yet being obeyed I called for and examined a number of plaints recently filed in the subordinate courts in Sadr and found that even then in spite of my express orders the law was not being followed and necessary particulars for identifying the lands in dispute according to the recent survey (or particulars about the survey jama) were not being given in the plaint. This persistent disregard of the record-of-rights by subordinate Civil Courts and omission to make legitimate use of these records is most extraordinary. Whatever else may be the result of the record-of-rights, it at least enables one to identify accurately the land in dispute and thereby is of the greatest assistance to litigants and to the courts if properly used. Again in exparte rent decrees in some instances I have found that the Court has made no attempt to discover what was the rent entered in the finally published record. Here again an intelligent use of the record-of-rights might prevent injustice being done. Just at present owing to the stringent orders passed by me matters have improved somewhat and more attention is being paid to the record-of-rights. However, the individual efforts of District Judges can have but little effect on a matter of this kind. I therefore venture to point out that unless the High Court itself takes action in the matter and let it be known that the promotion and prospects of Subordinate Judicial Officers will depend to some degree at least, on the extent to which they make intelligent use of these records, there is not likely to be any permanent improvement. These records-of-rights are prepared at great expense by one Department of Government and the utmost care is taken to secure their accuracy. It is therefore most undesirable that another Government Department (the Subordinate Civil Courts) should ignore these records or should reverse the entries therein without due inquiry and without considering what were the reasons for the decision of the Revenue Courts, which led to the entries being made, and whether these reasons were wrong."

195. Possible remedies.—Two remedies to this state of things are suggested. In the first place, it is worthy of very great consideration, whether when the Bengal Tenancy Act is next amended, the provisions of the section of the Chota Nagpur Tenancy Act should not be adopted, which make the entry of rent in the record-of-rights final, unless contested at the time by the procedure which corresponds to that of Section 106, Bengal Tenancy Act. At any rate the present practice of contesting the Settlement record of rent in the Civil Court by means of rent suits at higher rates, as described in paragraph 278 of Mr. James' Patna Report, should be repressed. The question of the rent payable is too important to be decided as a side issue in what is in fact a money suit.

Secondly, it is certainly the opinion of many officers who have had experience of Settlement operations in Bihar, that the Subordinate Civil Courts are not altogether a suitable agency for the decision of most suits under the Bengal Tenancy Act. On this point it is difficult to give an opinion without considerable experience of the work of Munsifs when they have a record-of-rights to help them. The chief defect that strikes one in the trial of Tenancy Act cases, is the absence of grasp of the salient facts of rural economy which is only obtained by frequent local enquiries. How far local enquiries are to be encouraged in the trial of civil suits is perhaps a difficult question, but there is no doubt that they supply an ingredient for the feast of justice, which it is difficult to get by any other means.

- 196. The improvement noticed in the work of the present staff of Munsifs.— At the same time many of the Munsifs, who have worked in Settlement, have done admirably, and their legal training has been most beneficial, when they have also gained an adequate knowledge of the rural conditions, which form the background of the provisions of the Tenancy Act. As far as Shahabad is concerned, from a perusal of various notes by Munsifs which a subsequent District Judge, Mr. T. S. Macpherson, has collected, I am well satisfied that the present staff, which fortunately numbers several Munsifs, who have worked as Assistant Settlement Officers in the district or elsewhere, fully realizes the value of the record-of rights and gives adequate consideration to the legal presumption of correctness attaching to it.
- 197. The Banskati Muhal.—Another subject, which was dealt with principally at attestation, although it also affected the earlier stages, was the rights of Government in the Banskati Mahal. A description of this estate which consists not of proprietary rights in land, but of "incorporcal rights to certain spontaneous products, fuel, grass, minerals and the like," is given with an account of its history on pages 108—10 of Mr. O'Malley's Gazetteer.
- 198. The record of the Banskati Mahal in Bhabhua Thana.—In thana Bhabhua it was found and admitted on behalf of Government that the rights that had originally extended over certain villages in that thana had not recently been exercised by Government, and all that was done in the records of that thana was to refer to the rights claimed by Government in the "Fard Rewaz Jangal" or record of forest rights. The entry in each village referred to the petition for

permanent settlement, in which the rights of Government excluded from the permanent settlement of proprietary right are set forth at length, and it was stated that these rights had not recently been exercised by Government. How far any action can be taken to revive rights which have been in abeyance is a question for the local officers.

- 199. The record in Sasaram Thana.—In thana Sasaram, however, it was found that the rights of Government had been, on the whole, carefully maintained, and in the records of this thana a special entry in Khewat, Part I, was made in each village in which the right existed. No area was entered under this khewat number, but a reference was made to "Fard Rewaz Jangal" where the rights of Government were described in full.
- 200. Bansikoh.—The Collector, Mr. J. F. Gruning, I.C.S., C.I.E., deputed a Sub-Deputy Collector, Babu Jadubans Sahay, to examine the records after draft publication, in order to see that the rights of Government had been correctly entered. He reported that everything was in order except as regards the rights exercised with respect to Bansikoh, tauzi No. 4770, and Katra. As regards the former it was subsequently found that Bansikoh itself was an incorporeal estate, similar to the Banskati Mahal, from which, according to Sir D. J. Macpherson's statistical account of the Government Estates in Shahabad district, dated July 17th, 1884, it had never been separated before 1874. It was in fact the right to collect the Banskati dues in the portion of the slopes of the main plateau between the two portions of the exempted Khendaul Estate. which throws two arms up on to the slopes. The rights of Government, therefore. were recorded for the villages concerned in the same way as they were recorded in thana Bhabhua, except that it was not stated that the rights had not been exercised. The Sub-divisional Officer, Sasaram, applied to have the usual Sasaram procedure adopted, and a correction made under section 108-A., but as the matter was not pressed and it was doubtful if it was a bona fide mistake, Mr. Tanner as Settlement Officer, declined to correct. As regards Katra it was found that this village bearing Revenue Survey No. 105 and Jurisdiction List No. 730, had been amalgamated with Kaskudar, thana No. 613.
- 201. The jungle rights of raiyats in Kachuhar and the neighbouring villages.—There was one case arising from the Banskati Mahal that gave a considerable amount of trouble. The plateau village of Kachuhar, which originally was subject to the Banskati Mahal, was given in 1860 to Mr. Bingham from whom Messrs. Octavius Steel & Co. derive their right. At the time of the Revenue Survey of 1844-45, Kachuhar was still subject to the Banskati Mahal. as well as the villages lying below the slopes of the plateau. As no one then took any interest in the slopes, except the person to whom the Banskati Mahal was in farm at the time, the slopes of the plateau, which are unculturable. were included in the plateau village of Kachuhar. It appears to have been certainly the intention of Government at the time of the grant to Mr. Bingham to allow him merely the proprietary rights in Kachuhar reserving to themselves the Banskati rights on the plateau as well as on the slopes. These slopes are of great importance to the villagers of the plains as they collect for their domestic and agricultural uses and graze their cattle wood there. As inhabitants of the villages covered by the Banskati Mahal they have always possessed the right to do so but the proprietors of Kachuhar have consistently endeavoured to deprive them of these rights. Fruitless attempts have been made by former Collectors to have the disputes settled amieably, and an endeavour was made to effect a compromise between all parties in the course of the Settlement operations.
- 202. Mr. Murphy's decision under section 103-A.—Negotiations, however, fell through and Mr. Murphy himself took up the section 103-A objections filed in respect of these disputes. The point at issue was this.

The inhabitants of Kachuhar and of 18 other villages in the neighbour-hood claimed that they had the right to graze all their cattle-except buffaloes and pack bullocks free of charge, and the right to take bamboos, certain kinds of wood, thatching grass and fuel also without payment. For buffaloes they

claimed that the rate is four annas per annum for each beast and for pack bullocks one anna, assessable on the number of beasts possessed by each man. The rights are claimed as exercisable over the whole 19 villages by the inhabitants of each and every village. The proprietors of Kachuhar, however, have endeavoured to levy from all the inhabitants of the 19 villages the same fees that were being paid to Government as proprietor of the Banskati Mahal, and hence the latter were threatened with a double demand. This they refused to pay, and numerous cases in the Civil and Criminal courts have resulted. The point at issue was never fully understood in these courts and was frequently confused with the question of the boundary of Kachuhar village. The proprietors of Kachuhar also claimed to be able to raise and lower the fees at will and to impose fees on the rights exercised without payment. Mr. Murphy decided that the rights of the inhabitants of the 19 villages could not have been affected by any arrangement between Government and the proprietors of Kachuhar by which the latter acquired the proprietary right in that village and also the Banskati right in that village. He left open for a settlement between Government and the proprietors of Kachuhar the question of the division of the customary fees paid by the inhabitants of the 19 villages but decided in favour of those inhabitants their claims to exercise their rights throughout the whole of the area covered by the 19 villages.

- 203. The decision of the Special Judge.—The matter formed the subject of a section 106 case, and an appeal was presented against the order of the officer who tried that case to Mr. James, as Special Judge, who delivered judgment in special appeal number 285 of 1914, on the 30th November 1915. The result of the section 106 case and the appeal was to uphold Mr. Murphy's decision in the main, though a few minor alterations reducing the extent of the rights claimed by the tenants were made.
- 204. Produce rent questions.—Although the area in the district held on produce rent is 20 per cent, of the total area held by settled occupancy and non-occupancy raiyat, yet the problems of produce rent are of nothing like so great importance as in South Monghyr, Patna and Gaya. To the best of my belief not a single instance of any claim for the landlord's share, exceeding one-half was met with, and frequently the landlord's share is nominally only seven-sixteenths, two-fifths or even one-third. The share frequently varies according to the crop sown on the land in a particular year, or according to the number of waterings the crop has required.
- 205. The landlord's real share.—The nominal share of the landlord is further decreased both under the danabandi and the batai systems by the fact that it is calculated not on the gross produce, as is often assumed by persors unacquainted with mufassal conditions, but on the balance of produce after the customary deduction for harvesting expenses, village menials' allowances, and "tari-agwar" or allowance to the raiyat of the grain left mixed with the dust and chaff on the threshing-floor. These allowances altogether amount as detailed on pages 82-83 of Mr. O'Malley's Gazetteer to something like 20 per cent. of the total gross produce of grain. The straw, etc., is of course the property of the raiyat.
- 206. The produce rent record.—As produce rent problems in Shahabad were not complicated it was decided, mainly in view of the great labour which the guzashta question entailed on Attestation Officers, to drop the preparation of the "fard rewaz bhaoli" introduced in South Monghyr and Patna. This record of the system of produce rent was accordingly only prepared where special complications were found. I must frankly own that I think that this decision, for which I was largely responsible, was a mistake, as however well known the customs regarding the division or appraisement of the crops may be in the villages themselves, the courts will neither know them, nor in keenly contested cases obtain undisputed evidence with regard to them. I strongly recommend that in future wherever produce rents are found, detailed descriptions of the system should be made for each village and estate and should form part of the record-of-rights as finally published.

- 207. Sanjhia Tenancies.—"Sanjhia" holdings were found fairly common in the southern thanas. In these the landlord and tenant work, jointly on the fields and divide the produce. Generally, the tenant is an under-raiyat and the landlord a raiyat, but occasionally the system is in vogue with a small proprietor as landlord.
- 208. A tenancy of doubtful legality.—A curious form of double tenancy which is, I believe, new to Bihar, was found in Takia, thana No. 151, Thana Sasaram. In all about 9 acres of land were let out about 20 years before to raiyats on condition that the landlords could grow and harvest the paddy crop, the raiyats merely growing and harvesting the subsidiary rabi crop. For this land the raiyats paid at the rate of Rs. 5 per bigha, a very high rate in the circumstances. The arrangement was allowed to stand, but it seems to me that it contravenes Section 23 of the Bengal Tenancy Act. It certainly would be dangerous, if it became a common method of settling lands, which fall back into the hands of the landlords.
- 209. Sanbharhu Tenancies.—In the southern thanas also a form of tenancy known as "Sanbharhu" was found. A tenant takes up waste land to bring it under cultivation and has only to pay low cash rents for the first few years. At the expiry of the term agreed upon, either a cash rent equal to the village rate for the class of land or a produce rent of the same kind as prevails in the village is fixed for the land. The rents for the first few years generally increase year by year. It was found that the tenant was admitted to have occupancy rights from the beginning of his tenancy, and that status or the status of settled raiyat was accordingly recorded as well as the details of the rent payable. It was not thought reasonable to interfere with the rents, although possibly the arrangement was not precisely contemplated by Section 29 of the Bengal Tenancy Act.
- 210. Mortgages of Bakasht lands.—Careful enquiries were made at attestation to distinguish between real mortgages with possession of lands previously held by landlords in cultivating possession, and transactions which were actually in effect settlements of the lands with cultivating tenants, and merely called mortgages in order to evade the provisions of the Bengal Tenancy Act, regarding the rights of settled raiyats. Many cases were found in which the so-called mortgagee actually pays annual rent for the lands. Wherever it was clear that the transaction was really of the nature of a settlement of land on payment of "Salami," the occupier was recorded as a raiyat, and his status determined according to the ordinary rules.
- 211. Homestead lands.—The question of homestead lands was not a burning one in Shahabad, but as there is reason to believe that the Civil Courts are sometimes in doubt as to the meaning of the entries made, it is as well to discuss it. As a general rule homestead lands, which include both the actual house site and the small enclosure attached to it, as well as in some cases small plots of garden and bamboo plantation adjoining it, have been entered in the raiyat's khatian but against the plot numbers the word "belagan" is written. This signifies that the plots form a part of the raiyat's agricultural holding, but that they are not assessed to rent. I should add that in my opinion they are not liable to assessment.
- 212. Buchanan on homestead lands.—I find that Buchanan wrote in 1812 with regard to Shahabad that ground rent for houses is on the same footing as in Bihar (i.e., modern Patna and Gaya).

#### As regards Bihar he wrote:—

Page 299, volume 1 of Eastern India.

Or high ranks pay no rent for the ground occupied by their house nor can a landlord refuse to allot land for the purpose to any Ashref who requires it. The exemption in favour of the Ashraf is in fact of no great value, as almost every one of them who resides in the country, and who has not free land, rents a farm, and no person who rents a farm (Ashami) pays for his house. The houses, however, having little or no gertlen annexed, occupy very little space as merely the yard (Angana) is exempt d. Artificers, traders and labourers, pay a heavy ground rent either in money or work."

- 213. Homestead lands probably not liable to execution sales.—As to whether homestead lands are liable to be sold in execution of a decree along with the rest of the holding, I should certainly say that they are not, by reason of section 60 (1) (c) of the Civil Procedure Code. For where the homestead land is recorded "belagan," the proviso under section 60 (2) (a) does not apply, even when there is a rent decree for the holding. It is a little difficult to see what action the landlord could take against a man whose agricultural land had been sold, but who retain his homestead. Perhaps in that case a suit might be brought for assessment to non-agricultural rent on the ground that the right to hold rent-free was conditional on the possession of agricultural land as a raiyat. But generally the landlord finds it convenient not to disturb such persons, at any rate if they are of the labouring classes.
- 214. Homestead lands of under-tenants.—As I have said homestead lands on the old vihage sites were generally recorded as belag in. Where, however, it appeared that tenants had built dwelling-houses or had settled under-tenants (parjas) on portions of their agricultural holdings which are quite separate from old village sites, the claims of the tenants to hold these lands as part of their agricultural holdings were allowed. The practice of settling low easte men in this way was fairly common in the north. The parjas render "begari" to the substantial tenants who have settled them and the latter have hukumat over them, i.e., a right to demand their services. In village Murar, thana No. 328, Dumraon, some influential Kayasths are found who have the right to re-occupy the houses of such parjas when they leave the village or die without leaving any heirs. They are called Mokandams and their right has been upheld by the High Court.
- 215. "Hawalgi lagan" entries.—The form of entry known as hawalgi lagan occasionally presents difficulties to the Civil Courts, and may well be explained.

This is an entry of two or more *khatians*, in one of which only is the rent payable recorded, while cross references are made to the other *khatians*, in which no rent is recorded but merely cross references to the *khatian* in which the rent is recorded.

These unfortunately complicated entries are required principally—

- (1) when in the landlord's jamabondi heldings are found which lie in more than one village;
- (') when in the landlord's jamabandi holdings are found which lie in more than one estate in the same village;
- (3) when an estate has been subdivided by the landlords into separate parcels (pattis) but some lands have been left in joint posee, sion of all or some of the landlords;
- (1) when an estate is held jointly by two or more co-sharer landlords, of whom one has recognized transfers of part holdings while the other has not;
- (5) when a holding is held by two or more raivats, who have with the landlord's consent divided a portion of the holding between them and pay specific portions of the total rent, but retained the remainder of the holding in joint tenancy, subject to the payment of the rents specified for each co-sharer.

The reasons for any particular "hawalgi lagan" entry are not easy to discover for any one unaccustomed to the record but usually a reference to the landlord's jarnabandis and examination of the patwari should make them clear. In any case it may be generally presumed that all khatians connected by such entries are still for most purposes a single holding though no doubt cases might arise in which they are not for the purposes of the suit. A still further complication may of course arise where co-sharer raiyats have assigned to each of themselves some specific land. In the case of a holding so treated which is recorded in a single khatian, the separate possession is noted in the remarks column, but where the holding is spread over several khatians linked up by "hawalgi lagan" entries it is usual to show in each khatian the names of those raiyats only, who have possession of the lands included therein.

### GUZASHTA TENANCIES.

The question, however, that overshadowed all other Attestation problems, and during the first two seasons took up a large part of the time of Attestation Officers and the supervising staff was the treatment of claims of raiyats to be Guzashtadars in the sense of raiyats at fixed rent.

- 216. Enquires at Khanapuri.—During the field season of 1908-09 when the Cadastral Survey and Khanapuri of Arrah thana was in progress, the officers of the Settlement came across areas where the raiyats called themselves Guzashtadars and said that their rents had never been and could not be altered by their landlords. So far as could be gleaned at this stage, the history of rents showed that there had not been any general enhancement, as far back as memory went.
- 217. Attestation in Arrah Thana.—When Attestation was taken up in this thana in 1909-10, the first question to decide was how far the existence of the well recognized status of Guzashtadar was to modify the ordinary practice of the Bihar Settlement in other districts of requiring strict proof from the raivats in accordance with the provisions of Section 50 of the Bengal Tenancy Act before they could be recorded as "Sharah Muaiyan," i.e., raivats holding at fixed rents or fixed rates of rent. Mr. Philip, the Assistant Settlement Officer in charge, conducted very careful enquiries into the prevalence of the Guzashta holding. He found even in Arrah thana, as had been recognized in the High Court rulings which are quoted on page 82 of Rampini's Edition of the Bengal Tenancy Act (4th Edition), that, while in some parts a Guzashta holding was undoubtedly a holding at fixed rents, in others the term was used loosely to denote the holding of an occupancy raiyat. At the same time he was able to form the opinion that, roughly speaking, the tract in which Guzashta had its full meaning was that which lay north of the East Indian Raiiway Main Line.
- 218. Admission of landlords.—In this area he was able to obtain a practically universal admission from all resident and a large number of non-resident landlords that the rents of Guzashta holdings could not be enhanced, except on the ground of landlord's improvements, and he found that with the exception of the officials of the Dumraon estate then under the Court of Wards, practically all landlords in this area admitted which holdings were Guzahsta in that sense. For example, he noted that Babu Kisori Sahai Singh, landlord of Jamira, who owned land scattered throughout the district, stated independently, without Mr. Philip having made any suggestion on this subject, that the term Guzashta meant generally merely a right of a raiyat to hold land permanently and to do as he liked with it, sell or mortgage it without the land-lord's consent, but that in the "rabi" area it meant also that the rents and rates of rent had come by custom to be non-enhanceable by the malik, save and except on the ground of malik's improvements; that, as a matter of fact, the rents in that area had never been enhanced, and no malik wanted to enhance them, and that the Railway line might be taken as roughly the southern limits of this kind of Guzashta. He further said that he had no objection whatever to the recording of Guzashtadars as Sharah Muaiyan as he had no desire to apply for an enhancement of rent on these holdings; but that he wanted to apply for an enhancement on the rent of those who had taken settlement within the last 20 years.
- 219. Mr. Philip's Circular.—This admission is typical of a large number which are on record, and on the evidence before him, Mr. Murphy, the Settlement Officer, issued instructions that in Attestation Camps I, II and III which comprised the area defined above by Mr. Philip, Guzashtadars were to be given the status of "Sharah Muaiyan," which is the vernacular phrase used in Bihar records-of-rights to denote fixed rent holdings within the meaning of the Bengal Tenancy Act. There remained the difficulty of deciding who were Guzashtadars. As I have said above this difficulty was minimized to a great extent, in villages not belonging to the Dumraon Estate by the readiness of landlords to admit that the bulk of their raiyats were Guzashtadars. But as general instructions were required Mr. Philip made a rough draft of a circular, to be issued to

the three camps mentioned above, and this circular was issued with the authority of Mr. Murphy over the signature of Mr. Philip, as it stood without revision by a somewhat unfortunate oversight.

220. "All raiyats who claim to have Guzashta holdings should be recorded as Sharah Muaiyan unless the tandlord can prove that the rents of these holdings have ever been enhanced, or have been converted [rrom bhaoli into nagdi or that the holdings have been created] since the date of the Permanent Settlement.

Where entries of Sharah Muniyan are numerous in any village the Assistant Settlement Officer must prepare a schedule of the raiyats who claim this status, and attach a note to this schedule stating fully his reasons for recording or disallowing it in each case. In this note the entry must be explained (and the evidence of the landlord discussed) or\* the fact, that he was asked to produce rebutting evidence but failed to do so.

If the raiyats can raise the presumption required by Section 50, Bengal Tenancy Act, by producing rent receipts showing that the same rent has been paid for 20 years or more, they should be allowed to do so; and the dates of the rent receipts noted against each in the schedule.

The following cases will arise:-

- (1) A Guzashta holding has come down unchanged in the same family for generations.
- (2) A Guzashta holding has been split up among different descendants of the same family, and the division has been allowed by the malik and entered by him in his Jamabandi.
- (3) An entire Guzashta holding has been purchased by a new raiyat from the original raiyat.
- (4) Portions of a Guzashta holding have been purchased from the original Guzashtadar by different raiyats.
- (5) A Guzashta holding has been purchased by a raiyat in execution of a decree.
- (6) A Guzashta holding has been purchased by the malik in execution of a decree for rent and resettled—
  - (a) on an increased rent;
  - (b) on the old rent, on payment of a large sum as Nazarana to the malik.
- (7) A Guzashia holding has come into the hands of the malik either by extinction or exile of the original raiyat's family and been settled by him with a new raiyat.
- (8) Lands may be claimed by raiyats as Guzashta which have been recently brought under cultivation by him:

Provided always that the malik cannot prove any of the three facts mentioned in the first paragraph, in cases (1), (2), (3), and (4), the raivats who held the Guzashta lands will be recorded as Sharah Muaiyan.

- (5) The raiyat will be entered as Shara Muaiyan.
- (6) (a) The raivat will not be recorded as Sharah, Muaiyan. (6) (b) see note above. There is an implied mukurari but the facts will not strictly come under section 50 I think.
- (7) and (8) The raivat will not be recorded as Sharah Muaiyan, but must be treated as to status in the ordinary way.

The malik must be given full opportunity of proving that in any case a holding is not Sharah Muaiyan. If he succeeds in doing so, the manner of his doing so must be noted in the schedulo.

<sup>\*</sup> Printed in Gazette as "on."

"If a malik adulits that the raivats recorded as such in the schedule and recorded as Sharah Musiyan,\* he should be asked to sign the schedule in token of his admission, or even if he merely admits that the rents have never been enhanced and does not care to disprove the fact that the holdings have been in existence from before the Permanent Settlement. But a Palwari or Tahsildar's admission to the above effect is of no value, unless he has proper authority from the malik to make it. If he has authority, its nature must be noted on the schedule."

221. Criticism of the Circular.—The opening † sentence of this circular was hotly criticized later on as meaning that the mere assertion of "Guzashta" rights by the raiyats was enough to justify their record as raiyats at fixed rates, unless evidence to the contrary was produced by the landlord. But, as Mr. McPherson subsequently pointed out, the illustrations given in the body of the circular show that a mere claim was not enough. The orders regarding cases (7) and (8) clearly show this. The Attestation Officers concerned fully carried out the spirit of the circular, but did not in all cases as fully record the reasons for their decisions, of which more hereafter. There was no objection at the time to the procedure of the attestation camps in this matter from any other landlords except on behalf of the Dumraon Estate.

222. The objections of the Dumroon Raj.—The 2nd Assistant Manager, Babu Baij Nath Sahai, however, submitted to his superior officers a strong note of protest, which was supported by the opinion of the Government Pleader. The grounds of protest were:—

- 1. That the procedure reversed the whole law of evidence as to onus, the onus being on the raiyat to prove the fact of uniformity of rents.
- 2. That it is clearly laid down in Section 50 of the Bengal Tenancy Act that presumption as to fixity of rent arises on the tenant producing the last 20 years' receipts showing unchanged rent; and that this proof of uniformity of rent should not be decided in his favour on mere inference.
- 3. That Guzashta holdings are not necessarily, and as a matter of fact, holdings at fixed rent.

223. Mr. McPherson's views.—The Manager, Mr. Wilson, and the Collector, Mr. Johnston, were inclined to support the Assistant Manager in his contentions. Mr. McPherson, the Director of Land Records, discussed the subject in March 1910 with the officers of the Estate, Mr. Murphy, Mr. Philip and myself, and on a consideration of the evidence held that the efficers of the Settlement were fully justified in the conclusion that they had come to, that in certain areas of Shahabad, mostly lying north of the Railway line, the "Guzoshta" right was synonymous with the right to hold at fixed rent or rates of rent. He approved of the circular and merely stipulated that as full a record as possible should be prepared of the evidence which rendered the general instruction applicable in a given area. A copy of Mr. McPherson's inspection note was sent to the Commissioner of the Patna Division, Mr. Maude, by the Board of Revenue, who asked him to state what instructions he proposed to issue to the Collector and the Manager of the Dumraon Court of Wards Estate. Mr. Maude replied in his letter No. 123-2, dated 4th May 1910.

224. Mr. Mande's views.—His opinion was that in view of the evidence collected, including the admissions of landlords that a number of their tenants were Guzashtadars and that Guzashta right carried with it fixity of rent rate, the procedure to be adopted by Assistant Settlement Officers was correct and unobjectionable, namely, that they should make a full examination of the receipts and village papers of each particular village and thereafter record for that

<sup>\*</sup> Sic Probably the sentence should read: "If a malik admits that the raiyats recorded as such in the Schedule and record are Sharah Muniyan."

<sup>†</sup> The Circular is quoted as printed in the Calcutta Gazette in the proceedings of the Legislative Corneil. I have not been able to obtain the original document, but I suspect two omissions though as the Circular was itself merely a rough draft it is possible that the incompleteness of these portions is due to that fact. I have put in two conjectural emendations in bracketted itselfs. On seeing the Circular, as issued, Mr. Phillip at once visited the camps concerned and supplemented the opening sentence with verbal instructions as to its proper interpretation.

village, after reference to its own papers and the custom of neighbouring villages, whether the Guzashta right does in fact carry with it in that village the Sharah Muaiyan right. He pointed out that the Assistant Manager had confused two completely separate issues, viz.—(1) is the tenant a Guzashta-dar, and (2) does the Guzashta right earry with it a fixed rate of rent? He explained that the Assistant Manager had entirely misunderstood the orders in saying that all "Guzashta" holdings would be recorded on the mere statement of the tenants as "Sharah Muaiyan." He proceeds:—

"It is not proposed to accept a mere ipse dixit of the towart that his tenancy in Guzashta, unless it is admitted, which, however, it nearly always has been when claimed. Nor again is it intended that when the tenancy has been accepted as Guzashta the mere statement of the raiyat that it is also Sharah Muaiyan will be sufficient. The condition and history of the village must be such as to show that in the village Guzashta right does include fixed rates. When this has been shown and noted in the record, it will be for the zamindar to show that in any case in that village the rent is not at a fixed rate, as, for instance, by proving that at any particular time it was actually altered either as a cash rent or at time of conversion from "bhaoli" to "naqdi." What is intended (and rightly intended) is that the mere fact that the tenant is unable to prove, by producing 20 years' rent receipts or otherwise, that he has held all along at fixed rate should not operate against him. What Babu Baij Nath Sahai wants to do is to pin the tenant down to Section 50 of the Tenancy Act and say to him, "Prove the fact which is sufficient under section 50 to establish a presumption of fixed rate? If you can't do that you can't claim a fixed rate at all?." This is neither law nor justice. It may be good enough in an area where there is no trace of any special class of tenancy carrying with it fixity of rate, but it is certainly not good enough where there is found a class of tenancy which a limitedly in the vast majority of cases and in a particular area does carry with it such a fixed rate attribute.

The instructions therefore that I should propose to lay down for the guidance of the Raj officers would be :--

- (1) That when a raiyat claims to be a Guzashtadar in a village where Guzashtas exist, the claim should not be disputed, unless it can be shown that he is not a Guzashtadar. There must surely be Raj papers which will show who are Guzashtadars and who are not, even if the road-cess and teiskhana papers do not show this.
- (2) That where the Attestation Officer has found for a village that the Guzashta right carries with it, as a rule, the right to hold at fixed rate, the right should not be disputed, where it is claimed, unless; the Raj officers can show that, as a matter of fact, in that particular case the rate can be or has been altered. In other words, they should accept the burden of proof on this issue.
- 125. The instructions issued in the Dumraon Raj.—The Collector, Mr. Johnston, to whom the matter was referred, before final orders were issued, accepted the views expressed above and the Board of Revenue approved and instructions were ultimately issued by the Manager to his subordinate officers for the next attestation season in the following terms:—
- "Under orders of the Board and in consultation with the Settlement authorities it has been settled that in the matter of Guzashta Sharah Muaiyan claims and other disputes, all papers (old or new) which are calculated to throw light on rent or status (irrespective of whether they support the claim or not) should be produced for the inspection of the Assistant Settlement Officers. It is not necessary for us to await a specific requisition for a particular document or class of documents. On the contrary, we should spontaneously examine all the records in our possession and voluntarily produce all papers likely to prove of use in deciding the real facts about any case or class of cases. If any paper particularly required by any Assistant Settlement Officer be not available, a statement must be made to that effect. It must be remembered that this statement must be absolutely correct.
- "Similarly no objection under Section 103-A, Bengal Tenancy Act, with regard to any entry need, be filed, or if filed, should be withdrawn, if it is found on examination of all available papers and other evidence that there is no proof in support of it."
- 226. Newspaper criticism.—It was after all this consideration of the case that three articles appeared during June 1910 in the Amrita Bazar Patrika, complaining of the action taken in the matter and criticizing Mr. Philip's circular.
- 227. Opportunities given to landlords to put in fresh objections under section 103-A., free of cost.—The Board, on re-examination of the circular, thought that its opening sentence was open to objection. After consultation with the Officiating Director of Land Records, Mr. J. Reid, I directed with the approval of the Board, that to remedy any injustice that might have been done by an

over-literal interpretation of the first sentence of the original circular, throughout the area affected, landlords who had not already filed objections to status entries under Section 103-A of the Bengal Tenancy Act, should be allowed to file objections free of cost, and that those objections to status that had been previously heard should be re-heard. At the same time a revised circular was drawn up by me and issued for the guidance of the officers who heard these objections, in the following terms:—

"Landlords have been permitted to file section 103-A objections, free of cost, objecting to the entry of Shara Muziyan in the records of Attestation Camps I, II and III in Arrah thana. They have also been permitted to file review petitions where section 103-A objections have already been filed and disposed of. These review petitions will also be on plain paper, and no copy of the original case record is required. All objections and review petitions must be filed within one month of the date of the service of notices.

"The objections and review petitions will be examined with the schedules already prepared at attestation or section 108-A stage, and in all cases in which it is found from the schedule that the entry of Shara Muaiyan is based on the production of rent receipts by the raiyats the objection or review petition will be put up to me for summary disposal.

"The remaining objections and review petitions will be made over to an Assistant Settlement Officer for enquiry. He will have regard to the following points:—

- (1) Whether the landlord or a responsible agent admitted before, or now admits, that there is a custom of Guzashta holding in the village.
- (2) Whether there is any other evidence to establish the existence of such a custom.
- (3) Whether it is admitted, or has been admitted, that in the village Guzashta signifies fixity of rent.
- (4) Whether there is any other evidence to establish the significance of the word 'Guzashta' in the village.
- (5) What proportion of the raiyats of the village or locality have been recorded without objection as Sharah Muaiyan, or have been able to establish their status by the method indicated in Section 50, Bengal Tenancy Act, and whether there is sufficient reason for holding that the raiyats against whom objections have been filed are raiyats of the same class as the bulk of the raiyats of the village or locality.
- (6) The Assistant Settlement Officer will also inspect any other evidence offered by the raiyat in the first instance or by the landlords with a view to answering such evidence. He should particularly enquire of the raiyat whether he has rent receipts and will of course scrutinize receipts now offered for the first time with great care.
- (7) The Assistant Settlement Officer will not be influenced by the conclusions arrived at by the Attestation Officer or the section 103-A Officer, but will consider the case de novo. At the same time he will read the notes of his predecessors in order to find out what evidence was available before them."
- 228. Question in the Legislative Council.—After the issue of these instructions and the invitation to landlords to revive or file their objections, the following questions were asked and answers given in the Provincial Legislative Council on 30th August 1910:—

The Hon'ble Babu Braja Kishor Prasad asked :-

111.—(a) Has the attention of the Government been drawn to a circular issued over the signature of Mr. C. L. Philip, Assistant Settlement Officer, headed "Instructions regarding the status of Guzashtadars," the first paragraph of which is:—

"All raivats who claim to have Guzashta holdings should be recorded as 'Sharah Muaiyan,' unless the landlord can prove that the rent of these holdings has ever been enhanced or has been converted from bhauli into nagdi, or that the holdings have been created since the date of the Permanent Settlement?'

- (b) Will the Government be pleased to state if it is a fact that, in numerous instances, simply because the zamindars of the district of Shahabad have admitted their tenants to be Guzashtadars, such tenants have, on the basis of the said circular, been recorded as "carah Muaiyan" tenants as a matter of course?
- (c) Will the Government be pleased to withdraw the said circular?
- (d) Will the Government be pleased to direct the Survey authorities to reconsider in the light of section 50, sub-section (2), of the Bengal Tenancy Act, the cases of those tenancies which have been recorded as Sharah Muaiyan simply on the basis of the said circular?

The Hon'ble Mr. Gourlay replied :-

- (a) "Yes.
- (b) "From inquiries made by the Director of Land Records it appears that there have been some cases where the claim to the status of a raiyat holding at fixed rates has been admitted, in his opinion, without adequate proof.
- (c) "The circular has been withdrawn and replaced by another, of which a copy is laid on the table.
- (d) "Instructions to give landlords special facilities to obtain a reconsideration of such cases have been issued by the Settlement Officer."
- 229. The result of the special section 103-A objections.—How far the campaign against the action of the Settlement Officers was justified may be gathered from the figures for the disposal of section 103-A objections and the trial of section 106 suits. In Arrah thana there were 49,841 holdings recorded at Attestation as holdings at fixed rates of rent. In the ordinary course 3,748 objections were filed by landlords on the subject of status, which would mostly be regarding fixed rates, and of these 583 were allowed, while 1,430 objections were filed by tenants, of which 598 were allowed. As a result of the revised circular 12,398 objections were filed free of cost, and of these 1,414 were successful. By the orders passed on all the objections both on behalf of landlords and tenants the number of holdings recorded at fixed rates was reduced from 49,841 to 49,597 in the whole thana. In case it might be urged that the officers who re-heard the objections filed, free of cost, did not decide them with due consideration. I may note here that only 54 suits under section 106 were instituted by landlords in this thana on the subject of status and of these 18 were decreed in the landlord's favour and 36 against, while out of 116 appeals in this thana against the orders of section 106 off cers on all subjects, in 84 their orders were fully upheld in the Court of the Special Judge.
- 230. The problem in the second year's attestation area.—The difficulties of the subject did not, however, end with the season of 1909-10. As soon as the field season of 1910-11 began, I visited several Attestation camps together with Mr. Shettle, and examined the position in the northern part of Dumraon, Buxar and Shahpur thanas. We found there that the question was just as acute as in Arrah thana, while owing to the fact that the majority of villages belonged to the Dumraon estate, whose subordinate officers had not received, or not fully understood the orders referred to above, and still disputed the facts, it was not quite so easy as in the previous year to get evidence.
- 231. My inspection note and instructions for enquiry by Attestation Officers.— As an illustration of the necessity for controlling to some extent the "judicial discretion" of Attestation Officers, I quote in full my inspection note of one of the camps in the area that is certainly mainly a true Guzashta tract, together with the instructions issued to the Attestation Officers of the season 1910-11:—
- "I have inspected Camp IV now at Dhakaich about 2 miles north-easts of Dumraon. From the Assistant Settlement Officer's Rent Notes of villages, he has already attested, it appears that raiyats have generally claimed to be Guzashtadars and consider that one of the incidents of guzashta tenancy is a right to hold at fixed rates. The Assistant Settlement Officer has so far insisted on the production of rent receipts to prove fixity of rent. In the nine villages already attested only 10 raiyats have been recorded as Sharah Muaiyan as against 579 raiyats recorded as Kaemi. Only a few raiyats of these villages produced rent receipts and of these some had their claims disallowed. In several villages the Assistant Settlement Officer has had before him the jamabandus of the Dumraon Raj of years earlier than 1299 Fushi, but has not investigated the cases of individual tenants to see whether the demand in those years was the same as it is now. He has simply ignored all other evidence except documentary evidence produced by the raiyats themselves.
- "The Assistant Settlement Officer says that it is admitted on all sides that the rents have not been enhanced within the last 20 years. He has not recorded any statements regarding this point. Where the raiyats have produced 20 years' rent receipts, they have succeeded in all cases except in the case of 3 raiyats in Kharajpur. In these cases the Assistant Settlement Officer notes:—'The malik, on the other hand, produced jamabandis from 1276 to 1316. These showed that both the areas and rents of the above three raiyats' holdings varied between 1276 to 1288. The claim of these tenants to be recorded as guzashtadars with status Sharah Muaiyan was therefore not allowed, specially as they neither pleaded nor could show, though asked to do so, that the malik's jamabandis were not genuine,"

This note does not show what the variations of rent and area were, it is by no means unlikely that they could be explained by the fact that these raivats' predecessors in interest had sold or bought other lands and had them included in their holdings. (The one case of which the Assistant Settlement Officer has kept a note appears to support the contention that there has been an enhancement.)

In this same village the Assistant Settlement Officer notes that during the thikas of Mr. P. W. Carter, Indigo Planter, from 1286 onwards, the receipts granted show the term "Guzashta" instead of the usual term Kashthar on the Raj receipts. The Assistant Settlement Officer says this cannot be taken as evidence against the Raj, but I see no reason why it should not be good evidence of the existence of the term Guzashta in this village at that time, although it does not help us to determine the precise significance of the term. The Assistant Settlement Officer a'so notes that the raiyats generally lay stress on the incidents of guzashta which give the right to sell or mortgage without permission of the landlord, and that only the more dever ones lay stress on the incidents of fixty of rent, and that these go so far as to say that no enhancement or reduction can be made even on proof of alteration of area. The experience of last year, however, goes to show that this may be due to the fact that the idea of enhancement of rent is so alien to the minds of the raiyats that they do not consider it a point of importance until it is pressed on their notice. The raiyats are constantly selling and mortgaging their lands, and each transaction of this kind reminds them of their right in the matter, but until the landlord wishes to enhance, the question of fixity of rent does not present itself to them.

In the villages now under attestation the raiyats are producing rent receipts for 20 years in much greater numbers. In Dhakaich where there are about 400 raiyats, 103 have already produced their receipts, and probably more will produce them. Schedules have been prepared for 25 raiyats, who have produced receipts up to the date of my inspection. Out of these I would allow the presumption under section 50 without any hositation in the case of 18. The other seven are doubtful cases, but chiefly for this reason that the Raj has not granted receipts showing total demand, but merely receipts for payments made at the separate eight kists. In many cases the payment of rent has been made at five kists, and the non-production of a single one of these five receipts will make it impossible to determine from receipts alone the actual demand in that year. It is at least likely in other cases that the variation in the demand is due to purchase or sale of land. No enquiry into these seven doubtful cases has yet been made as the village has not yet been attested.

I questioned some of the raiyats of Dhakaich who all claimed to be guzashtadars, and though they laid particular strees on their right to sell or mortgage without consent of malik, they also said that their rents had not been enhanced and could not be enhanced. They drew a distinction between their Guzashta lands and the lands in the diara villages where adjustment of rent is made according to area.

I also questioned the Patwari, Raj Kumar Lal, who said that there was a measure ment by the thikadar in 1247 Fasti and that rents were then adjusted according to increase or decrease of area, but that the rates were not altered at that time, and that since that adjustment no alteration of rent or rate had occurred. He says that a sharahwar jamabandi was prepared in that year, but he has never seen that document. This statement if supported by other evidence might be enough to dispose of the raiyats' claim that in guzushta holdings no alteration of rent even on proof of alteration of area can be made, a claim I am not disposed to regard seriously, but it cannot be taken to dispose of the raiyats' contention that guzushta holdings are holdings at fixed rents. It is necessary for the Attestation Officer to make a detailed enquiry in each village on the particular point of status. Whether this will be necessary in all the attestation camps this year I am at present unable to say.

The circular issued on 5th August 1910 to the officer deputed to make a fresh enquiry under section 193-A, in cases of Arrih thana, where the landlord availed himself of the opportunity give to him to file a fresh objection to the status as draft published, must be issued to attestation camps in which this question arises. The Assistant Settlement Officers concerned should generally follow the instructions issued to that officer given in paragraph 3 of that circular. It is, however, necessary to prescribe some procedure which will ensure that a proper enquiry is made at attestation in each village and that a clear note of the way in which the matter has been decided is left on record for the use of officers who may have to deal with the question later.

I therefore issue the instructions below: --

In each village the Attestation Officer must make particular enquiries regarding status and must have a record of his enquiries and their results:—

- (1) He should first make general enquiries whether there exists a custom of Guzashta in the village.
- (2) Secondly, he should enquire whether the existing cash rent holdings have always been cash rent-paying or were previously held on produce rents.
- (3) If it is asserted that they were always each rent-paying, he should then enquire whether there has ever been any enhancement of rent.

The statements of at least ten of the principal raiyats should ordinarily be recorded on these three points.

- (4) The raiyats should then be invited to file 20 years' rent receipts or any other evidence likely to throw light on their status, e.g., copies of the road-cess Jamabandis of 1285 Fasli, copies of teiskhana papers filed by the patwari under Regulation XII of 1817, for years previous to 1299, rent decrees, etc.
- (5) The landlord or his agent should then be asked whether he admits that the tenancy known as guzashla occurs in the village, whether he admits that guzashladars cash rents are not liable to enhancement and whether any enhancement of rent has taken place. The statements of the landlord or his agent should be recorded.
- (6) If a general claim to the status of guzashtadar in the sense of a raiyat holding at fixed rent or rate of rent is put forward in the village, a schedule should now be prepared giving the names of all raiyats in the village, with their khatian numbers. The Attestation Officer will have this schedule by him when attesting. He will not record the status of any raiyat during attestation but will work on this schedule as far as status is concerned.
- (7) As each holding comes up for attestation questions (1), (2) and (3) will be put to each raiyat and the purport of his answers noted in the schedule. Rent receipts will also be examined whenever produced, and the evidence to be derived from them noted in the schedule, as well as any other evidence produced on behalf of individual raiyats. If it is more convenient, a parate schedules should be prepared for showing the evidence to be derived from rent receipts.
- (S) If the Attestation Officer is satisfied that the oral evidence of the raiyats, either with or without support from documentary evidence, if unrebutted, is sufficient to establish that all or any of the raiyats are guzashtadars in the sense of raiyats holding at fixed rent or rate of rent, he should then call upon the landlord to produce rebutting evidence either generally or in particular cases.
- (9) The oral evidence then offered by the landlord should be either recorded or noted in brief on the schedules according as it is general or particular. The nature of the documentary evidence should ordinarily be noted on the schedules. The landlord should also be given an opportunity to cross-examine the persons whose statements have been recorded, and the raiyats should be given an opportunity to cross-examine the landlord or his agent.
- (10) Conversion of produce rents into cash rents should ordinarily be taken as evidence against fixity of cash rents, unless evidence of some understanding that the cash rents adopted were meant to be permanent is forthcoming.
- (11) The prevalence of guzashta status in adjoining estates or villages may be considered, when assigning value to the evidence offered by either side for or against the existence of this status in the estate or village under attestation.
- (12) If the rent receipts produced by the raiyats and admittedly issued by the land-lord do not show the details prescribed by the Bengal Tenancy Act, the Attestation Officer should consider whether the other evidence, oral or documentary, is sufficiently strong to justify him in calling on the landlord to produce his papers for the last 20 years, with a view to supplying the information which he was bound by law to give in his receipts.
- (13) In examining evidence offered by the landlord to show that the rent or rate of rent has varied Attestation O ficers must be careful to distinguish true enhancements from amaly mation of illegal demands with the rent, i.e., Ney, Sarak, etc.
- (14) Where increases or decreases of rent are found, the Attestation Officer should be careful to see whether they can be explained by increases or decreases of area occurring in the same year. The schedule and evidence recorded for each village will be sent to the Settlement Officer through the Assistant Settlement Officer in charge until further orders, with a note by the Attestation Officer explaining how he proposes to deal with the case of each raiyat.
- (11.) Granted that the guzashta nature of the original tenancy is established, the following cases may arise:—
  - (i) a guzashta holding has come down unchanged in the same family for gene ations;
  - (ii) a guzashta holding has been sp't up among different descendants of the s me family;
  - (iii) an entire guzashta holding has been purchased by a new raiyat from the original raiyat;

- (iv) portions of a guzashta holding have been purchased from the original guzashtadar by different raiyats;
- (r) a guzashta holding has been purchased by a raiyat in execution of a decree;
- (vi) a guzashla holding has been purchased by the landlord in execution of a decree for rent and resettled.—
  - (a) on an increased rent;
  - (b) on the old rent, on payment of Nazarana to the landlord;
  - (c) on the old rent, without payment of Nazarana.
- (vii) A guzashta holding has come into the hands of the landlord either by extinction or exile of the original raiyat's family and has been settled by him with a new raiyat;
- In cases (i) (iii) and (r) the status of the raiyat will be recorded as Sharah Muaiyan.
- In case (ii) if the division has been recognized in the landlord's rent roll the portions of the holding will be entered on separate khatians and the status of Sharah Muaiyan recorded on each. If it has not been recognized the holding will be recorded on a single khatian, with the separate possession of the various co-sharers recorded in the remarks column and the status of Sharah Muaiyan in the status column.
- (iv) if the names of the purchaser have been shown in the landlord's rent-roll as raiyats for the separate hhatian each portion will get a separate khatian with status Sharah Muaiyan. If the sales have not been recognized the holding will be shown on one khatian with the names of the purchasers in the remarks column and the status Sharah Muaiyan.
- In case (vi) (a), the raight will not be recorded as Sharah Musiyan.
- In case (vi) (b), the status must depend on whether there is evidence of a contract expressed or implied that the rent will not be enhanced in consideration of the Nazarana paid.
- In case (vi) (c) the raiyat will not be recorded as Sharah Muaiyan.
- In case (vii) the raivat will not be recorded as Sharah Muaiyan, unless it can be proved that there was a contract expressed or implied that the rent will not be enhanced.
- "If it is found that a holding is made up partly of land, to which a Guzashta right is attached, and partly of newly-acquired land, to which no such right is attached, two khatians, should be prepared, with status Sharah Muaiyan on one, and Kaemi on the other, the rent being recorded in the Sharah Muaiyan khatian with the usual Hawa'gi lagan entries."
- 232. The boundary of the true Guzashta area.—It was not found necessary to direct that these elaborate enquiries should be made in all the Attestation Camps of the season 1910-11. In thanas Bikramganj and Piro there was found to be practically no "true guzashta" tenancies, while in Buxar, Dumraon and Shahpur the area of "true guzashta" was found to be mainly north of the East Indian Railway main line. The reason why this apparently irrelevant boundary was found to be so generally correct, is no doubt that the railway line has been placed as close to the Ganges as the nature of the country permitted, and it is in fact very approximately the boundary between the rabi-growing tract, whose plentiful harvests and simple cultivation have enabled the settlers to thrive and grow strong for many hundreds of years, and the poorer land to the south, which until the advent of Canal irrigation supported a sparse and depressed population.
- 233. The Bihar Landholders' Association's Memorial.—The treatment of the "guzashta" problem in the attestation season of 1910-11 escaped public criticism no more than the treatment of the previous year. In April 1911 a memorial was presented by the Bihar Landholders' Association to the Lieutenant-Governor of Bengal, in which the action of the Settlement Department in the districts of Patna and Shahabad was vigorously attacked on several counts. One of the principal heads of our offending was the "guzashta" matter. The objections taken to our action were briefly as follows:—
- 1. That as the result of Mr. Philip's circular of the field season 1909-10 the onus of proving that he was holding at a fixed rate had not been placed on the tenant, as it should have been according to the decisions of the Calcutta High Court.

- 2. That the revised circular of the 5th August has been amplified by a series of instructions, oral and in writing, to Attestation Officers in the season of 1910-11, which defeated more or less the spirit and good effect of the order.
- 3. That the so-called "guzashta" area had been extended southwards outside the rabi-growing tract lying north of the East Indian Railway.
- 4. That there was no sufficient evidence to support a "custom" of "guzashta" in the strict legal sense of "custom".
- 5. That the treatment of "guzashta" in Shahabad should logically have been applied equally to the "Gorabandi" holdings of Bhagalpur, whereas the latter were not recorded as fixed rent holdings except on proof of 20 year's unchanged rent under Section 50 of the Bengal Tenancy Act, and that this procedure had been generally adopted in the Bihar Settlement.
- 6. That in the Settlement operations of Dunaraon and Hathwa villages in 1301-03, under the supervision of Mr. Coupland no raiyats were recorded as raiyats at fixed rates.
- 7. That claims to hold at fixed rents can only be decided on documentary evidence, and each claim is separate and must stand or fall on the evidence which the tenant produces.
- 8. That the rebutting evidence of landlords was not thoroughly examined and sifted.
- 9. Finally, that the presumption in favour of "guzashladars" as tenants at fixed rents or rates of rent is opposed to the spirit and language of Section 50 of the Bengal Tenaney Act; and that the presumption of fixity of rent can only be raised on a very strict proof of the payment at a uniform rental for 20 years preceding the period in suit.
- 234. Government's reply to the Memorial.—The memorial was dealt with by Government in Mr. Kerr's letter No. 1126, Revenue Department, Land Revenue Branch, dated 12th March 1912, to the Board of Revenue, after a report had been submitted by the Board based on the reports of Mr. Shettle, officiating Settlement Officer of Shahabad, and Mr. Murphy, then Settlement Officer of Bihar, and forwarded with comments by Mr. McPherson, Director of Land Records, and Mr. Maude, Commissioner of the Patna Division. The whole subject is exhaustively treated in Mr. McPherson's letter with its annexures, from which I have already derived most of the material given above.
- 235. The answers to the points of criticism.—The answers to the points, put forward above, are very briefly as follows:—
- 1. Mr. Philip's circular, in so far as it might have been misinterpreted by the Attestation and section 103-A Officers, can have had no injurious effects, as landlords were given full opportunities to have their objections re-heard or to file fresh objections.
- 2. The instructions issued by me to Attestation Camps in November 1910 were clearly necessary, as the circular of August 1910 only applied to the re-hearing of section 103A objections and the hearing of fresh objections in the previous season's attestation area. They were entirely in the spirit of that circular.
- 3. The railway line was merely taken as a convenient rough guide in describing the "true guzashta" area and enquiries had necessarily to be made in villages immediately to the south of it. As a matter of fact, "true guzashta" conditions were not found to prevail in more than a few villages south of the railway line.
- 4. The evidence in favour of a custom of "guzashta" in the sense of a holding at fixed rent was firstly general for the tract, and secondly, particular for the village. As regards the former there were the opinions recorded by the members of the Bihar Rent Committee, which sat in 1878-79.
- 236. Opinions of non-official members of the Lihar Rent Committee.—Babu Harbans Sahai, a pleader of Arrah, and a member of that Committee, wrote that "a guzashta tenure means a hereditary tenure held by khud-kasht resident raiyats from the time of the Permanent Settlement, or at least from

a very ancient date at a fixed uniform rate." Babu Joy Prakash Lal, the then Manager of the Dumraon Raj, wrote: "A misunderstanding of the character of the guzashta tenures of Shahabad seems the cause of many influential authorities recommending the transferability of occupancy rights in Bihar. The guzashta tenure had been recognized by custom and local usage in Northern Shahabad long before the date of Act X of 1859 came into operation, while the right of occupancy came to exist with the promulgation of the Act. The mere right of occupancy is not thus possessed of the necessary substance that enabled guzashta tenure to find a consideration and regard with the landlords of higher rank. Inheritance of tenures held by 'khud-kasht' (resident raivats) from a very ancient date contemporary with the commencement of the Permanent Settlement at a fixed uniform rate, is a qualification wanting in the mere right of occupancy, at the present day. All attempts at the promotion of occupancy right to the rank of guzashtudar tenure have met with failures wherever judicial courts have taken up the careful sifting of the question on proper objections advanced against such an undue recognition. "

These opinions of persons who were particularly qualified to know the facts, and who were clearly not biassed in favour of tenants, would seem to be enough to establish the fact that in Northern Shahabad there existed in 1879 a custom of "guzashta" in the sense of holdings at fixed rent.

- 237. Practices at re-settlement and commutation of produce rents.—Apart from the admissions obtained by Mr. Philip from landlords in Arrah thana, there was further the evidence that when "guzashta" holdings were purchased by landlords they were almost universally resettled at the old rates, and that even when produce rents were commuted into each rents, it was not infrequently agreed that those rents should not be enhanced.
- 238. Evidence of landlords' papers.—Again there was evidence derived from landlords' papers, as, for instance, the papers of Nachap, thana No. 272, Dumraon thana, where the raiyats were divided into three classes, (1) Guzashta, (2) Kasht Akhtiari malik, and (3) Zirat. In a Dumraon Estate village an old patwari said that up to the year 1287 Fasli = 1880 A. D. the word "guzashtadar" used to be written on the receipts, but that in that year it was changed to "kashtkar" by the order of Babu Joy Prakash Lal, the Manager. It was also stated that the raiyats objected strongly, and the Collector had to intervene and explain that the change of name did not affect their rights.
- 239. Mr. Nolan's views.—In this connection the Land Revenue and General Administration Reports of 1881-2 are of interest. Mr. Nolan, the Collector, quotes the Subdivisional Officer of Buxar, Mr. Staley, to the following effect:—
- "There has been a constant struggle between the raiyats and zamindars, the former attempting to avoid enhancement and ejectment and the latter to enhance rents and break down the tenants, guzashta rights, which certainly prevail in a large part of this Subdivision. In the Dumraon Raj a determined and prolonged effort has been made and is being made to break down the guzuashta rights and the receipts which were given entitling tenants 'Guzushtadars' are now refused. In consequence of this measure many tenants have either refused to pay any rent or pay their customary rents into Court; while, on the other hand, suits are brought against them for the rents claimed, and it is hoped that by harassing the tenants they may be prevailed upon to admit themselves tenants-at-will. The tenants are quite ignorant of the rent law, but steadily hold to their land and an attempt to interfere with the possession of a tenant of a bigha is resisted by the whole village as one man."

#### Mr. Nolan comments on this:-

- "I have never thought that the refusal of Maharaja of Dumraon to allow those who collect rent on his behalf to continue the practice of inserting guzashtadar (i.e., holder at fixed rates) on the receipt was otherwise than necessary. The writers of the receipts are not fit to be tru-ted with such power. But it is a fact that there has existed for years a desire among landowners to break down that right when it exists, and that this has led to a prolonged struggle in the Civil and Criminal Courts, though generally in the former."
- 210. Buchanan's reference to fixity of cash rents.—If the antiquity of this evidence be considered insufficient to establish the custom, I may add certain extracts partly from the unpublished portion of Buchanan's statistical account:—
- "Except for the rich inundated land near the Ganges, the fields and gardens around the villages, that are carefully watered, sugarcane and cotton, almost the whole rent is paid by a division of the crop, and the result is

abundantly obvious; the lands which pay a money rent are those alone that are cultivated with care. On the bank of the Ganges, where alone all the rents are paid in money, and where the rent is fixed, and totally unconnected with the nature of the crop, the tenants are by far the most industrious, and the least necessitous, although the rent is very high." (He estimates it at Rs. 5 per Again:—"Near the Ganges all the land is let by regular lease (patta) and each tenant gives an (kabuliyat) agreement to pay the amount; but in the valuable pargana of Chayanpur, the tenants are not willing to give such agreements nor the landlords to grant specific leases. This circumstance on the part of the landlords arises from the fear, that the leases, in the event of a new settlement, would show their real profits; and on the part of the tenant to a fear, that these leases might be interpreted as acknowledgment of a right in the landlord to exact a new rate of rents, when the lease expired. A decision \* of the Judge at Arrah, to be afterwards mentioned, seems to have quieted the minds of the people in the vicinity of the Ganges, and has induced them to accept of leases and to grant stipulation for the payment of a certain rent; and such well specified agreements are so highly advantageous in preventing oppression or litigation, that I cannot too eagerly recommend it to Government to enforce such being universally formed, first by ordering that no new leases without such stipulations should be valid, and secondly, by ordering, wherever old rates are considered as good in perpetuity, that the Co'lector should fix the actual rate due, and a new pattu and kabuliyat to that amount, but in perpetuity, should be granted."

All this evidence, quite apart from numerous High Court rulings, certainly establishes the first point that a general custom of land being held on a fixed rate of rent, by tenants who called themselves and were commonly called "Guzashtadar" does actually exist in northern Shahabad.

241. The evidence that in a particular village "Guzashta" custom existed and that a particular holding was "Guzashta".—There remained the particular questions (1) whether the custom could be rightly held to exist in a particular village, and (2) whether a particular raiyat of that village was a guzashtadar. As to (1) the nature of the evidence examined is indicated in the Circular issued in November 1910, quoted in paragraph 231. It would have been obviously improper to reject among other things the evidence afforded by the geographical situation of the particular village, when the existence of the custom in a reasonably definite tract of country had already been established.

As to (2) the only possible method of deciding whether a particular raiyat of a village was a guzashtadar, when the custom of "true guzashtadar" was established as existing in the village, was to presume that every raiyat, who claimed that status, was speaking the truth, and to call on the landlord, who was ordinarily alone able to show the real facts, to prove that he was not.

242. "Gorabandi" in Bhagalpur.—The criticism that the principles adopted in Shahabad might have also been applied in Bhagalpur in regard to gorabandi tenancies has a modicum of truth in it. But it is nonsense to say that they should either have been applied throughout the whole of Bihar, or else not in Shahabad. The answer is supplied in the words of Mr. Murphy:

<sup>\*</sup> I have discussed the problem of this decision in paragraphs 78 and 79.

<sup>+</sup> He is always fond of dwelling on this somewhat fly-blown principle of the early political economists.

"Some years before the framing of the Tenancy Act gorabandi raiyats possessing similar rights to those of the Shahabad guzashta raiyats were numerous in North Bhagalpur. So far the case of the two districts as pointed out by the memorialists is similar, but here the similarity ends. In Shahabad the raiyats have been strong enough to maintain these rights to the present day. In North Bhagalpur landlords in spite of the law succeeded in breaking these rights and enhanced rents all round. Only here and there a few individuals managed to hold out or were allowed for special reasons to continue holding at the old rates. These individuals did not form a well recognized and distinct class; they were not described as gorabandi raiyats in any documents nor had they in most cases any rent receipts. I was in charge of the attestation of the area in which they were found. It was my first attestation season, and I did not recognize the full bearing of the case. Had I done so, I would have made special efforts to protect these raiyats, but, as it was, I treated their claims to hold at a fixed rate just as claims of that sort are ordinarily treated, and put the burden of proof on the raiyats. Naturally, they nearly all failed to establish their claim, and I expect that by this time their rents have been enhanced. It would, however, have been very difficult to help them for the reasons that they were very few in number, and that it was impossible to say if any particular claimant belonged to the class. The case was altogether different from that of Shahabad where the natural and ordinary presumption in certain areas to any Settlement Officer who knows the area is that the rent of any particular raiyat has never been enhanced."

243. The treatment of the question in previously settled Hathwa and Dumraon villages.—The next criticism is that no tenants were recorded as holding on fixed rents in the Settlement operations of a few Hathwa and Dumraon villages in 1901-03.

Mr. Shettle dealt with it as follows: - "It is stated by the memorialists that in 1901, when a record-of-rights was framed for certain villages in this district belonging to the Dumraon and Hathwa Estates, no raiyats were recorded as fixed raiyats, and the reason is said to be this, that all raiyats who claimed the status were called upon to prove their claim by the production of receipts showing uniform payment of rent for 20 years. It is true that no raiyats were recorded at fixed rates. But this is due not, as the memorialists contend, to the inability of raiyats to prove their claims, but to their failure to put them forward. This will appear from the following considerations. The final report nowhere mentions that any such claims were made, but it is stated in this report that rents had not changed in the Dumraon villages for 20, and in the Hathwa villages for 40 years; the report does not state that the rents were ever changed even before that period. Receipts were given to tenants in both estates during the 20 years before the operations. Now had the raiyats been aware of the benefits they were entitled to under the provisions of section 50, and had they been directed to produce 20 years' receipts, it is certain that a number of them would have been able at least to put upon the landlord the burden of rebutting their claims. More than this, the officer who attested their rents presumably had before him the evidence that rents in the villages had not changed within the statutory period, and even without the production of receipts might have considered raivats entitled to benefit by the provisions of the section. Further this year, in some villages where this question of fixity of rent had not been dealt with thoroughly at first, a further enquiry was ordered after rent and status had already been dealt with once. In most such cases it was found that when the importance of the been dealt with once. In most such cases it was found that, when the importance of the issue and the provisions of section 50 were explained to raivats at the second enquiry, considerable numbers of them produced rent receipts for 20 years and were ecorled as at fixed rates, though they had before been recorded as having merely occupancy rights. In one such village at the first enquiry one raiset only produced 20 years' rent receipts and was recorded as a raiyat at fixed rates, but at the second enquiry 53 other raiyats produced such receipts. This is by no means an exceptional case. The fact is that whatever may be the case in Bengal, the raiva's of Shahabad were completely ignorant of the provisions of Section 50 of the Bengal Tenancy Act. Neither were they aware of the exact legal signifigure for the word Kaemi, which is used by Settlement Officers to record the status of settled raiyat and not that of a raiyat at fixed rates. Add to this the fact that, certainly in what has been described as the guzasita area, enhancement of rent is an idea totally foreign to the conception of the ordinary raiyat, and it will be recognized that unless officers engaged in framing a record-of-rights are at great pains to ascertain the true state of affairs nothing is more likely than that raiyats will be in danger of losing their rights merely from not asserting them. Of this a perusal of records in connection with the Settlement operations of 1901 in these very Hathwa villages affords a most apposite example. When these villages were permanently settled with the Hathwa Raj in 1861, it was expressly stipulated that the Raj should preserve the rates and rents of holdings then in existence. The Raj sued certain of the tenants for enhancement in a suit in 1874, which went up to the High Court where it was held that the rent of the holdings could not be enhanced. It is clear, therefore, that a considerable number of the tenants in these Hathwa villages would have had a good case had they claimed to be recorded as at fixed rates. Yet all of them were recorded as having merely occupancy rights. This is a sufficient answer to the allegations of the memorialists that all claims to fixity of rent failed, because strict proof under section 50 was demanded from each claimant. The truth is that no such claims were made at the time. Had they been made, they must have been successful in many cases; and this will appear from the following:—

"In village Kurmuri of the Hathwa Raj, after all the tenants had been recorded as having merely occupancy rights, the proprietor sued certain of them for an enhancement of rent on the ground of rise in prices, and failed in all cases except one where the holding was not shown to have existed in 1861. The Court found that the rents of the other tenants were not liable to be enhanced. Thus, where the question of the enhancibility or fixity of rent was raised as a definite issue, raiyats who were raiyats at fixed rates at once asserted and successfully established claims which they had not preferred while the record-of-rights was being prepared.

The above will, I think, be sufficient to show generally that the methods of enquiry into fixity of rents adopted in 1901 were neither so adequate nor attended by results so satisfactory as to justify a criticism of the present procedure on the ground that it differs from the former. But in particular a study of the records of 1901 affords light upon the guzashta question. The final report, in what is almost an aside, mentions guzashtadars only to describe them as vaivats whose rents were fixed or at most only liable to be enhanced at intervals of 20 years. But more than this in the record of the suit for enhancement in Kurmuri, a High Court judgment is quoted which declares that certain holdings in that village were protected from enhancement by the guzashta tenure. No mention is made in the final report of any claims to hold at fixed rents by virtue of the guzashta tenure. The inference, therefore, is not that there were no true guzashta tenuries in the villages, but that no claims to be guzashtadars in the sense of raiyats at fixed rates were made. \*

The Survey and Settlement operations in the Dumraon villages were, as far as the work in the field was concerned, begun and completed by the Collector. Work in the 15 villages of the Hathwa estate was done by the Settlement Department. But the main work of that Department lay then in a district remote from Shahabad, and operations on a small scale in the latter district could hardly have had any claim to special attention. It is to be considered that visits of superior officers must have been few and far between, that the officers actually engaged in the work, so far from being able to benefit by the results of general enquiries into the special conditions of Shahabad, had to rely upon experience gained in districts where this particular form of tenancy did not exist and fixity of rents was far from being a noticeable feature. Under these circumstances when raiyats did not prefer claims to fixity of rent, it need not be a matter for surprise that the record of 1901 contains no indication of conditions to the existence of which such claims would have afforded the most valuable clue."

- 244. Necessity for seeking all available evidence in Settlement operations.—
  The assertion, that claims to hold at fixed rent can only be decided on documentary evidence, only needs to be made to be condemned. That each claim is separate is perfectly true, and each claim was separately considered, but that "it must stand or fall on the evidence which the tenant produces" is nonsense. A Settlement of a district is not a mere game, in which landlords and tenants are provided with certain cards to be played by certain rules. The duty of the Settlement Department is to come to definite decisions on facts, which are of the utmost importance to the bulk of the population of a district, landlords and tenants alike. Any evidence, that is relevant, must be sought for and accepted before coming to a decision, and surely the testimony of other persons, who are in a position to know the facts, even though it may be under suspicion of bias is relevant to the case of an individual raiyat, as is also the documentry evidence obtained from the landlord and elsewhere.
- 245. Rebutting evidence.—As regards the rebutting evidence offered by the landlords, the criticism was no doubt founded particularly on the action taken in the season of 1910-11. I quote from the Annual Report for that year submitted to the Director of Land Records. The line taken as regards the interpretation of section 50 was adopted after very full discussion with Mr. Mcl'herson and the submission of two notes which will be found in the papers dealing with the Memorial. As has been stated above, the Attestation Officer had in the area, in which it was found that "true guzashta" prevailed, to hold a detailed enquiry in each village to determine whether the custom of 'guzashta,' in the full sense, actually existed in the particular village or not.

<sup>\*1</sup> may note that though the Duminou Raj brought several Section 105 cases against the tenants, in the course of this settlement for the enhancement of rent, the cases were compromised on the withdrawal of all claims for alteration of all rent except on the ground of excess area.

Evidence was in all cases recorded and every effort was made to secure that the raiyats substantiated their claims to 'guzashta' status as far as possible by the production of rent receipts.

"The Attestation Officer took into consideration the verbal evidence of the raiyats, the rent receipts of the raivats as far as they were produced, the past history of the village, and the existence or non-existence of the custom in adjoining villages. The past history of the village was often of the greatest importance. Thus in some villages in the extreme north it was found that the river Ganges had entirely submerged the land for a number of years, and it was held that, in the absence of clear evidence that the custom existed after inundation as before, the guzashta tenancy could not be customary in such a tract. Again in the area directly affected by the confusion consequent on the rebellion of Kuar Singh, it was found that entirely fresh settlements were made after order was restored even where the old tenants returned, and there too it was held that no guzashta right existed. But, generally speaking, in the tract between the East Indian Railway and the actual diara area the evidence in favour of the custom was considerable. All the old raiyats asserted strongly that their rents had never been enhanced, and a large number of them were able to back up their verbal evidence with rent receipts covering upwards of 20 years. In such cases the landlord was called on to disprove the custom. This he was generally quite unable to do. Either he was unable to produce regularly kept papers at all, or his papers, when produced, showed that no variation in rent rates had taken place. The custom was then held to prevail in the village, and it was presumed that all raiyats who claimed guzashta rights were really guzashtadars until the contrary was proved, whether or not they could individually produce documentry evidence, covering 20 years, to the effect that their own rents had not varied. It may be noted here that the rent rates and not the lump rentals are the important matters for consideration. For there is hardly any question that holdings and even parts of holdings have been freely transferred in this tract from time immemorial. Hence, a tenant's lump rental may easily be very different from that of his principal predecessors in interest, and as rent rates are often numerous, his average rent per bigha may also differ widely from that of his predecessors in interest, on account of sales of low rented land and purchase of high rented land, or vice versa. In examining the evidence offered on behalf of the Dumraon Raj, some other considerations had to be taken into account. In the first place, it was found that attempts had in a few cases been made to enhance rents which had been successfully resisted by the tenants in the courts. The Raj papers, however, often showed the rent claimed in a suit, which ended unsuccessfully some 15 or 20 years ago, as the rent now payable, although it had never been realized at all. Another difficulty was that in some villages whereas old jamabandis showed practically the same rent incidence for the last 50 or 60 years, an isolated jamabandi of 10 or 15 years earlier showed a different incidence altogether. No evidence of realization on the basis of such a iamabandi was forthcoming and it was not thought safe in general to accept it as establishing a variation in the rent rates, especially in view of the fact already noted that the recent jamabandis frequently show rents which agree rather with the wishes of the landlord than with the facts of realization. As regards the guzashta custom, however, where it was proved that there had been a general variation of rent, the presumption in favour of a customary fixity of rent was of course entirely given up.

The meaning of section 50 (3).—There remained, still, the cases of individual raiyats who had been able to raise the presumption under section 50, that their rents were fixed by the production of rent receipts covering a period of 20 years. Unless there was clear evidence of a change from produce rents to cash rents or of a wholesale re-settlement as in the case of some diara villages and villages affected by the disorders of the time of Kuar Singh, it was held that the landlord was obliged to prove that the raiyat and his predecessors in interest had not held at a uniform rent or rate of rent since the time of the Permanent Settlement. In fact, what the landlord had to do was to show that the existing holding contained land which had at some time borne a different rent or rate of rent from that which it bears at the present time. Even so, the provisions of section 50 (3) in the case of a raiyat protects from enhancement all other pieces of land than those for which it can be specifically proved that there has already been a variation in the rent or rate of rent. In fact, the section when carefully read and applied to the facts must be construed as applying the incident of fixity of rent to the actual land and not to the person who may happen to hold the land. It would appear that provided the raiyat can make good his case that his present rent or rate of rent is the same as it was 20 years ago, it is the business of the landlord to show with regard to each parcel of land now included in his holding that it does not hear the incident of fixity of rent, and to do this he must show a variation in rent or rate of rent prior to the beginning of the period of 20 years and subsequent to the Permanent Settlement.

This principle was applied generally wherever the raiyats were able to prove uniformity of rent or rate of rent for the last 20 years. But as it is deduced from Section 50, Bengal Tenancy Act, it was not applied to the guzashta custom. There, if there was evidence of a general nature tending to render the existence of the custom uncertain, it was applied to the particular raiyats who claimed fixity of rent on the basis of the custom, and the landlord was not called on to disprove the case of each raiyat individually. At the same time raiyats, who could prove by rent receipts uniformity of rent or rate of rent for 20 years, were allowed the full protection of section 50 even in the case of villages where the custom of guzashta tenancies was claimed and disproved.

The alternative that the landlords would have preferred, was that when an old jamabandi was produced, which showed the area and rent held by an ancestor of a present raivet to be different to that now held by him, the Attestation Officer should be required with the help of the raivet to explain from the jamabandis how the present ho ding had been made up, and, if it could not be shown to be made up of portions of holdings at fixed rent, to disallow the claim. This would make section 50 (3) a dead letter.

246. Mr. Mande's riews.—The final criticism is of course at the root of the whole objection by the landlords to our procedure. As Mr. Mande pertinently remarked in his letter No. 140-2, dated the 4th September 1911, to the Board: "The object is to e-tablish in Shahabad the interpretation of section 50 of the Bengal Tenancy Act, which it appears they succeeded in establishing in the Bhagalpur District, namely, that if a tenant fails to produce 20 years' rent receipts there is a legislyr samption against him that he does not hold at fixed rates ".....", Section 50, while it creats a very important presumption in favour of the tenant, creates no sort of presumption under any conditions in favour of the landlord."

247. The reply of Government to the Memorial as regards guzashta.—The Government of Bengal in Mr. Kerr's letter quoted above, replied to the Memorial as follows:—

"The Committee next complains of the action of the Settlement Department in Shahabad relating to 'guzashta' holdings. As the Committee points out, the whole question of the treatment of 'guzashta' holdings was brought to the notice of Government in 1910 in connection with a circular, which had been issued on the subject by the Settlement authorities. The original circular was modified, and any landlords who might have been prejudiced by its application were permitted to file, free of coots objections under Section 103-A of the Bengal Tenancy Act or petitions of review of orders and section 103 A. At the same time, instructions were laid down as to the points to which Assistant Settlement Officers should have regard in deciding questions relating to the fixity of rent of 'guzashta' holdings. It is understood that a large number of landlords took advantage of the opportunities thus afforded them of re-opening the matter, and the Lieutenant-Governor in Council does not think that any objection can be taken to the revised instructions, under which the work has been carried out, nor does it appear that the Committee raise any such objection. The various technical points relating to the law of evidence, which are discussed in the Memorial, are nexters for the courts to decide in individual cases which may be brought before them, and are not questions on which it would be possible or desirable for Government to issue any general orders or instructions."

#### OTHER STATUS QUESTIONS.

248. Holdings purchased by landlords at auction sales still held by the judgment-debtors.—A status question, of minor but still of considerable importance, arose principally in the second season's area. In certain estates, mainly in the Dumraon Estate, a number of holdings had been purchased at various times in Court auction sales. In the majority of these no practical steps to oust the defaulting tenant had been taken, and at the time of the Settlement operations he or his heirs were still in possession. After careful consideration, it was decided that in such cases a khatian, separate from any which might record land which had not been so purchased, should be prepared for the occupier. If more than 12 years had claysed since the date of the auction sale he was given the status of a settled raiyat, and it was noted that the holding was liable to rent (kabit lagan), unless rent was settled before the Attestation Officer under Section 109-C, Bengal Tenancy Act. If less than 12 years had elapsed since the date of the auction sale, it was noted that this was a holding without settlement in possession of the occupier, who had no legal rights in it; if, however, rent had been accepted since the sale by the landlord, the occupier was treated as an ordinary raiyat.

249. Settlement by the thikadars.—A question of some interest arose with regard to certain villages held in thika lease by Mrs. Fox and Mr. A. Fox of Kuttea from the Dumraon Raj. In paragraph 13 of the lease it was agreed that if the lease-holders happen to purchase transferable rights in land from raiyats at public or private sale they will make over the same to the Manager of the Dumraon Listate on expiration of the lease after taking from the Estate a fair price. In some cases it was found that the thikadars had sold away the rights so acquired to raiyats from whom rent was now realized. In other cases the thikadars had settled the land so acquired with new raiyats, usually on temporary leases. It was argued on behalf of the 1 umraon Estate that the thikadars were bound by their lease to return the purchased rights to that estate after the expiration of the lease, and that they could not transfer the rights acquired to

any other person by sale, and that hence the raiyat who had purchased could not be given occupancy rights, but should be recorded as persons in possession of the lands till the term of the lease. This view I declined to accept for the following reasons:—

The obvious construction of the paragraph referred to was that it was (a) a safeguard against any claim of the thikadars to hold on as a raiyat any lands included in holdings purchased by public or private sale, and (b) a safeguard for the thikadars that they would get a fair price at the expiry of the thika to recoup them for the money spent in purchasing these holdings. The thikadars were 16 annas thikadars and by reason of section 22 (i), Bengal Tenancy Act, were precluded from acquiring by purchase or otherwise any right of occupancy in lands comprised in their athia. Hence, strictly speaking, the paragraph was meaningless, as if there could be no purchase there could be no making over of the rights. But it was clear from the rest of the lease that the thikadars could make settlements, provided they did not "break the jamabandi," i.e., lower rates of rent. These so-called sales of purchased tenancies were in effect resettlements on acceptance of nazarana. And hence the Dumraon Estate could have no case against the raiyats. It is possible, though I do not think it likely, that the Estate has a case against the thikadars.

What was done was that the tenancies sold out to raiyats, or, strictly speaking, settled with nazarana, were treated as ordinary holdings. Where resettlements had been made each holding purchased was treated as a separate sub-tenure in the names of the thikadars and the rent payable by the old raiyat was recorded as payable to the thikadars by themselves. In the status column of the khewat it was recorded that the tenure was an old raiyati holding purchased at private or public sale as the case might be and that on the expiration of the lease and the payment of a fair price, the sub-tenure would cease to exist. Under this khewat entry the actual raiyat was recorded in the khatian, and his status determined according to the ordinary rules.

250. Mrs. Fox's raiyati claims.—Two more questions of status are worthy of mention. Mrs. Fox of Kuttea is now in the position of a rent receiver with regard to a considerable quantity of land, for which she claimed to be treated as a raiyat in our records. These claims were scrutinized carefully in the light of documentary evidence, showing the origin of the tenancy and the use to which the land was put, when indigo was grown more extensively than at present. Thanks to satisfactory papers of accounts, Mrs. Fox was able to substantiate a considerable number of such claims.

251. Mr. Solano's raiyati claims.—Mr. L. B. Solano's claims were also carefully scrutinised, but were not found to be equally well substantiated. One branch of the family now represented by Mr. E. Solano succeeded by will to the estate of Mr. R. Solano, who had acquired a large property either as proprietor or permanent tenure holder, mostly in than Bikramganj. In this property were situated certain indigo factories, which also belonged to him, but were sold up in 1882 in execution of a decree and purchased by Mr. L. B. Solanc's father, Mr. G. L. Solano, who had acquired no rights under the will of Mr. R. Solano. With these factories certain lands also passed. It was contended that Mr. R. Solano had raiyati rights in these lands and that these rights had never merged, during the time that he was also 16 annas proprietor or permanent tenure-holder. In support of this view the High Court judgment (Lal Bahadur rersus Solano) was quoted. This case decided that no merger would necessarily occur when a person holding a right of occupancy in land not accruing by the ordinary process of 12 years' occupation, subsequently becomes 16 annas proprietor or permanent tenure-holder. The case was decided before the passing of the Bengal Tenancy Act, and appears to be the law, governing transactions of the kind before that date. Mr. Solano's contention was that the rights of Mr. R. Solano in these lands were those of a guzashta raiyat and not of the ordinary occupancy raiyat. But it is obvious that some evidence that Mr R. Solano was in possession of these lands in the capacity of a guzushta raivat prior to his purchase of the superior right was required, and as no such evidence was forthcoming, it was decided that Mr. G. L. Solano had not purchased raiyati rights. He had, however, been always treated as a tenant for certain lands by the other branch of the family, and

there was evidence that it was intended that the tenancy should be permanent. Mr. L. B. Solano was therefore recorded as a permanent tenure-holder in respect of these lands.

#### DRAFT PUBLICATION.

252. Improved method of publication.—In Arrah thana the records were draft published by Kanungos in the villages concerned. But in the rest of the district the method initiated by Mr. Reid in Chota Nagpur in 1910 was adopted, according to which the draft publication is carried out in the Attestation Camp itself. There is no doubt that it is very much better done and the villagers are quite content to attend the camp for one more day in order that the work may be done under the constant supervision of a responsible officer.

OBJECTIONS UNDER SECTION 103-A.

253. The following statement shows the number of 103-A objections filed in each thana of Shahabad district:—

Тааца.		No. of objections filed.	Area in sq. miles.	No. per sq. mile.	Remarks.	
	1		2	3	4	5
Arrah			14,121	)		
Do.	•••	•••	12,398	329	81	These 12,398 objections were filed, free of cost, regarding fixed rent status
351			000		,	l, 4 l 4 were allowed.
Piro		•••	8,250	299	,	
Shahpur	•••	•••	14,117	231	63	 
Buxar Dumraon	•••	***	13.301	209	4.1	
Bhabhua	• • •	•••	23,767	299	79	
Mohanea	•••	· · · i	5,034	910	$\frac{6}{100}$	
Sastrain	•••	•••	6,890 2,592	386 $684$	18	
Bikramganj	•••	••• }	7,159	684 36 <b>5</b>	4	
Karghur	•••	•••	43	265	20 16	
Dehri	•••		2,881	165	17	
Tq	RI, W I	•••	114,857	4,232	27	

The figures for each thana of the objections under each class and the number allowed and disallowed are given in Appendix K. In all of the 114,857 objections filed, 19,796, or about 17:2 per cent. were allowed, a preportion which is creditable to the Attestation Officers, but at the same time shows that the objections are fully considered.

## FINAL CHECK AND FAIR COPYING.

254. Reason for delay.—Settlement recess work was not begun till the cold weather of 1910-11 as the enormous mass of work in Patna required all the staff available. As a result of this the work of 1911 was heavy, about 2,300,000 plots being dealt with, but after that year there was a very welcome relief from the exceptionally heavy programmes of this necessary but tedious work, which had burdened the Bihar Settlement staff for several years.

255. Correction of plot boundaries.—The only point of special interest that the work presented was the organization of a staff to correct the plot boundaries given in the khatians, in accordance with orders passed after Khanapuri. I made the suggestion that since plots are fully identified by plot numbers, the work of fair copying could be slightly reduced by omitting field boundaries,

and I pointed out that as these were not corrected in accordance with orders affecting the possession of neighbouring fields, they were not altogether trustworthy. The Board, however, thought that the boundaries should be retained and ordered their correction. \*

256. Improved method of final publication.—Final publication of Arrah thana was carried out by the old method of deputing Kanungos on Rs. 25 per mensem to the villages. The records of the rest of the district were finally published under the supervision of an Assistant Settlement Officer at central camps. The change has resulted in a great improvement in this branch of the work, and does not cause any appreciable hardship to the landlords and tenants.

CASE WORK.

257. Results of section 105, applications.—The following table shows the result of the Settlement of fair rents made on receipt of applications under section 105, and is supplementary to Appendix L.

	Thaus.		Tetal number of raisti ho.dings excluding ent free koldings.	Namber of koldings for which ap- pikations under section 106 were received.	Number of holdings for which fair refiled.	Peregrage of column 3 to column 2.	Perceutage of orlunia 4 ta colume 2.	Total centals of thana before settle- ment or fair texts.	Total previous rental of hulding for alich fair rents were settled,	Total cohancement of rent given.	Percentage by which rents of holdings shown in column 4 were enhanced (9 to 8).	Percentage by which fotal rental of than was cultanced (9 to 7).
	1		2	з	4	5	6	7	H	y	10	11
					Ţ			Rs.	Rs.	Rs.		
Arrah	•••	•••	104,297	6,497	5,2(N)	6.22	4:98	7,23,993	76,440	3,872	<b>5</b> ·06	0.23
Píro	•••		69,736	8,307	7,357	11.91	10.60	7,06,653	1,51,517	9,521	6.28	1.34
Shahpur	•••	•••	46,453	8,355	7,512	17:98	16.17	5,09,770	1,31,640	9,059	6.88	1.77
Buxar		• • •	45,389	5,259	4,630	11.58	10.20	415,830	77,222	7,071	9.15	1.70
Dumraon	•••	***	56,827	13,569	12,213	23.87	21:49	5,69,131	1,65,731	17,788	10.73	8.12
Bhabhua	•••	•••	40,915	1,471	390	3-13	0.83	4,21,414	6,163	511	8.29	0.12
Mohanea	***	•••	48,269	2,613	792	5.41	1.64	3,47,897	18,244	940	7.67	0.27
Sasaram	•••		43,976	1,352	875	3.07	1.98	2,66,350	9,627	811	8.42	0.30
Bikramga	nj	•••	51,705	13,351	10,500	25.82	20.30	6,14,675	1,05,968	10,394	9.80	1.69
Karghar	•••	•••	31,574	1,209	849	3-82	2.68	<b>2,</b> 73,489	17,140	874	5.09	0.31
Dehri	***		22,419	1,944	1,548	8:67	6.90	2,14,166	32,220	1,596	4.95	0.74
	Total	•••	567,560	63,927	51,906	11:26	9-14	50,68,368	7,75,912	62,437	8.04	1.23

<sup>\*</sup>A witty Assistant Settlement Officer on receipt of this order fold me the story of "ulta buildle Ram." A raivat was going along a road and being very fired outled the wish that Ram would send him a horse, At that moment his landloid came along with a mare ready to foul. The foal safely arrived and the landlord recing his raivat at hand ordered him to carry the new-born foal the rest of the way.

258. Burden of the work, and dearth of competent officers.—The bulk of the work as this statement shows came from the two northern subdivisions and Bikramganj thana. The work was heavy and has only been exceeded in Purnea and Saran. It was particularly unfortuate that it had to be disposed of, after the new arrangement of Provinces had deprived the Bihar Settlement of many of the most experienced officers and further that three of the best officers had to be employed in the settlement of fair rents in Government and Temporarily-settled estates, and not, as in ordinary case they would have been, on this work. These facts will explain to some extent the somewhat unfavourable comments, which I will quote later, of the Special Judge, Mr. T. S. Macpherson, on some of the work which he has seen on appeal.

# 259. Increase of rent decreed.—The increases decreed were as follows:—

	Rs.
Alteration of rent under section 52 for excess area	15,337
Enhancement of rent under section 30, chiefly on the ground of rise in prices	14,858
Other enhancements principally of tenure-holders' rents under section 7	2,242
Total enhancements	62,437
Rent settled for lands held without payment of rent, which are liable to pay rent	21,117
Total	86,554

The percentage of increase of rent decreed on the previous rent of the holdings concerned was 8.04 of which about one-quarter was on account of excess area. Thus enhancement pure and simple was scarcely more than 6 per cent. or rather less than one anna in the rupec.

- 260. Enhancement for rise in prices insignificant in Bhabhua and Mohanea thanas:—The enhancement, which from a consideration of section 32 above might have been given on the ground of rise in prices, varied considerably from thana to thana, and was so low in Bhabhua and Mohanea thanas that many applications were withdrawn as not worth pursuing. Before decreeing enhancement on this or other grounds the trying officers considered to the best of their ability the proportion which the rent bore to the probable average value of the gross produce, and did not usually allow the full enhancement permissible, if the result would be to raise that proportion above one-fifth. This criterion was accepted by the Special Judges on appeal.
- 261. Proof of measurement:—A question of some importance was the value of the evidence produced for some estates, particularly for the Dumraon Raj, regarding measurement, and especially the application of section 52(6) which was added in 1905 to the Act, and allows a custom of settlement on measurement to be proved. No landlord succeeded in proving a general custom under that section. But actual measurements were proved in a number of cases. The Special Judge, Mr. T. S. Macpherson, tells me that he found that the Lower Courts were generally inclined to insist on an unfairly high standard of evidence to prove measurements. The main portion of the cases for settlement of rent for lands previously held without payment of rent came from thanas Shahpur, Buxar, Dumraon and Bikramganj, and the principal item consisted of the 'nilami' lands of the Dumraon Estate, to which I have referred in paragraph 248.
- 262. High Court decision on the right of applicant under section 105 to dispute the record-of-rights.—A comparatively recent decision of the Calcutta High Court relating to section 105 cases was brought to light during the trial of these cases in Shahabad, which if it is accepted as good law would materially add to the labour of deciding such cases and incidentally seriousally complicate the question of court-fees to be paid. This is the ex-parte decision in Upendra Nath Ghosh versus Jamuni Mohan Pal reported on page 268 of Volume NVIII of Calcutta Weekly Notes, but not reported in the Indian Law Reports. The Settlement Officer and the Special Judge of Paridpur had decided that in a section 105 application the plaintiff was not at liberty to impugn the

correctness of the record-of-rights. The High Court, however, over-ruled them on two grounds. The first was that if a party dissatisfied with any entry in the record-of-rights proceeded under section 106 it is practically impossible for him to avail himself of the provisions of section 105. It would appear that the Honourable Judges entirely over-looked the provisions of section 111B(3) which provides that the decision of a section 105 case shall be held over till a section 106 case dealing with matters that would affect the decision of the section 105 case has been decided. There is, therefore, nothing to prevent the filing of simultaneous applications under both sections. The second ground was that the Honourable Judges did not see any reason for holding that an issue under section 105A can be raised only by the tenant. The point really is whether it can only be raised by the defendant, who may very well be the landlord. The wording of section 105A is "any of the following issues arise" and an issue can scarcely be said to "arise" when it is definitely raised as an essential preliminary to the application by the plaintiff.

263. The views of the Board of Revenue.—The view held by the Board of Revenue, the Director of Land Records, and the Legal Remembrancer in 1908, that the plaintiff, who obtains his opportunity of applying under section 105, from the preparation of the record-of-rights, must apply on the basis of that record, is preferable, but as unreported rulings of the High Court are frequently treated as binding case law, it would be desirable to have the point cleared up when the Act is next amended. A still more recent decision not yet officially reported is that in Janaada Sundari Chowdhurani versus Anaidi Sarkar and others. The specific point of the right of the plaintiff to question the record-of-rights was not raised, but from the arguments used by at least one of the Judges it seems likely that the right would have been established, had it been in question.

264. Suits under section 106.—Suits under section 106 also are more numerous than usual. A detailed statement of them is given in Appendix M, while a statement of the number in each than a and the percentage to the total number of holdings is given here.

		Thana.		पर ाटि) मयमेव जयने		Number of suits.	Percentage to total number of holdings.
		1				2	3
Arrah				***		583	0.51
Piro		1**		•••		325	0.43
Shahpur		111			•••	504	0.36
Buxar		•••		•••		594	1.17
Dumraon		***	•••	***		1,505	2.41
Bhabhua	•••	•••		•••		62	0.10
Mohanea		•••	•••	•••	•••	272	0.48
Sasaram		1**	•••	•••	•••	65	0.13
Bikramganj		***	•••		•••	<b>39</b> 8	0.69
Karghar		4**	•••	•••	•••	59	0.16
Dehri	•••	•••			•••	193	0.76
				Total	•••	4,500	0.71

Out of the 4,560 cases 2.029 related to money rent, of which 808 came from Dumraon thana, 353 from Shahpur and 210 from Bikramganj.

Nine hundred fifty-nine cases related to status, mostly from the northern thanas. The bulk of the rest were possession disputes.

265. The Special Judge's criticisms.—Mr. Macpherson is of opinion that generally speaking such of the work of the Revenue Officers as has come up in an appeal was not very efficiently performed even by the best of the officers. The following are the chief objections to their work: - The pace was too great; too many holdings were grouped together in one proceeding with the result that the cases of individual raivats failed to receive the requisite separate treatment: Vernacular papers had not been perused (the patwari's extracts being accepted instead) nor their value nor genuineness considered though hundreds of them bear forged signatures to make them admissible under section 90 of the Evidence Act: most of the officers did not realise until too late that they were settling fair and equitable rents and not determining enhancement suits: only in rare instances did they inspect the lands and frequently they had little or no local knowledge even of the area, still less of the village; they imagined they were bound by particular provisions of the Bengal Tenancy Act to the exclusion of other, and often not less important, considerations, and did not realise that the statute merely directs them to have regard to the said provisions; finally, they frequently failed to interpret the law correctly and were not sound in decisions as to status of raivats. In suits under section 106, Bengal Tenancy Act, they had actually less regard for the entry in the record-of-rights than Civil Courts have under section 147B, and sometimes strangely regarded themselves as deciding merely the question of possession.

266. Question of title in section 106 suits.—As to the last remark, I venture to express the opinion that the attitude of the trying officer was not so strange as Mr. Macpherson thinks. It is a view that several Special Judges have held that section 105 does not contemplate the consideration of title, and turther it is a view that can be plausibly supported by the decisions of the Calcutta High Court, in Mohant Padnalar Ramanuja Das versus Lakmi Rani (C. W. N. XII, 8-16) and in the more recent case of Kali Sundari Debya versus Girija Sankar Sanyal (C. W. N. XV, 974-976) which was decided in August 1911, shortly before case work began in Shahabad. Mr. H. McPherson discussed the question in full in his printed note written in June 1911, and showed good reason for the view that the question of title can be considered in section 106 suits, and it is certainly arguable that the two decisions quoted to the contrary were not intended to lay down the general principle that it cannot be considered. But while there remains this uncertainty it is quite excusable in case work officers that some of them adopted the view which the Special Judge condemns.

267. Appeals against orders under section 105 and section 106.—In Appendix N will be found a statement showing the number of appeals filed in section 105 cases and the result of the appeals already decided by the Special Judges, Mr. Monahan, Mr. T. S. Maepherson and Mr. James. Out of the 7,521 cases covering 63,927 tenancies which were decided appeals were preferred in 1565 or a little over 21 per cent. In South Monghyr appeals were preferred in about 22 per cent. of cases and in Bhagalpur in about 17 per cent. In South Monghyr, however, 73 per cent. of the decisions were completely upheld and in Bhagalpur 67 per cent., while in Shahabad only 53 per cent.

In Appendix O will be found a statement showing the number of appeals filed in section 106 suits and the results of the appeals already decided. Out of the 4,560 suits tried appeals have been filed in 0.39 or rather more than 21 per cent. In South Monghyr only 8 per cent, of the orders were appealed against and in Bhagalpur only 7 per cent. In South Monghyr only in 10 cases out of the total number of 5.4 was the original order modified or reversed, or 1.7 per cent. In Bhagalpur out of 3,335 original cases the order of the Lower Court was modified, reversed or required remarkl in 1.16 or 4.4 per cent. In Shahabad, however, the original orders have already failed to stand g od in 241 cases out of a total of 4,560, and 159 appeals are still pending. If the remaining appeals give no better results, something like 7.4 per cent, of the original decisions will have been found erroneous or defective.

268. Reasons for unsatisfactory work by Case Officers.—These figures taken with the figures for section 105 work clearly point to work that is not quite up to standard of the Bihar Settlement. The principal reason appears to be that in order to get through the work, without hampering the field season's work in the very heavy areas of Gaya, officers were employed who were not fully qualified. The Bihar Settlement had suffered badly in losing to Bengal in 1912 many of the best officers and a further depletion of experienced officors occurred after 1913, when officers were required for North Bihar Revision work. In nearly all districts case work has in my opinion suffered from the necessity of doing the bulk of it during recess, because officers are not available in the field season. The section 106 work can usually be adequately performed by sedentary officers, but settlement of fair rents, if it is to be anything more than mere arithmetical calculation, requires local knowledge, which it is well nigh impossible to obtain from the notoriously untrustworthy evidence of landlord and tenant given in the Court itself, as far as it relates to the capabilities of the land.

269. The powers of an officer trying a section 105 application to consider the plea of inclusion of abwab.—Some very important questions came before the Special Judges. In an appeal against orders in a section 105 application in village Baligaon, number 284, Shahpur, the question was raised whether a plea of the defendant-tenants that the attested rent included abwab could be considered. It was argued that it was only on an application by the tenants under section 105 that the attested rent can be reduced. Mr. Macpherson held that "as soon as an application is filed under section 105 by either landlord or tenant the Revenue Officer is bound to settle a fair and equitable rent for the holding apart from any consideration of which side is applicant. That is to say, the whole matter opens out before him and he is not precluded from reducing the rent when the landlord is the applicant or from enhancing it when the raiyat is the applicant. No doubt the Revenue Officer is enjoined by section 105 (4) to have regard to the rules laid down in the Bengal Tenancy Act for the The expression guidance of the Civil Court in increasing or reducing rents. The expression "shall have regard to", however, is nowhere employed to signify that the Court is limited to the considerations to which it is directed to have regard. enjoins consideration of certain matters but does not contemplate them as the only matters to be considered." In the particular case before him he held that a rent that is proved to include illegal abwab is prima facie unfair and inequitable, and that the Revenue Officer was not only authorized but was bound to determine the plea of the raivats that the attested rent included illegal abwab, since he could not settle a fair and equitable ront before he had done so.

270. Director of Land Records' opinion as to the powers of Revenue Officers to reduce rents.—This is of particular importance as the Special Judge's view appears to conflict with an opinion expressed in his letter No. 2183, dated the 30th July 1912, by the Director of Land Records (Mr. J. Reid). The question was referred to him whether a Revenue Officer settling ronts under section 104 has power to reduce rents on grounds other than those specifically laid down in the Bengal Tenancy Act. In the particular case the existing rents appeared to be very much in excess of the standard of one-fifth of the value of the gross produce, which was adopted as a rough test of fairness in Shahabad. Reductions of rent can only be made without the consent of both parties either under section 104A (d) or by the method of a Table of Rates under section 104A (c). Section 104A (d) directs that regard shall be had to the principles laid down in various sections of which the only sections that deal with reduction of rent are section 38, which allows reduction on the ground of permanent deterioration or fall in food crop prices, and section 52 which provides for the case of diminished areas. Section 104A (c) read by itself appears to allow greater discretion to the Revenue Officer, but Government Rule 67 practically imposes the same check on alteration of rent by means of a Table of Rates as section 101 (d) does when a Table of Rates is not framed.

Mr. Reid consulted the Legal Remembrancer, whose opinion was that a Revenue Officer settling rents under the provisions of section 104A (d) cannot disregard but must be guided by provisions of the act regarding enhance.

ment and reduction of rent, and after some hesitation the Legal Remembrancer further accepted Mr. Reid's opinion that the same provisions of law are applicable to proceedings by Table of Rates under section 104A (c).

- 271. Comparison of the powers to reduce rents under section 105 and under section 104.—If both the view of the Special Judge and the view of the Director of Land Records are correct, then the Revenue Officer has less power to interfere with existing rents under section 104 in temporarily-settled estates than he has under section 105 in permanently-settled estates, which is certainly an anomalous position. I venture to express my own opinion, which is in agreement with Mr. Macpherson's. A particular instance of the inequity of the limitation of Revenue Officer's powers under section 104 may be put forward. In Shahabad temporarily-settled estates revenue has been settled for 20 years, mainly because it is unlikely that the revision of the record-of-rights will be taken up before the expiry of that period. Rents, however, have been settled for 15 years only by the provisions of section 113. In the last 5 years of his settlement a proprietor might, if he chose, take agreements from his raiyats to an enhancement not exceeding two annas in the rupee. But it might very well happen that no such enhancement was justifiable under the provisions of the Act, in fact that food prices had actually fallen. If the rent so enhanced was manifestly an unfair proportion of the value of the gross produce, it would be an absurdity to settle it as fair and equitable, at the next Settlement, merely because the proprietor had induced the raivats to agree to it.
- 272. Section 35 deals only with enhancements and does not touch reductions of rent.—There is one point in this connection which deserves notice and that is that section 35 lays down that nothwithstanding anything in the foregoing sections the Court shall not in any case decree any enhancement which is under the circumstances of the case unfair or inequitable. This certainly gives to the Court discretion to go outside the specific provisions of the Act and to refuse enhancement. But it does not cover the case of reduction of rent. If the distinction is unintentional, it should be considered whether it can be properly maintained and whether it should not be clearly stated both in section 105 and section 104A what is meant by "having regard to the provisions of the Act".
- 273. The principle of "non-economic" holdings.—In this particular case of Balignon the Special Judge also adopted a principle, which has again been the subject of considerable difference of opinion. He ultimately allowed an enhancement of Re. 0-1-10 for all holdings of 10 bighas Survey area or more, but of only Re. 0-1-6 for holdings of smaller size. The ground for discrimination was that rise in prices advantaged the tenants of large holdings more than the tenants of small holdings, who had less or even nothing to sell of the crops after providing for the food of themselves and their families. This particular point was raised generally for the Province by Mr. B. A. Collins in June 1912, and opinions of Settlement Officers were invited and considered by the Board of Revenue in the course of 1913. The decision was adverse to the discrimination between "economic" and "non-economic" holdings. The subject is a difficult one and cannot be adequately discussed within the limits of this report, but some of the main points may be put very briefly.
- 274. Arguments in favour of discrimination.—The arguments for the discrimination are—
  - (1) that the tenant of a non-economic holding obtains no benefit from rise in prices, because he and his family consume all the produce of his fields and indeed have to supplement it by the wages of their labour;
  - (2) that even if rural labour wages have also risen, it is inequitable to draw on them for rent;
  - (3) that similar discrimination is shown in the incidence of incometax in the United Kingdom, in India and elsewhere, by admitting the principles of exemption and graduation;
  - 275. Arguments against discrimination.—Against these it may be urged
    (1) that as a matter of fact all tenants of land, the income of which either only just supported them at the beginning of the period under considera-

- tion, or did not support them but had to be supplemented by rural labour derive a benefit from the rise in prices during the period exactly proportional to the rent paid, provided that the wages of rural labour increase at the same rate as the rise in prices;
- (2) that generally in this Province rural labour wages do so increase, as they are largely paid in grain and grain wages dominate money wages;\*
- (3) that as between the tenant who has a holding with an income precisely equal to his outgoings at the beginning of the period, and a tenant who has to supplement his income by labour, the working of the enhancement law is equitable, as in each case the benefit is proportional to the rent paid, which is roughly according to their investment in land;
- (4) that the analogy of income-tax is fallacious as income-tax is supposed to be imposed on all sources of income (except of course in India on income from land), while to exempt from rent enhancement small tenancies unfairly discriminates between different kinds of income;
- (5) that to refuse enhancements in the case of small tenancies is unfair to the landlord, unless the large tenancies pay a larger enhancement than at present, and at present the enhancements in large tenancies already scriously diminish the benefit the tenant got from the rise in prices during the currency of the old rent, and sharply lower his standard of living;
- (6) that the principle is unhistorical and contrary to any previous practice of the country;
- (7) that in so far as it might, if applied, tend to encourage the increase of non-economic holdings, and discourage the emigration of surplus agricultural population to undeveloped tracts or industrial centres, it is contrary to public policy;
- (8) that, as a practical test of fairness of rent, the economic condition of the tenant is impossible without detailed enquiries into the size of the family, the productivity of the holding, and the cost of cultivation, which would be almost infinitely laborious and expensive. The substitution of a rough and ready criterion of mere area disregards these factors, and is liable to serious error unless great care is taken to see that the tenant has no other holding, a task of no mean magnitude, where, as in Bihar, proprietary rights are minutely divided.
- 276. The effect of enhancement of rent on the ground of rise in prices on the real surplus of the raiyat.—In this connection it is of interest to consider what effect giving the full enhancement on the ground of rise in prices under section 32 has on what is the real matter of importance to the raiyat, viz., the surplus he has over after paying rent and cultivation charges and providing for the bare necessities of his family. Mr. Tanner has worked out the problem, and his analysis is given in Appendix S.

The interesting features of his result are that—

- (1) the increase in the real surplus is independent of the provision of bare necessities, i.e., is not affected by the question of the "economic" nature of the holding;
- (2) when prices are continuously rising the increase is greater, if the cost of cultivation is greater;
- (3) when prices are rising at an accelerated rate the increase is greater, if the rent is greater;

Mr Patta estimates that in the rural area of Eihar and Chota Nagpur, real wages (i. c., nominal wages reduced by making allowance for the rise in retail prices) have risen in the following proportion:

		1895.99.	1900-04.	1905-09.	1917.	1912.
Bihar		83	112	104	124	135
Chola Negpur	•••	101	120	122	146	149

(Tage 175 of "Enquiry into the rise of plices in India", Vol. I.)

- It is clear also from the result that a period of falling or even stationary price, following on an enhancement, will encroach with more or less severity on the surplus of a raiyat.
- 277. The effect on the real surplus of the landlord.—The position of the landlord is of course different. For him a continuous steady rise in prices causes a reduction in his real surplus, though if the rate of the rise in prices slacks off by one-third in each successive period of 15 years, it can be shown that the landlord's real surplus increases in proportion to his Government Revenue, and, provided his cost of collection does not increase as fast as prices rise, in proportion also to the cost of collection. Further, if a period of stationary prices or falling prices succeeds an enhancement evidently the landlord's real surplus increases. It should also be remembered that all landlords, except the owners of hig estates, keep land in their own cultivation, and in respect of that land their real surplus increases with a steady rise in prices even more than a raiyat's surplus. The owners of hig estates have other opportunities of getting their share from the increasing prosperity of the country of which a rise in the price of food crops is generally supposed to be a symptom. In any case it is in accordance with all modern financial legislation to require such citizens to make increasing sacrifices for the general welfare of the community.
- 278. The equity of the rule embodied in section 32.—This leads me to the discussion of the equity of the rule laid down in section £2 for calculating the amount of enhancement permissible on the ground of rise in prices. This question was specifically raised by Mr. H. McPherson when Director of Land Records, in his letter No. 107-T, dated the 14th June 1911, to the Board of Revenue. He pointed out that the Select Committee on the Bengal Tenancy Act had in 1885 adopted the present rule of deducting one-third as an arbitrary calculation of increased cost of cultivation. But the Government of Bengal had recommended a deduction of one-half rather on the ground of the growing wants of the raiyat than of the increased cost of production. Mr. McPherson recommended that the deduction, as then proposed by the Government of Bengal, should now be applied in Government and temporarilysettled estates. He wrote, "Its acceptance by the State would no doubt pave the way for a modification of the Bengal Tenancy Act, which, in my opinion, is essential and inevitable. Settlement Courts as a matter of practice have rarely been able to allow the full enhancement which might be justified under the rule of proportion laid down in section (2(b)) for the simple reason that, whether acting under section 104 or section 105 they are bound to settle fair and equitable rents, and section 15 releases them from any obligation of slavish adherence to the principles stated in the enhancement sections of the Act. Proprietors, as a whole, would therefore not suffer from a frank recognition of the half and half principle and the chief effect of an alteration of the section would be to prevent isolated courts from causing hardship to individual raiyats.
- 279. The principle of one-fifth of gross produce as a test of fairness of rent. —The Special Judges generally accepted the principle that cash rents should not exceed one-fifth of the value of the gross produce, and upheld the Revenue Officers when they refused to allow enhancements which raised the rent above that proportion. Thus in Karisath thana, number 327 Arrah, Mr. Macpherson accepted the Lower Court's estimate of the value of the produce as Rs.1:-8 per bigha and, finding the existing rent was Rs. 3-5-9 per bigha, refused an enhancement. In this case the rent had been raised in 1866 by Re. 1 per bigha on the ground that it was below the prevailing rate. But it was found now that the rate was distinctly higher than in five out of six adjoining villages. At the same time the Special Judges in several cases differed from the Lower Courts in their estimate of the value of the gross produce.
- 280. The complication caused by canal water rate.—Another point arose in village Koriar, than a number 405, Piro. Here the Lower Court had declined to allow an enhancement because when the cost of canal irrigation was taken into account the proportion of rent to value of gross produce exceeded one fifth. Here Mr. Macpherson held that the cost of canal water must go down to cost of cultivation which is already allowed for in the calculation of rise in prices under section 32. He added "Even if one were to deduct

the cost of irrigation and to adopt the standard of one-fifth of the gross produce as a maximum, the holdings could bear enhancement of one anna per rupee." I shall discuss the bearing of the cost of canal water on the principle of the one-fifth standard in the chapter on Government and temporarily-settled estates. I need here only say that the rough and ready estimate, that the cost of cultivation is one-third of the value of the gross produce, on which section 32 is founded, appears to me to be wholly unsuited to a tract where the raiyat has to pay Rs. 3-8 per acre for canal irrigation.

281. Enhancement within 15 years of private commutation of produce rent.—Another case of interest in regard to the question of enhancement was decided by Mr. James in Urwa, thana No. 290, Bikramganj, where he held that it was within the spirit of the Bengal Tenancy Act to decline to allow the full enhancement derivable from section 32 on holdings, of which the rent had been commuted from produce rent by private contract only 13 years ago.

282. The Special Judge's view regarding evidence to rebut the presumption of fixity of rent.—As regards status Special Judges generally took the view that to rebut a presumption of fixity of rent raised under section 50(2) very strong evidence was required. Thus in Lathan, thana No. 48, Piro, Mr. Mc-Pherson held that "the landlord must show that either the rate of rent has changed or that land within the holding was "bhaoli" at one time. To effect that, it is not enough to prove the descent of one of the raiyats from some one who held at a different rate of rent or who held "bhaoli." Again in Hatpokhar, thana No. 179, Shahpur, Mr. James held that the Lower Court was wrong in accepting the evidence of a Jamabandi of a thikadar dated 1246 Fasli as rebutting the presumption, without any corroborating evidence. Mr. Monahan in many cases detected that jamabandis on which landlords relied to rebut the presumption had never been signed by the patwari at the time, and some bore signatures which were evidently of recent manufacture.

## COMMUTATION OF PRODUCE RENT.

The figures for commutation under section 40 are given in Appendix P.

283. Statistics of Commutation.—In the whole district 4,613 applications were filed of which 1,031 were rejected and 171 withdrawn. The relatively large number rejected were as a matter of fact principally dismissed for lack of prosecution and are not really distinguishable from the cases withdrawn. The area covered by the applications allowed is 7:15 per cent. of the total area entered in the finally published records as held by settled or occupancy raivats on produce rents. The average rates fixed in the different thanas as well as the average rates of existing cash rents of all occupancy holdings in those than are given in the statement. Nothing much can be said of the thana variations, but the general averages throughout the district are based on a sufficient number of cases to be of value. I have estimated in paragraph 370 that the realizations of landlords in produce rent lands do not in all probability exceed Rs. 5-11 per acre, when allowance has been made for the payment of the canal water rate. The landlords will now get as. 5-1-7 per acre for these lands, and their loss in actual cash income may be reasonably considered to be made up, by the advantage of regularity and by some saving in collecting expenses. Another way of looking at the question is this: produce rent paying lands throughout the district are distinctly inferior to the cash rent lands of the district, and it may therefore be fairly said that the landlords have not been harshly treated in being awarded on the average a rent 25 per cent. larger then the average cash rent for those lands. In fact, I understand that the commuted rents in South Shahabad were so favourably received by the landlords, that some of them applied for commutation, a very rare action in other districts of South Bihar, if not absolutely unprecedented.

284 Appeals.—Appeals were presented to the Settlement Officer in 333 cases which concerned 2,530 tenancies out of the 3,411 tenancies in which applications had been aboved. The Settlement Officer upheld the Lower Court's decision in nearly 70 per cent, of the cases. Second appeals were preferred to the Commissioner in 107 cases of which all but one have now been disposed of. He upheld the Settlement Officer's decision in 55 per cent, of

the cases. The result of appeals to the Settlement Officer was that in one case in which Rs. 174 in all had been fixed as cash rent, the applications for commutation were rejected, and in other cases a total net reduction of Rs. 1,023 in the rents fixed was made. This brings the average rent fixed down to very slightly below Rs. 5 per acre. On the other hand, the Commissioner, besides upholding the order rejecting the applications referred to above, increased rent fixed in a number of cases, adding in all Rs. 2,206 to the rents as fixed by the Settlement Officer. This figure is for the appeals heard to date. The rents fixed after allowing for the modifications made by the Commissioner and the Settlement Officer gives an average of Rs. 5-1-7 per acre.

285. Difficulties of estimating the landlords' realizations.—The principal difficulties of the section 40 work arose from the neglect of the landlords to file trustworthy collection papers in order to prove their actual realizations of produce rent. The raisyts were unable to help the Court, because the landlords had previously infringed the provisions of the law, which enjoin the grant of proper rent receipts. The trying officers at first in such cases based the commuted rent on the existing cash rents only, making usually a substantial allowance for the fact that cash rents had as a general rule remained unaltered for many years. The Commissioner (Mr. Oldham), however, on second appeal, held that it was obligatory on the Court to arrive at an estimate of the landlord's actual realizations. For this purpose the Revenue Officer had as a rule to depend on the results of one or more crop-cutting experiments, which being usually made in a single year\* do not afford a very satisfactory basis. After calculating as best he could the probable outturn of the holdings in question, the trying officer had to make a further calculation to ascertain the landlord's realizations in eash, and this calculation is full of pit-fails.

In the first place, it has to be decided what is the actual share of the grain due to the landlord under the custom of division or appraisement. As I have noted in paragraph 206 the record of produce rent customs was not generally prepared in Shahabad, because as a rule there was no dispute about it. But the entry "batai nisf" or "danabandi nisf" does not mean that the landlord actually gets one-half of the grain outturn. As is clear from pages 82 and 83 of the District Gazetteer, t the usual shares of the landlord is only 80 per cent. of his nominal share. Yet in many instances the commuted rent has been based on the assumption that the landlord has realized his full nominal share, while in others it has been assumed that he realizes 90 per cent. of it Coss is often included in the landlord's share, and almost always some allowance is made under the local term of "maft", "bakhra", etc. Next comes the question of the money-value of the produce. The only unprejudiced evidence as to price comes from the price returns of the Subdivisional headquarters. But before applying these it must be remembered that they are retail prices, and thus include middlemen's profits. Further, they are certainly higher than village prices, because of the cost of cartage. And, too, what the landlord gets is either the grain or the value of it at harvest time which is when its value is lowest. Lastly, the price of the time of commutation must not be taken, but the average price over the statutory period of ten years.

Some further difficulties, which also led to conflict of opinion between the original and appellate courts, arose from the allowance for dryage that might be made in the case of crop-cutting experiments, the exclusion of "ails' from these experiments, the probable average area of a holding actually under cultivation, the ordinary ratio between unhusked paddy and cleaned rice, the cost of husking paddy, and by no means least the allowance to be made for the canal rate and other irrigation charges. If all these pit-falls were successfully avoided, it might still be said that at the best the Court had only arrived

<sup>\*</sup>Note.—The nature of the season in which the experiment is made is perhaps the most difficult factor to calculate. The figure given in final forecasts for the district is most unsafe as a guide. The average figure for the 11 years 1900-1910 was nowhere higher than 795 (Buxar) while it was 655 in Bhabhna subdivision. It should of course be nearly if not quite 100. Other factors are frequently disregarded or wrongly estimated, such as allowances for "ails" (field ridges) and for dryage.

<sup>†</sup> The information in the Gazetteer is evidently derived from a very thorough investigation made by Mr. (now Sir) P. J. Macpherson in 1883 and embedded in his report on the Government Estates in Shahalad.

at what the landlord might reasonably have demanded in view of the customs of the "bhaoli" system, and not what the Court is bound by law to consider, viz., what he has actually realized.

286. Guidance in future cases in Gaya district.—In view of the multiplicity, and in some cases the novelty of these difficulties, it is not surprising that the decisions of the original courts were somewhat frequently modified by the Settlement Officer on first appeal and that some of his decisions in turn failed to commend themselves to the Commissioner. The experience gained in trying these cases in South Bhagalpur, South Monghyr and Patna, though very useful in many ways, failed to give much guide in cases, where landlord's papers were not forthcoming or could not be trusted. It is perhaps fortunate that the questions involved were fully considered in Shahabad, where commutation was not after all of the utmost importance, before they had to be faced in Gaya.

## EXPENDITURE AND RECOVERY OF COSTS.

287. Expenditure on the separate items of the work.—The statement below shows the expenditure under each head of work, and also the total receipts in eash and Court-fee stamps which were adjusted as a set-off against the total expenditure before calculating the amount recoverable from landlords and tenants:—

Serial No.	Branch of work.	Total area. Square miles.	Total cost.	Rate per square mile.
1	2	3	4	5
	ASuivey.		Rs.	}
1.	Traverse survey	4,232	1,75,423	41.45
2.	Cadastral survey and preliminary record- writing.	4,232	7,11,194	168.05
	Total on area of	4,232	8,86,617	209.50
	BSettlement.			1
3.	Attestation	4,232	1,54,292	36·4 <b>6</b>
4.	Section 103A, Objections	4,232	57,164	13:51
5.	Office work	4,232	1,59,664	3 <b>7</b> ·73
6.	Final publication	4,232	4,684	1.10
7.	Case work, sections 105, 106 and 40	4,232	93,117	22.00
8.	Section 104 work	4,232	30,357	7-17
9.	Computation and recovery of cost	4,232	26,412	6.24
10.	Control (D. L. R.'s and Local)	4,232	1,26,019	29.78
11.	Supplies and contingencies and miscellaneous	4,232	1,03,480	21.45
	Total	4,282	7,55,189	178.45
12. 13.	Final reproduction of maps	4,232 4,232	78,764 53,352	18.61 12.61
	allowances.  Total Gross expenditure  Receipts in cash and stamps	4,232 4,232	17,73,922 2,95,338	419·17 69·79
	Net cost	4,232	14,78,584	349.38

288. Comparison with other districts.—Excluding final reproduction of maps and contribution towards pension and leave allowances, the cost in Shahabad and in other districts has been as follows:—

District.		Survey.	Settlement.	Receipts.	Net cost.
1		2	3	4	5
Champaran		Rs. 140	Rs. 147	Rs. 30	Rs. 256
Saran	•••	217	284	62	439
Muzaffarpur		163	211	27	347
Darbhanga	•••	236	254	62	428
Puvnea		183	194	71	306
North Bhagalpur		175	197	64	308
North Monghyr	•••	186	262	81	413
South Bhagalpur	•••	194	216	51	358
South Monghyr		207	204	50	361
Patna		282	310	55	5.37
Shahabad	•••	210	178	70	318

For all operations earlier than South Monghyr, the cost of khanapuri supervision, which was about Rs. 20 per square mile, should be added to Survey and deducted from Settlement.

289. Cadastral survey and khanapuri costs.—The cost of cadastral survey and khanapuri mainly depends on three factors, viz., number of plots per square mile, number of plots per khatian, and number of internal disputes per square mile. The first directly affects the cost rate of contract work, while the two latter naturally affect the costs of supervision which is about half the total cost. I therefore give these figures for the other tracts of South Bihar.

			Number of plots per square mile.	Number of plots per khatian.	Number of internal disputes per square mile.	
1			2	3	4	
South Bhagalpur		•••	777	7.1.2	31	
South Monghyr	• • •	***	856	6.24	32	
Patna	•••	•••	1,751	5.38	49	
Shahabad			878	5.43	28	

A comparison with Patna is not very fruitful, but South Bhagalpur and South Monghyr show great similarity, though, except in the matter of internal disputes, the figures of Shahabad would justify higher cost rate. It is therefore satisfactory to find that the cost rate in Shahabad is lower than in South Bhagalpur after making allowance for *khanapuri* supervision and only slightly higher than in South Monghyr.

The normal rate for survey after adding Rs. 20 for khanapuri supervision is Rs. 213.

- 290. Settlement costs.—The Settlement cost compares favourably with that of other districts. The attestation cost was 36 per square mile which was much below the normal rate of 50. In South Monghyr it was 86 per square mile. This low rate in Shahabad was due first to the simplicity of the work in the Kaimur Hills, and secondly, to the absence of illegal enhancement and complicated cash and produce-rent disputes. The status question in the north swelled cost rates, but even that was not a difficulty general to the district. The section 103A cost was 13 per square mile against the normal rate of 17 and 12 of South Monghyr. The large number of section 103A objections regarding fixed rent or rent-free status in the Northern thanas were counterbalanced by the comparatively small number in the Southern thanas. In the villages situated on the hills the number of section 103A objections was insignificant. Office work and final publication cost 39 against the normal rate of 33 and 62 of South Monghyr and 102 of Patna.
- 291. Costs of case work.—The cost rate for sections 105-106 and 40 cases is of course dependent on the amount of work under those sections. In Shahabad, it may be reckoned from the percentage of holdings affected by these cases on the total number of holdings in the district that the area to which one or other of these sections was applied, was about 10 per cent. of the total area on 423 square miles. The cost on the area affected was 220 per square mile. The area affected in South Monghyr was on the same basis, about 122 square miles, and the total cost was Rs. 67,530 or Rs. 554 per square mile. In North and South Bhagalpur about 402 square miles were affected and the total cost was Rs. 1,04,943 or Rs. 261 per square mile. In Purnea 420 square miles were affected and the cost was Rs. 1,00,702 or Rs. 240 per square mile. The Shahabad work thus appears to have been done cheaply, and the only question is whether efficiency was not sacrificed to economy.
- 292. Cost of computation and recovery.—Computation and recovery of cost contributed 6 per square mile against the normal rate of 11. The cost in South Monghyr was 7, while in Patna it was 20 per square mile. This was no doubt due to minute subdivision of fields and proprietary rights. Supplies and contingencies cost 24 per square mile against the normal rate of 25, while cost of control was normal.
- 293. Receipts.—The receipts in Shahabad were 70 per square mile, being higher than all other districts, except Purnea, where they were 71 per square mile. The receipts were largely responsible for reducing the cost rate in Shahabad.
- 294. Recovery rates.—The amount recoverable from the landlords and tenants was calculated in the following manner:—

		Rs.						
Total cost excluding cost of reproduction of maps		16,95,158						
Deduct receipts in each and Court-fees								
Net cost		13,99,820						
Deduct 1th borne by Government	•••	3,49,955						
Balance		10,49,865						
Add - Cost of maintenance of boundary marks	•••	15,764						
Add-Cost of reproducing maps distributed to landlords tenants	and	78,764						
Total	•••	11,44,393						
Deduct—Amount due on account of Government and ten varily-settled estates.	npo-	91,889						
Balance		10,49,504						

The cost of the six Northern thanas being heavier than in the Southern thanas, the rate for the former was fixed at 9 annas per acre (5 annas for landlord and 4 annas for tenant), while in the latter it was 7 annas per acre (i.e., 4 annas for landlord and 3 annas for tenant). The hilly area in the Southern thanas required a special rate, and it was fixed at 2 annas per acre (1 anna for landlord and 1 anna for tenant).

The total amount calculated at these rates was-

				Landlords.	Tenants.	Total.
				Rs.	Rs.	Rs.
Northern thanas	•••	•••	•••	3,77,853	2,39,083	6,16,936
Southern thanas	***	• • •	·	3,46,915	1,16,593	4,63,508
		Total		7,24,768	8,55,676	10,80,414

295. Progress of recovery.—Recovery of cost in the Northern thanas was begun on 1st November 1912 by Moulvi Anwar Karim, whose camp closed on the 5th April of the following year. That in the Southern thanas was begun by Babu Sant Bilas Singh on the 19th November 1913, and his camp closed on 15th April 1914. The balance which these officers had not been able to realize was collected by certificate. Of the total demand Rs. 10,20,895 or 94 per cent. was paid voluntarily and the rest by certificate. Pandit Lakshmi Misra, Moulvi A. K. Muhammad Ishaq and Babu S. B. Mitra were successively in charge of the work while the certificate office was at Arrah, Sasaram and Gaya. The whole amount was collected by 27th August 1915.

The cost of computation and recovery was Rs. 26,412, a sum which represents 2.4 per cent. of the sum collected.

This cost was slightly increased by an unfortunate mistake in interpreting the orders of Government regarding apportionment in the hilly tract. The rate of 2 annas per acre was at first only applied to actual hills and jungles, while the cultivated land of the hill villages and the old and recent fallow were assessed at 9 annas per acre. The mistake was, however, found out before long, and a sum of Rs. 23,117 collected from landlords and tenants in excess was refunded.

296. Amount recoverable from Government.—The amount charged to Government requires a short explanation. The sum of Rs. 3,49,955 is the usual contribution from Imperial resources. The sum of Rs. 94,889 is chargeable to Government, partly on 63.85 square miles of Government and temporarily-settled estates not under settlement of revenue and partly on 179.53 square miles of such estates under settlement of revenue. For the former the ordinary cost rates have been applied, but for the latter, besides the ordinary cost rates, the cost of section 10 k work, Rs. 30,357, with the cost of supervision, supplies, services, contingencies, etc., rateably calculated thereon, or Rs. 39,888 in all has to be paid.

297. Cost of rent and revenue settlement in Government and temporarily-settled estates.—The actual cost of section 104 work is therefore 4:s. 169 per square mile. In connection with the North Monghyr operations settlement of rent was carried out in 152-square miles of Government Estates at an average cost for section 104 work of Rs. 52 per square mile.

The figures for Monghyr and Shahabad are compared in the following tables:—

	- •		Area in square miles.	Number of case units.	Number of holdings in which fair rent were settled.	Cost of section 104 work.
	<u> </u>			}		Rs.
Monghyr	•••		152	79	11,758	8,096
Shahabad	•••	•••	180	301	23,029	30,357

The "case unit" is the principal factor in the cost rate. By that phrase I mean in Shahabad a separate estate lying in a separate village. Thus if an estate under one tauzi number lay in three settlement villages, it would contribute three "case units"; similarly five estates lying in one settlement village would contribute five "case units." The necessity for this unit is obvious. For each such unit the section 104 Officer had to submit a separate rent note and a separate fair rent proceeding had to be drawn up. The work of preparing the notes and proceedings was the principal work of the camps, and hence primarily affected the cost rate. It may also be pointed out that section 104 work practically takes the place of sections 105 and 106, and 40, work, in other areas. The cost rate for the latter on the area affected was Rs. 220 per square mile, while section 104 work cost Rs. 169 per square mile. The section 104 Officer, besides, has not only to fill the position of Judge in the cases before him, but also to a very considerable extent that of counsel both for Government and for the tenants.

In consideration of these facts and the introduction of the novel principle of judging the fairness of the rent by comparison with the value of the gross produce, it can hardly be urged that the cost rate for this work was unduly high.



## PART IV.

## STATISTICS.

298. The Statistical Statements.—The usual seven main statistical statements were compiled, viz:—

- (1) The Milan Khasra or "khasra" abstract, giving details of the cultivated and uncultivated area.
- (2) The Jinswar or crop statement also compiled from the "khasra."
- (3) The Fard Hawala or list of agricultural stock.
- (4) The Terij Goshwara or abstract of khatians, showing the manner in which the land of the district is held, and the rents paid thereon.
- (5) Statistics of transfers of occupancy-rights by sale for the preceding ten years.
- (6) Statistics of transfers of proprietary-rights by private sale.
- (7) Statistics of transfers by mortgage of actual land held in cultivation by proprietors, tenure-holders or raiyats.
- 299. The object of the Statistics.—Sir Robert Giffen in his book on Statisties published in 1913, lays down that "the object of any particular statistical record is the first thing about it to be studied and both the Government in making the records and the students who come to use them afterwards should have the most distinct ideas upon this point." It would perhaps, therefore, be as well to describe briefly the object of these statistical statements. The objects of Statements Nos. (1) (2) and (3) are evidently the preparation of a complete record at a particular time of the economic condition of the district, which by comparison with past or future records will reveal the progress or regress of cultivation, the alteration of the areas devoted to particular crops, and the increased or diminished resources of the cultivators in the matter of agricultural stock. Combined with such material as may exist, or within a reasonable time be compiled, regarding the productivity of the lands, they will afford some indication of the probable total of the agricultural resources of the district; while the details for different harvests will supply to the authorities a reasonably accurate guide as to the locality which is likely to suffer particularly in any exceptional variation of the seasons from the normal. Statement No. (4) has for its object the accurate presentment of the status of the agricultural population, which forms the bulk of the population of the district, and is designed to indicate the average property in land of the various classes of cultivators, how far the land is reserved to the proprietors and tenureholders for their private cultivation and what the burden of rent on each class of cultivator may be. The objects of Statements (5) (6) and (7) are, I believe, to obtain a record which will indicate the extent to which the most important rights in lands are transferred by sale or mortgage, and incidentally to supply some indication of the value of those rights in actual cash.
- 300. Area covered by Statistics.—The total area of the district to which these statistics refer is 4,260 square miles, and for all but 28 square miles the statistics have been collected during the present operations. These 28 square miles were previously surveyed at varying dates about ten years before, and the statistics for them have been amalgamated with those for the area now under report. Another 28 square miles of the district have been excluded from these operations or treated in such a way that no statistics are available, as detailed in the table in paragraph 110. Further, some 73 square miles lying within the administrative boundaries of the district have been also excluded from statistical record, while finally some 8 square miles, which are actually beyond the administrative boundaries of the district, have been included in the statistical record (vide table in paragraph 130). These last area

consist, I estimate roughly, of one-quarter the bed of the Ganges, one-quarter sandy tracts lying close to the Ganges, and one-half of actual cultivated land sown with rabi crops.

301, Statistics of the Kaimur Hills.—In addition to the figure for thanss and subdivisions, the figures for all statements except number (6) (transfer of proprietary rights) have been compiled for 157 villages in Bhabhua thana, which lie almost entirely in the Kaimur Hills. These cover an area of 500 square miles, and the figures for them may be taken as representing the conditions in those hills. They are of course also included in the figure for Bhabhua thana as a whole.

302. Culturable and unculturable areas.—The percentage to the total area of cultivated, culturable and unculturable land is shown in the following table:—

Percentage to total area of-

Name of thans.									o total		<u> </u>				
Huxar Subdivision					Ar	ea cult	urable	bu <b>t</b> un	cultivated,		Uncu	ltivated ar	ca.		re miles
Hexar Subdivision	Name of than	2 <b>4.</b>	Not cropped area.	Current fallow,	Old fallow.	Greves not fruit bearing and bambeo.	Culturable jungle.	Other kind.	Total,	House sites,	Water.	Other kind.	Total.	Total uncultivated area.	Area of the thanas in squar (statistica, area caly),
Butar 80 62 3 58 8 94 17 08 125 744 111 3 05 419 3 36 15 38 38 38 Dumraon 84 82 3 13 3 66 46 50 18 4 88 1.50 2 83 2 84 717 15 18 315  Total 82 73 3 36 6 22 32 32 42 615 15 15 2 94 3 51 7 7 6 17 27 617  Sadr Saldivision.  Arrah 85 47 96 2 31 31 12 03 3 27 173 4 08 4 49 16 30 14 23 347  Piro 82 93 134 2 57 110 08 63 3 3 68 122 4 63 0 20 12 05 17 07 316  Shahpar 86 13 2 51 4 63 122 00 150 3 03 161 5 25 4 60 15 15 15 20 161 2 36 4 60 15 15 20 161 2 36 6 32 160 17 0 17 0 16 15 26 15 15 15 15 15 15 15 15 15 15 15 15 15	1		2	3	4	5	6	7	8	9	10	11	12	13	14
Dumraon 88 82 3 13 3 86 46 150 18 488 1 50 2 83 2 84 7 17 15 18 15 Total 82 73 3 36 5 28 73 73 12 16 15 1 3 1 2 94 3 5 1 7 7 6 17 27 6 17 Sadr Subdivision.  Arrah 80 47 96 2 31 31 12 53 3 2 7 173 4 08 4 49 16 30 14 33 347 Piro 82 93 134 2 5 7 10 10 8 83 3 68 123 4 93 6 20 12 06 17 97 3 16 Shahpur 86 13 2 5 1 4 63 22 07 7 28 6 20 161 2 5 6 2 2 0 6 16 13 87 231 Total 84 74 1 5 0 3 12 2 10 0 0 5 0 3 03 1 6 1 2 5 6 2 2 0 6 16 13 87 231 Total 85 74 1 75 6 9 4 70 0 5 0 16 2 5 6 2 2 0 6 16 13 85 8 8 8 8 8 8 8 8 8 8 8 8 8 8 8 8 8 8	Buxar Subdivi	sion.					600								
Total 88:73 3:38 6:28 132 134 121 6:18 3:31 2:94 3:51 7:76 17:27 6:17  Soar Subdivision.  Artah 85:47 766 2:31 131 12 163 3:27 17:8 4:08 4:40 16:30 14:53 3:47  Piro 86:03 134 2:97 110 108 6:3 3:68 122 4:63 6:20 12:06 17:07 3:18  Shahpur 86:13 2:51 4:63 122 107 128 5:20 16:1 2:35 2:20 6:16 13:87 2:31  Total 84:74 1:80 3:12 122 109 1:50 3:03 1:81 3:82 4:60 9:83 16:20 6:04  Sources Subdivision.  Uikaramganj 82:54 2:37 6:25 107 1:13 1:14 5:50 1:02 3:69 4:70 0:50 17:16 3:65  Karghar 82:02 1:72 8:94 100 103 120 6:26 8:3 2:66 6:32 10:00 17:19 2:86  Shasaram 33:87 1:89 4:30 03 10:01 120 15:20 143 5:95 30:68 10:04 6:01 6:84  Dikit 62:98 1:14 7:41 122 1:15 16:0 10:24 1:15 20:29 3:69 25:24 37:02 167  Total 87:76 1:04 6:22 107 6:15 123 10:07 7:4 7:80 21:07 20:03 42:24 1,481  Bhathwa Subdivision.  Illumbua 35:06 1:17 2:09 103 6:18 1:3 8:33 138 2:44 61:50 6:49 4:24 1,481  Bhathwa Subdivision.  Mohanca 78:34 2:46 3:50 100 122 110 10:20 177 3:43 4:80 6:00 21:66 3:86  Total 46:38 1:35 4:93 10:5 0:78 114 8:68 100 12:73 37:95 41:19 61:02 12:06  District 66:03 1:83 4:70 1:13 3:60 12:6 6:09 101 4:75 20:29 25:05 35:07 4,288	Buxar		80-62	3.28	6.07	-17	.08	*26	7'41	1.11	3.00	4.19	8.36	19.38	394
Sadr Subdivision   Arrah   .	Dumraon		81.82	3.13	3.86	*46	*59	18	4.88	1.50	2.83	2.84	7.17	15-18	316
Arrah   88-47   706   2-31   731   712   763   3-27   1-73   4-08   4-49   10-30   14-53   347   Piro   82-93   1-34   2-57   710   708   6-83   3-68   1-22   4-63   6-20   12-05   17-07   3-16   Shahpur   80-13   2-51   4-63   722   707   728   8-20   1-61   2-36   2-20   0-16   13-57   2-31    Total   84-74   1-50   3-12   722   709   750   3-03   1-51   3-69   4-50   9-83   15-26   804    Sazaram Subdivision.  Bikaramganj   8-2-54   2-37   5-25   707   713   714   5-50   1-02   3-69   4-70   0-50   17-46   3-65    Karghar   8-2-02   1-72   5-94   7-09   703   720   6-26   783   2-65   6-32   10-00   17-93   2-65    Shasaram   33-67   1-80   4-30   703   10-61   720   15-20   4-33   5-95   30-68   40-04   6-67-13   6-84    Debrit   62-96   1-74   7-41   7-22   1-95   7-68   10-24   1-15   20-29   3-80   25-24   37-02   1-67    Total   57-76   1-94   5-22   707   5-15   1-23   10-07   7-4   7-80   21-07   20-03   42-94   1,4-91    Bhathkaa Subdivision.  Bit abina   35-06   1-17   2-09   703   5-16   1-13   8-33   7-38   2-44   61-50   54-81   64-31   910    Mohanca   78-31   2-40   9-50   709   442   1-10   10-20   7-7   3-4-3   4-80   0-90   21-66   3-88    Total   48-38   1-55   4-93   7-5   3-78   1-14   8-88   5-0   2-73   37-96   41-10   61-02   1.290    District   60-03   1-93   4-70   7-13   3-90   2-26   5-79   7-91   4-75   20-20   25-95   35-97   4-288	Total		82.73	3:36	6.58	-32	*84	*21	6-15	1.31	2:94	3.21	7.76	17:27	617
Arrah   85'47   '96   2'31   '31   '12   '63   3'27   1'75   4'08   4'49   16'30   14'03   347   Piro   82'03   1'34   2'57   '10   '08   '63   3'68   1'22   4'63   6'20   12'05   17'07   316   Shahpur   86'13   2'51   4'63   '22   '07   '28   8'20   1'61   2'35   2'20   6'16   13'67   231    Total   84'74   1'50   3'12   '22   '09   '50   3 93   1'51   3'82   4'60   9'83   15'28   894    Sasaram Saldivision.  Bikaramganj   62'54   2'37   5'25   '07   '13   '14   5'50   1'02   5'69   4'70   0'50   17'48   365    Karghar   82'02   1'72   6'94   '09   '03   '20   6'26   '83   2'55   6'32   10'00   17'99   265    Shastam   33'67   1'89   4'38   '03   10'61   '20   15'20   '43   5'95   30'68   49'04   66'13   684    Dahrt   62'98   1'74   7'41   '22   1'95   '66   10'24   1'15   20'29   3'80   25'24   37'02   107    Total   57'76   1'84   5'22   '07   5'16   2'3   10'67   '74   7'80   21'07   20'63   42'24   1,491    Bhallhas Sabdivision.  Ill arbina   55'06   1'17   2'09   '03   5'18   '13   6'33   '38   2'44   61'50   64'81   64'31   910    Mohanca   78'34   2'46   9'50   '09   142   '10   10'20   '77   3'43   4'80   0'00   21'66   386    Total   48'38   1'55   4'93   '05   3'78   '14   8'88   '50   2'73   37'96   41'19   51'02   1.296    District   6'03   1'93   4'70   '13   3'00   '20   6'09   '91   4'75   20'20   25'05   35'97   4,288	Sadr Suldivisi	on.													
Shahpur   S6'13   2'51   4'83   122   107   128   8'20   1'61   2'36   2'20   6'16   13'87   231     Total	Arrah	•	H5'47	.96	2.31	.31	12	-53	8-27	1.73	4:08	4'49	10.30	14.53	347
Total 5474 1:50 3:12 1:22 1:09 1:50 3:93 1:51 5:82 4:50 9:83 15:28 804  Sosuran Subdivision.  Bikaranganj 52:54 2:37 5:25 1:07 1:13 1:14 5:50 1:02 3:69 4:79 9:50 17:46 3:55  Karghar 52:02 1:72 5:94 1:09 1:03 1:20 6:28 1:83 2:65 6:32 10:00 17:99 2:65  Sasaram 33:87 1:89 4:30 1:03 10:01 1:20 15:20 143 5:95 30:68 40:04 69:13 6:84  Debri 62:96 1:54 7:41 1:22 1:95 6:66 10:24 1:15 20:29 3:80 25:24 37:02 1:07  Total 57:76 1:94 5:22 1:07 5:15 1:23 10:67 1:74 7:80 21:07 20:03 42:24 1,481  Bhabhas Subdivision.  Bhabhas Subdivision.  Bhabhas Subdivision.  Total 78:34 2:46 9:50 1:09 1:22 1:10 10:20 1:77 3:43 4:80 9:00 21:66 3:86  Total 48:38 1:55 4:93 1:05 3:78 1:14 8:58 1:50 2:73 37:98 4:10 5:10 5:10 1.290  District 68:03 1:93 4:70 1:13 3:00 1:26 8:09 1:01 4:75 20:20 2:5:93 3:5:97 4,288	Piro	•	82.03	1.34	2.87	.10	.08	•63	3.68	1.53	4.63	6-20	12.05	17'07	316
Sasaram Subdivision.  Bikatamganj 62:54 2:37 5:25 107 1:13 1:14 5:50 1:02 3:69 4:79 9:50 1:748 3:55  Karghar 62:02 1:72 5:94 1:09 1:03 1:20 6:26 8:3 2:55 6:32 1:000 1:719 2:65  Basaram 33:87 1:89 4:38 1:03 1:061 1:20 15:20 1:43 5:95 30:68 40:04 66:13 6:84  Dehri 62:98 1:51 7:41 1:22 1:95 6:68 10:24 1:15 20:28 3:80 25:24 37:02 1:07  Total 57:76 1:94 5:22 1:07 5:15 1:23 1:067 1:74 7:80 21:07 20:03 42:24 1,481  Bhathwa Subdivision.  Bhathwa Subdivision.  Bhathwa 35:06 1:17 2:99 1:03 5:18 1:3 8:33 1:38 2:44 51:50 54:81 64:31 910  Mohanca 78:34 2:49 3:50 1:05 3:78 1:14 8:88 1:50 2:73 37:96 41:19 5:102 1.290  District 63:03 1:93 4:70 1:13 3:00 1:26 5:09 1:91 4:75 20:20 25:95 35:97 4,288	Shahpur	***	86:13	2.21	4.63	.22	-07	.28	<b>6</b> *20	1.61	2.36	2.50	6-16	13.87	231
Bikaramganj 62°54 2°37 5°25 07 13 14 5°50 102 3°69 4°70 9°50 17°48 365  Karghar 82°02 1°72 5°94 09 103 120 6°26 183 2°65 6°32 10°00 17°98 265  Sasaram 33°87 1°89 4°38 03 10°61 120 15°20 143 8°95 30°68 40°04 66°13 684  Dehri 62°98 1°54 7°41 122 1°95 166 10°24 1°15 20°28 3°80 25°24 37°02 167  Total 57°76 1°94 5°22 107 5°15 123 10°67 174 7°80 21°07 20°63 42°24 1,48°1  Bhabhua Subdivision.  Diathua 35°06 1°17 2°09 103 5°16 113 8°33 138 2°44 51°50 54°81 64°31 910  Mohanca 78°31 2°46 0°50 109 142 110 10°20 177 3°43 4°80 0°00 21°66 386  Total 48°38 1°55 4°93 10°5 3°78 114 8°58 50 2°73 37°96 41°19 51°02 1.290  District 64°03 1°93 4°70 113 3°00 126 8°09 191 4°75 20°20 25°95 35°97 4,289	Total	•••	54:74	1:50	3.12	-22	.08	.50	3 93	1.21	3.82	4.50	9.83	15:26	694
Kurghar        82:02       1:72       5:94       0.9       0.3       1:20       6:26       1:83       2:65       6:32       10:00       17:98       265         Sasaram        33:87       1:89       4:30       0.3       10:61       1:20       15:20       1:43       8:95       30:68       49:04       66:13       684         Dehri        62:98       1:51       7:41       1:22       1:95       1:66       10:24       1:15       20:29       3:80       25:24       37:02       167         Total        57:76       1:94       5:22       1:07       5:15       123       10:67       7:4       7:80       21:07       20:03       42:24       1,491         Bhathua Subdivision.        35:06       1:17       2:09       1:03       5:16       1:3       8:33       1:38       2:44       51:50       54:81       64:31       910         Mohanca        78:34       2:46       9:50       1:09       1:42       1:19       10:20       1:77       3:43       4:80       0:00       21:66       386         Total        48:38       1:5	Sasaram Subdivi	ision.			1										
Sasaram        33'87       1'89       4'36       '03       10'61       '20       15'20       '43       8'95       30'68       40'04       66'13       684         Debri        62'98       1'54       7'41       '22       1'95       '66       10'24       1'15       20'28       3'80       25'24       37'02       167         Total        57'76       1'94       5'22       '07       5'15       '23       10'67       '74       7'80       21'07       29'C3       42'24       1,481         Bhabhua Subdivision.        35'96       1'17       2'99       '03       5'18       '13       8'33       '38       2'44       51'50       54'81       64'31       910         Mohanca        78'34       2'40       9'50       '09       '42       '10       10'20       '77       3'43       4'80       0'00       21'66       386         Total        48'38       1'55       4'93       '05       3'78       '14       8'88       '50       2'73       37'96       41'19       51'62       1.290         District        64'03       1'93	Bikaramganj	,	62:54	2:37	5.25	-07	.13	114	5.20	1:02	3.69	4.70	9.50	17:16	3,65
Dehri 62°98 1°54 7°41 22 1°95 66 10°24 1°15 20°29 3°80 25°24 37°02 107  Total 57°76 1°94 5°22 '07 5°16 23 10°67 '74 7°80 21°07 20°C3 42°24 1,481  Bhalhua Subdivision.  Itharbina 85°06 1°17 2°09 '03 5°18 '13 8°33 '38 2°44 51°50 54°81 64°31 910  Mohanca 78°34 2°46 9°50 '09 '42 '10 10°20 '77 3°43 4°80 0°00 21°66 386  Total 48°38 1°55 4°93 '05 3°78 '14 8°88 50 2°73 37°96 41°19 51°02 1,296  District 64°03 1°93 4°70 '13 3°00 '26 8°09 '91 4°75 20°29 25°95 35°97 4,288	Kurghar		88.03	1.72	5.91	.08	.03	*20	6:26	-83	2.65	6.82	10.00	17-99	265
Total 57:76 1:94 5:22 '07 5:15 '23 10:67 '74 7:80 21:07 20:03 42:24 1,481  Bhalhua Subdivision.  10.xbhua 35:06 1:17 2:99 '03 5:18 '13 8:33 '38 2:44 51:50 54:81 64:31 910  Mohanca 78:34 2:46 3:50 '09 '42 '19 10:20 '77 3:43 4:80 0:00 21:66 386  Total 48:38 1:55 4:93 '05 3:78 '14 8:68 50 2:73 37:96 41:19 51:02 1,290  District 64:03 1:93 4:70 '13 3:00 '26 8:09 '91 4:75 20:20 25:05 35:97 4,288	Sasaram		33.67	1.89	4.30	-03	10-61	-20	15.50	.43	b*95	39.68	49.04	66:13	681
Total 57-76 1:94 5:22 1:07 5:15 1:23 10:67 1.74 7:80 21:07 29:03 42:24 1,481  Bhalhwa Subdivision.  III. abhua 35:06 1:17 2:99 1:03 5:18 1:3 8:33 1:38 2:44 51:50 54:81 64:31 910  Mohanca 78:34 2:46 9:50 1:09 1:42 1:10 10:20 1:77 3:43 4:80 9:00 21:66 386  Total 48:38 1:55 4:93 1:05 3:78 1:14 8:88 1:50 2:73 37:96 41:19 51:02 1,290  District 64:03 1:93 4:70 1:13 3:00 1:26 8:09 1:91 4:75 20:29 25:95 35:97 4,288	Debri		62:95	154	7.41	-22	1:95 	-66	10-24	1.12	20:29	3.80	25:24	37.02	107
10.xbhua        85°06       1°17       2°98       °03       8°18       °13       8°33       '38       2°44       61°50       54°81       64°31       910         Mohanca        78°34       2°40       9°50       °09       °42       °19       10°20       '77       3°43       4°80       9°00       21°66       386         Total        48°38       1°55       4°93       °05       3°78       °14       8°88       °50       2°73       37°96       41°19       51°02       1.296         District        64°03       1°93       4°70       °13       3°00       °26       8°09       '91       4°75       20°20       25°05       35°97       4,288	Total	}	57:76	1.84	5.22	.07	5.15	-23	10.67	.7.1	7*80	21.07	20.03	42.51	1,491
Mohanca 78:31 2:46 2:50 :09 :42 :19 10:20 :77 3:43 4:80 0:00 21:66 386  Total 48:38 1:55 4:93 :05 3:78 :11 8:88 :50 2:73 37:96 41:19 51:02 1.296  District 61:03 1:93 4:70 :13 3:00 :26 8:09 :91 4:75 20:20 25:95 35:97 4,288	Bhalhua Subdivis	sion.													
Total 48:38 1:55 4:93 '05 3:78 '14 8:88 :50 2:73 37:96 41:19 51:02 1,296  District 64:03 1:93 4:70 '13 3:00 '26 8:09 '91 4:75 20:20 25:95 35:97 4,288	101.26hua	}	85-0 <del>8</del>	1.17	2.09	*03	5.18	•13	8.33	.38	2.44	61.80	54.81	64.31	91 <b>0</b>
District 64:03 1:93 4:70 13 3:00 26 8:09 91 4:75 20:20 25:05 35:97 4,288	Mohanca		78:31	2:46	9:50	.00·	-42	-19	10.50	.77	3.43	4'80	0.00	21.66	356
	Total		48:38	1 55	4:93	-05	3.78	-11	8.88	.20	2.73	37:96	41.18	51 62	1,296
ı habhua Hill truct 5 21 0 59 1 29 8 67 (2 9 98 05 1 141 82 76 84 22 94 20 500	Distrlet		61.03	1.93	4.70	.13	3.00	'26	8008	.61	4.75	20:29	25:95	35-97	4,288
	i habhua Hill traet		<b>5</b> ·21	0.28	1:29		8167	•(2	ยากร	-05	1.11	82.76	84-22	94-20	<b>6</b> 0 <b>0</b>

The chief point of interest is the high percentage of cultivated area in the two northern subdivisions. In the two southern subdivisions the percentages are depressed chiefly by the large amount of unculturable jungle in the Kaimur Hills. The high percentage of water area in Dehri is partly due to its long frontage on the Sone, and partly to the fact that the two main canals start from the headquarters of the thana. Current fallow is about 3 per cent, on the cultivated or net-cropped area which indicates that the land gets little rest from cropping. The percentage in Patna is 4 per cent, and in South Monghyr as much as  $7\frac{1}{2}$  per cent., where the figures for the Jamui subdivision are abnormally high for South Bihar. In South Bhagalpur the percentage was less than  $2\frac{3}{4}$  per cent.

303. Adequacy of pasturage for the support of agricultural stock.—Old fallow area is also comparatively insignificant, and the figures of culturable jungle do not suggest that any considerable extension of cultivation is possible, except perhaps in Sasaram thana. Indeed, it is to be considered whether the uncultivated area now existing in the northern thana is sufficient for the provision of an adequate number of plough and milch cattle and other live-stock. I do not remember to have seen any discussion of the average area required for the maintenance of such stock, and of course the question would be complicated by the extent of stall-feeding. But it occurs to me that it is worth the attention of the Agricultural Department, if no such investigation has already been made.

304. Comparison with Buchanan's estimate.—It is interesting to compare the figures given above with the estimate of Buchanan in 1812. This can be done with a fair degree of accuracy for three modern thanas, which roughly cover the same area as three of the thanas for which he gives estimates. As these thanas are those which have been particularly benefited by the opening of the Sone canals, the comparison throws considerable light on the economic development of the district which may be fairly attributed to that undertaking.

Buchanan's Estimate, 1812.

		141	Percentage of-							
Corresponding modern thana,	7 bana of 1812.	Total area in square miles.	Unculturable area.	Culturable but uncultivated area.	Corrent failow.	Cultivated area.				
1	2	3	4	5	6	7				
Piro "	Ekwari	380	6.3	25.4	6.3	02:0				
Bikra ugabj	Karanja	393	6*6	88 5	3.3	53.6				
Karg'ar	Baraong	356	6-2	20.2	2.8	7018				

## Modern Statistics, 1909-11.

					Percentage of—								
	Thans.			Total area in square miles.	Unculturable area.	Culturable but uncultivated area.	Current fallow.	Cultivated area.					
	1			3	3		5	в					
Piro	•••		•	315	12-05	8168	1:34	82:0 <b>3</b>					
Bikramsat.j	•••		•••	365	9*50	5 59	2:37	82.54					
Kargha		***		265	10:00	6:26	1.72	82.02					

305. The effects of canal irrigation.—It is true that the whole of the increase of cultivated area cannot be ascribed to the introduction of canals. A large tract of Piro thana was cleared by Mr. Mylne's prodecessors before the canals were made. But at any rate the high state of cultivation even there

would hardly have been possible without canal irrigation. The increase in unculturable area is of course principally due to the area taken up by the canals themselves.

306. Buchanan's ideas about extension of cultivation in the Kaimur Hills.—It may be noticed that only 5.21 per cent. of the hill tract is cultivated. Buchanan thought that cultivation there might be considerably extended under the stimulus of a high assessment, an instance of very pure economic theory, which is somewhat reminiscent of William Blood's ideas in "The Modern Traveller" for the employment of missionaries for agricultural development.

"I'd have the missionary lent
Upon a plot of land,
A sum at twenty-five per cent.;
And (if I understand
The kind of people I should get)
An ever-present fear of debt
Would make them work like horses,
And form the spur, or motive spring,
In what I call 'developing
The Natural resources'"

Buchanan gives an estimate for the amount of cultivation in his time. He puts down the whole area of the table-land as 776 square miles, of which he says 12 square miles are actually cultivated and another 329 square miles were capable of cultivation. Thus he reckoned that only 1.55 per cent. of the whole tract was cultivated, and hence cultivation has extended appreciably in the 100 years. But whether the drastic measure of a high assessment would have brought under the plough anything like the area that Buchanan thought to be culturable is a matter on which it is fair to allow doubts. Personally I have none.

307. Comparison with other Bihar districts.—The following table will enable comparison to be made with other districts of Bihar in the matter of the distribution of the cultivated area amongst the three principal harvests of the year:—

					Percentag	e to the net	cropped area of	the areas unde	7
District,		Total area dealt with statistically.	Percentage of net- cropped to total area,	Bhadai.	Aghani.	Rabi.	Other c opped areas.	Twice cropped.	Irrigated area.
1		2	3	4	6	6	7	8	9
		Acres,						ł	
South Monghyr		1,498,963	53	19	54	50	1	24	42
North Monghyr	***	974,520	69	43	29	66	***	38	3
Saran		1,633,435	79	41	84	62	•••	37	15
C hamparan		2,079,315	70	46	38	55		39	3
Muzaffarpur	***	1,941,254	80	38	48	60	***	46	3
Dharbhanga	•	2,116,390	80	28	63	47	•••	38	6
Puruez		2,871,679	61	34	56	39	***	29	1
Bhagalpur	٠	2,405,011	70	27	64	41	2	34	17
North Bhugalpur		1,263,994	77	34	60	36	3	33	45
South Bhagalpur		1,141,017	58	18	69	<b>4</b> 8	1	36	36
Patna		1,822,:17	81	13	41	75	2	81	68
Shahabad		2,726,512	64	10	48	78	2	93	43

The chief interest of the comparison is the insignificance of the *Bhadai* and the exceptionally high importance of the *Rabi* harvest in Shahabad. As the bulk of the *Aghani* harvest and a considerable part of the *Rabi* is secured by irrigation facilities, while another large part of the *Rabi* is raised on the northern tract which is annually moistened and fertilized by the inundation of the Ganges, the district may be taken to be practically immune from famine on a considerable scale.

308. Thana Statistics.—The detail of the same distribution for the thanas is interesting.

			I, E	ECENTAGE 10 NE	T-CEOPPED AREA OF			
Thana			Bhadai.	Aghani.	Rabi.	Other crops,	Twice-cropped.	
1			2	3	4	5	8	
Buxar		4+1	6	53	81	2	41	
lumraon	***	•••	16	34	70	5	25	
Ruxar Subdivision			11	43	75	3	33	
Arrah		•••	15	26	74	5	20	
l'ir <b>o</b>	***	•••	9	64	74	2	48	
Shahpur	***	•••	13	31	71	4	22	
Sadr Subdivision	•••		12	41	73	4	31	
Bikramganj	•••		8	52	<b>7</b> 8	2	41	
Karghar	***		7	रमेव जयने	90	1	38	
Sasaram	•••		8	43	79	1	31	
Dehri		•••	8	60	68	3	40	
Sasaram Subdivision	1		8	48	80	2	37	
Ehabh <b>ua</b>			8	42	81	1	32	
Mohanea	***		8	31	87	1	26	
Bhabhua Subdivisi	or₄		8	37	84	1	29	
Bhabhua Hill Tract	·		32	48	32	0	12	

<sup>309.</sup> The principal crops.—The areas cultivated with the principal crops will be found in Appendix D. Of the Bhadoi crops the principal are rice and makai. Rice forms about 80 per cent. of the Aghani crop in most thanas. The crop which contributes most largely to the statistics of area cropped for the Rabi harvest is undoubtedly khesari or latari, which is sown down after the rice has been transplanted and is reaped at the beginning of the year. It is, however, of no great importance economically, and the statistics are somewhat vitiated by the fact that areas so treated are recorded as twice-cropped, and these areas go to swell the total for Rabi.

The most prevalent crop of the Rabi harvest apart from khesari is gram, particularly in Arrah thana, where it covers nearly 40 per cent. of the Rabi area. Wheat is of considerable importance in all thanas. In Karghar it covers 28 per cent. of the Rabi area, and in the Bhabhua subdivision about 20 per cent. Barley is largely sown in with wheat in the northern thanas and is of some importance also in Dehri. Other food-grains including pulses, in which khesari appears, are of great importance in all thanas comprising from 30 to 45 per cent. of the net-cropped area.

- 310. Non-food crops, Sugar-cane.—Non-food crops occupy about 10 per cent. of the net-cropped area and vary from  $17\frac{1}{2}$  per cent. in Dehri and 16 per cent. in Sasaram to  $7\frac{1}{2}$  per cent. in Arrah. Of these sugar-cane is of the greatest importance economically and occupies more than  $2\frac{1}{4}$  per cent. of the net-cropped area throughout the district, and over 3 per cent. in Sasaram Subdivision. A note in the importance of this crop, giving some historical information and an estimate of the value and cost of cultivation, is printed as Appendix R. It is taken from Babu Bijay Bihari Mukharji's circle note.
- 311. Oil-seeds and gardens.—The area occupied by linseed amounts to  $7\frac{1}{3}$  per cent. of the net-cropped area, but much of the linseed is grown as a catch crop ("Paira"), being sown in with the Aghani rice, after the latter has been transplanted, and its economic value is not very great. Still it is the most important oil-seed crop in the district, the area under mustard being insignificant. Mango gardens are of some importance in the northern subdivision and in Bikramganj thana.
- 312. Principal food-crops in the Bihar districts.—I attach a statement which shows the relative importance of the principal food-crops in all the districts of Bihar except Gaya and Santal Parganas.

Percentage to net-cropped area of area under-

Serial No.	District,		Rice.	Wheat,	Barloy.	Maras.	Maize.	Gram,	Other food-grain, etc.
1	2		3	4	5	6	7	8	9
1	Patna		38	5	7	2	8	24	34
2	Shahabad		99	13	6	1	3	19	38
3	Saran	•••	34	6	20	3	17	5	29
4	Champaran		<b>54</b>	7	15	1	8	3	25
5	Muzaffarpu <b>r</b>	•••	49	4	19	5	11	8	33
6	Darbhanga		61	3	9	13	5	2	20
7	North Monghyr	•	21	15	9	ថ	21	10	57
8	South Monghyr	•••	43	6	ช	2	12	19	24
9	Bhagalpur	•••	59	6	4	8	7	6	26
10	Purnes	•••	73	4	1	1	2	1	29

313. Irrigation.—The following statement shows the extent to which the cropped area is irrigated.

			IBRIGAT FROM WI		IRRIGATION CONTROL CA	VERN-	IRRIGAT PROSEPRI CANAL	VATE	PROM TA	NEB	IRRIGATION OF SOURCE	HER	Total.	
		Net cropped area.	Area in acres.	Porcentage to net-cropped grea.	Area in acres,	Percentage to net-crop- ped area.	Area in acres.	Percentage to Ect. erop-	A:ea în acres.	Pererntage to net crop-	Area in acres.	Percentage to net-crof-	Ara ia acres.	Percentage to net-crop.   Fed area.
1		2	3	4	5	в	7	8	Э	10	11	12	13	11
Hugar Subdivision	*. } -	_				· ]		~						
Burge	}	155,835	3,462	2.22	59,363	38-09	482	*31	2,354	1.21	240	-16	65,900	42.58
l)umraon		160,084	9,673	5.87	44,457	26.77	3,126	1.89	7,973	4.74	514	-31	65,743	39.53
Total		321, <b>9</b> 19	13,135	<b>4</b> ⋅C8	103,819	32.25	3,008	1.15	10,327	3.21	754	*23	181,643	40.89
Bade Subdivi	tion.				İ									
Arrah	}	181,831	5,119	2.81	4,004	2.20	19,283	10.60	9,237	5.08	1,053	-59	39,606	21.28
P:ro		166,894	8,007	4.80	77,599	46.20	10,374	6.51	23,788	14.27	993	*60	120,761	72:38
Shahpur	"	127,284	13,518	10.62	<b>31,4</b> 81	24:73	2,600	2.01	9,130	7:16	1,099	-1945	57,909	45'41
Total		476,013	28,644	5.60	113,084	23'76	32,257	8:77	42,135	8:66	3,145	*66	217,265	45.68
Sasaraw Subdivisio		1				1	149	7						
Bikramganj		192,774	8,809	4.57	<b>96,81</b> 9	45*03	4,507	2:34	15,139	7:85	512	-28	115,816	60.07
Karshar	}	139,074	3,798	2.68	37,945	27:28	2,872	2:07	11,959	8.60	878	•49	57,190	41.13
Sasaram	{	148,151	10,987	7:42	7,933	5:35	4,039	2.73	41,054	27-71	2,600	1.76	66,622	(41.81
Dehri		66,613	5,517	8.33	27,112	40.70	1,042	1.26	4,175	6.27	569	*88	38,465	67.71
Total	<i></i>	848,612	29,079	5.32	159,910	19.24	12,460	2,38	72,327	18-23	4,416	-81	278,001	50.86
Bhabhu Subdivisi	a on.													
Bhabhus		207,969	5,841	2.81	150	0.02	14,313	6.80	43,393	20:86	2,750	1.32	68,156	31.9
<b>M</b> ohanea		193,295	9,952	6.12	12,087	6-20	4,199	2.17	10,859	5.63	1,251	-65	38,318	19'6
Tatal	***	401,205	15,793	8.03	12,237	3*0	18,512	4.62	51,252	13.22	4,010	1.00	101,804	26.1
GRAND T	OTAL	1,745,810	81,651	4.82	388,950	22.2	8 60,837	3.83	179,011	10.5	12,327	7 -70	731,806	41"

<sup>314.</sup> Defects of the irrigation statistics.—I regret that implicit trust cannot be put in these figures in respect of the area irrigated by private canals. It was found in the course of the second season of Khanapuri that amins were omitting in many eases to note that the source of irrigation was ultimately the Government canal, and treating the immediate source, the village channel as a private canal. This error was largely eliminated in the southern thanas, and I do not think it is important except in Arrah and Piro thanas. In Arrah, which was taken up by itself in the first year of Khanapuri, it is undoubtedly important, and I believe that two-thirds of the area shown as irrigated by private canals is really irrigated from Government canals.

If this figure, 12,855 acres, be added to the total in column 5, the total area irrigated from Government canal would be 401,805 acres. The average area irrigated in the three seasons 1910-11, 1911-12, 1912-13 as reported by the Irrigation staff was 398,868 acres. These were the three main seasons of Khanapuri. I have not got the figure of 1909-10, but only Arrah thana was under Khanapuri in that year, and the variation in that thana would not be important. The average for the five years 1910—1915 is 4,13,812, but there was an exceptionally large area irrigated in 1913-14, mainly Rabi.

Private canals are of no real importance in Shahabad, except for Bhabhua thana and the strip of Sasaram thana between the Kaimur Hills and the Sone. Even there they are usually very short and do not serve more than one or two villages. Irrigation records have been prepared and finally published, where the importance of irrigation from sources other than Government canals required them.

315. Possible extensions of irrigation.—Bhabhua thana is the only thana which lies wholly beyond the scope of the Sone canals. The problem of irrigation in that tract has been frequently considered, and a scheme for utilizing the water of the Karamnasa is now before the Local Governments of this province and the United Provinces. Should this scheme be found impracticable, the proposal of Mr. G. Milne, Director of Agriculture, to engage an engineer to advise the agricultural community in the matter of construction and upkeep of private irrigation works might well be considered. I understand that Mr. H. D. Christian, the Sub-divisional Officer at Bhabhua, has done a good deal in the last few years to improve irrigation facilities by means of Takavi advances.

There was no irrigation recorded in the Bhabhua Hill tract, except 34 acres irrigated for wells. The rice-fields are, however, equally secured from drought by the system of terracing along the valleys which practically makes each field or group of fields an "ahar" for the next below it.

316. Principal crops irrigated.—Some details of the extent to which irrigation is applied to rice and wheat and other crops will be found in the Milan Khasra statement, Appendix C. Other interesting facts about the Sone Canal system and other irrigation facilities may be found in Chapter VI of Mr. O'Malley's District Gazetteer, but it is convenient to give here the most recent information regarding the canal rates, the extent of irrigation and the revenue derived from it.

317, Canal irrigation rates and receipts.—The rate for canal irrigation for long leases was originally fixed in 1576 at Re. 1-4-0 per bigha (five-eighths of an acre). It was increased to Re. 1-9-0 in 1890 and to Re. 1-14-0 in 1905. Finally it has again been increased to Rs. 2-3-0 with effect from 1915. The rates now levied are as follows:—

Kind of lease.		Rat	e pe	r bigha.	Rate per acre.
		Rs.	а.	p.	Rs. a. p.
Long lease (seven years)	•••	2	3	0	3 8 0
Hot weather		3	2	0	5  0  0
Do. single watering or	$\mathbf{n}^{\mathbf{j}}\mathbf{y}$	1	9	0	2 8 0
Kharif		ລ	13	0	4 8 0
Do. single watering only	•••	1	9	0	2 8 0
Rabi	***	1	9	0	2 8 0

All these rates except that for rabi were enhanced from 1915 by 5 annas per bigha or 8 annas per acre. The average area under irrigation during the five years 1910-1915 was 413,812 acres and the average amount realized as water-rate in those years was Rs. 12,50,725. If the increase in rates does not cause a diminution of area irrigated, it may be expected that the amount realized as water-rate will increase by at least Rs. 1,50,000. The figure for 1915-16, which is mainly based on actuals, is Rs. 14,66,828, but Rabi irrigation was exceptionally large in that year. As the net-cropped area is 1,745,810 acres, the average rate of canal cost on the net-cropped area is a little less than 12 annas an acre.

318. Well irrigation maps.—Special mujmili maps showing the number of wells in each village were prepared for the Director of Agriculture, with a view to seeing in what tracts it might be advantageous to introduce improved methods of well-boring. I am informed by Mr. Milne that little use of these has been made so far owing to lack of staff and money for the work.

319. Cost of construction of wells.—Several attestation officers made some en puiries regarding the cost of well-boring as at present practised. I summarize from a note by Babu B. B. Mukharji, who worked in the south of Shahpur thana. The cost of constructing a well varies considerably, and there is a wide difference in the water-levels in the different parts of the circle. In Isaudi, than No. 177, Shanpur, for example, the water-level is reached at a depth of about 24 cubits (or seven "harsa" i.e., the height of a man reckoned at  $5\frac{1}{4}$  feet). This is a maximum for the circle. The minimum is 7 to 10 cubits at Ayer, than No. 290, Shahpur. The cost varies with the kind of soil, but in soft soil, though the cost is small, the well lasts for a short time only. A "kacha" well costs Rs. 30 in Isaudi, but will last 20 to 25 years, while in Ayer it costs only Rs. 4 to Rs. 5, but only lasts two years. A cylindrical wattle of split bamboo is often put in for the lowest 3 cubits of a kach well with good results. A masonry well costs about Rs. 120. The "moth," i.e, the skin by which water is drawn up, costs Rs. 5-12-0 and lasts two or three years and there is also the expense of an iron ring, 12 annas, and pulleys, etc. A" moth" worked by two pairs of bullocks, each working half a day will irrigate about 12 kathas of land or 37 of an acre. It is of interest to note that in village Akhuri, thana No. 235, Mohania, artesian wells with pumps are in use. I do not know whether these have been bored by the Agricultural Department or not.

The following statement compares the irrigation figures for the district of Bihar. The Champaran figures will no doubt be considerably modified, as a result of the opening of the Tribeni Canal.

		IRBIGATED FROM WELLS.	IBRIGATED PROM GOVERNMENT CANALS.	IBBIGATED FROM PEI- VATE CANAGE.	IRBIGATED FROM TANKS, AND AND ANDES.	lericated From Other Fources.	TOTAL.	
	Name of district.	Percentage to net-ctop- ped area.	Percentage to net-crop- ped area.	Percentage to in t-stop- ped area,	Percentage to pet-rep- ped sees.	Percentage to net-er-p- ped area,	Percentage 10 net-c10p- ped srcs.	Remarks.
1	2	8	4	5	G	7	8	9
1	Patna	6.8	2.2	23.0	25.9	4.0	62.8	
2	Shahabad	4.9	<b>5</b> 2·3	3.8	10:3	.7	<b>42</b> .0	
3	Saran	10.9	•4	.4	2.8	1'1	15.2	
4	Champaran	1.	***	٠5	•4	1.0	2.0	
5	Muzaffarpur	172	***	•1	•2	•4	1.9	
6	Darbhanga	-4	***	•2	218	8-1	8.2	
7	North Monghyr	•2	•••	***	•3	2.1	2.6	
8	South Monghyr	3.8	,,,,	6.7	19:3	12-2	41.0	
ø	North Bhagalpur	.2	***	•••	•5	3.8	4.5	
10	South Bhagalpur	1.5		10.2	5.2	12-3	36.0	
12	Purnea	Details are no	o: given as the	total is insigni	ficant.	{		

320. Agricultural stock.—Details of the agricultural stock of the district are given in Appendix E.

The figures include stock held by proprietors and intermedite tenure-holders. Throughout the district there is about one pair of bullocks for every 10 acres of net-cropped area which is much the same as in Patna. This average is maintained in thanas Piro, Bikramganj, Karghar and Mohanca, but in the northern thanas the average falls as low as one pair for every 11 acres, while in Sasaram, Dehri and Bhabhua it rises to one pair

for every 8 acres. The reasons for the variations are primarily that for the three last-named thanas, the grazing ground of the Kaimur Hills is available and to a less extent that the Rabi areas in the semi-diara tracts of the northern thanas do not require as much ploughing nor tax the strength of the ploughcattle as much as the stiffer land of the centre and south of the district. In the Bhabhua Hill tract there is a pair of bullocks for every seven acres of net-cropped area and cows and cow-buffaloes are very numerous as might be expected. But the figures are for animals owned by persons who hold agricultural land, and do not include cattle brought up to the hills for pasturage. The averages, as calculated, are merely approximate, as no allowance has been made for the number of bulls included in the total of bulls and bullocks, nor for the bullocks used principally for carts or as pack-bullocks, nor on the other hand for the use of buffaloes as plough-cattle. In Karghar thana, where the male buffaloes number 7,221 and female only 209, it is clear that extensive use is made of them. The plough-cattle are generally strong and fairly well nourished. The number of cows, cow-buffaloes, calves, sheep and goats is distinctly above the average for South Bihar, and in Shahabad the importance of the pastoral community is considerable. Carts in Shahabad barely exceed one per square mile—a remarkably low figure. Anyone, however, who has attempted to move alon; the unmetalled roads of the district much before the end of the year, will appreciate the good sense of the Shahabad raiyat in not investing much of his capital in carts.

## STATISTICS OF STATUS AND RENT.

321. Manner in which land is held.—The following statement shows the manner in which the land of the district and of the four Sub-divisions is held.—

				Burar.		É			Atrah.					Sasaram,	•	
Serial number.	Name of status.	Number of holdings.	Percentage of total number of holdings.	Area.	Percentage of total occu-	Average size of holdings.	Number of holdings,	Percentage of total number of holdings.	Area,	Percentage of total occu- pied area.	Average size of holdings.	Number of koldings,	Percentage of total number of holdings.	Area.	Percentage of total occu-	Arerage size of holdings.
1	2	8	4	5	6	7	सन्तर	ज्ञुन	10	11	12	13	14	15	16	17
1	Zirat	104	•09	1,902	.38	12:51	211	•09	1,140	-28	<b>(6</b> ).68	. 2	•00	26	.00	12:70
2	Held by proprietor but not surat.	4,427	3.05	31,495	9.13	7.11	6,901	2.87	37,329	7.54	8.40	7,598	4.23	68,461	11.98	<b>9</b> -01
3	In cultivating pos- session of tenure- holders.	1,580	1.40	11,841	3.45	7-49	2,230	*92	0,239	1.87	4-14	2,682	1.20	20,027	3.21	7-47
4	Raiyats at fixed rent or rates.	28,300	25.13	99,872	28 99	3.21	67,138	27-90	136,520	27.60	2.03	987	-66	6,699	1.17	7.15
ū	Settled or occu-	73,061	64.64	19,076	55-46	2.81	152,896	63.21	800,524	60-72	1.96	146,757	87:32	461,168	80.70	8.14
Ç	Non-occupancy raiyat.	775	•09	2,921	187	3.77	452	•19	1,152	*23	2.22	1,090	1.18	5,302	-93	2.68
7	Rent-free holders	4,678	4:14	5,919	1.73	1.76	10,906	4.49	8,717	1.76	-80	8,104	4.82	9,763	1.71	1*20
	Total	113,005		313,856			240,637		494,891			168,060		571,446		,
8	Un-occupied or Gairmazrua.	7,753		36,764			12,515	***	49,031			15,215		343,006		
	Total	120,758		381,620			253,152		543,023			189.275		914,451		
9	Kaisar-i-Hind	,,,	,	8,404		•••			17,835					31,848		
	Total	120,758		869,114			253,152		561,757		<b></b>	183,275		946,299		
10	Under-raiyat	5,081		5,904			4,031		4,194			3,786	***	4,800		***

				Bhabhua.					Total.	-	
derial number.	Name of status,	Number of holdings.	Percentage of total number of holdings.	Arca,	Percentage of total occu- pied area.	Average size of holdings.	Number of holdings.	Percentage of total number of the holdings.	Агеа,	Percentage of total occu- pied area.	Average site of bolding.
1	2	18	19	20	21	22	23	24	25	26	27
1	Lirat	3	•00	270	-08	90*04	320	*00	3,008	-16	9:40
2	Held by proprietor but not zirat.	6.412	5.84	74,797	17:73	11-19	25,341	4.00	212,082	11-57	8:37
3	In cultivating possession of tenurc-holder.	3,130	2.76	38,360	8.08	12.25	9,622	1.22	79,4#7	4.34	8.86
4	Raignts at fixed rent or rates.	1,059	-93	7,322	1.74	6.81	97,524	15:26	250,213	13.60	2.90
5	Settled or occupancy raight.	92,2 5	81-14	284,078	67:33	3:68	461,919	73 18	1,236,476	67:49	2-66
в	Non-occupancy raignt	1,910	1.68	6,957	1 65	3 64	5,117	*81	18,332	.80	3.19
7	Rent-free holders	8,914	7:85	10,138	2.40	1.13	32,506	5.13	31,531	1.88	1.06
	Total	113,647		421,920		1	635,349		1,83?,112	pq1	y
8	Un-occupied or Gair-	12,751		402,748			48,237		631,544		
	Total	128,401		<b>624,</b> 663		142 1	683,586		2,663,656		
អ	Kaisar-i-Hind			4,671	TATE	37			62,856		
	Total	126,401		829,342			683,586		2,726,512		
10	Under-raiyat	3,380		4,139	सद्यमेव	नयते-	16,278		18,737		

The unoccupied area is of course very considerable in Sasaram and Bhabhua subdivisions, including as it does the jungle area of the Kaimur Hills.

True zirat is of no importance, the proprietors having long since lost their "nankar" land by the attempt to treat any land, which came temporarily into their possession, as "zirat."

322. "Bakasht" land.—The land in cultivating possession of landlords other than "zirat" is 16 per cent. of the whole occupied area, which is a distinctly high proportion for South Bihar. In South Monghyr it was 11.7 and in Patna 13.7. Apart, however, from a few big estates like the Dumraon and Bihia estates, proprietors are mostly small men, who naturally cultivate considerable areas themselves. I do not think that successful suppression of raiyats was more frequently practised than in other districts. Tenure-holders are not of great importance except in the Bhabhua subdivision, where in the plains area thikadars are frequent, and in the hills area the headman has usually been treated as a tenure-holder.

523. Raiyats at fixed rent.—Raiyats at fixed rent or rates hold 13:66 per cent of the total occupied area. This is of course quite abnormal, the highest percentage found in any other Bihar district being 5:1 in Purnea. The reasons for this abnormal figure are fully discussed in connection with the "Guzashta" tenancy in Chapter II, Part III. Buxar subdivision leads the way with nearly 29 per cent. of the occupied area, while in Arrah subdivision the percentage is 27.6. In Sasaram and Bhabhua the percentage is insignificant. In the whole district raiyats with occupancy-rights, including fixed rent and rent-free-holders

occupy 83 per cent. of the total occupied area, non-occupancy raiyats being practically negligible in all the subdivisions.

324. Under-raiyats.—Under-raiyats hold about one per cent. of the total occupied area. This is distinctly lower than is usual in Bihar. In Muzaffarpore the percentage was as much as 4-1 and in most districts it is at least as high as to 2. There seems at present no ground for the theory that fixity of rent demand induces the raiyat to sublet, and so become a more annuitant on the land. The areas held by under-raiyats in Buxar and Arrah are just as insignificant as in the southern subdivisions. Under-raiyats having occupancy-rights are exceedingly rare in Shahabad.

325. Area held on produce-rent.—The proportion of the area held by settled and occupancy-raiyats on produce-rent is shown in the following table, which also gives figures for non-occupancy and under-raiyats in the whole district:—

	Thana.		Total area held by settled and occu- pancy-raiyats.	Area held on produce- rent.	Percentage of area held on produce rent.
,	I		2	3	4
Buxar	•••		94,619 96,087	15,332	16·20 5·80
Dumraon	Total		190,706	20,801	10.96
Arrah Piro	•••	•••	81,859 150,780	15,346 17,319	18·74 11·49
Shahpur	Total	•••  -	67,905 300,524	2,8 <b>30</b> 35,495	$-\frac{4.16}{11.81}$
Bikramganj Karghar Sasaram Dehri	•••		174,388 109,803 122,433 54,514	23,048 40,783 48,642 6,200	13·22 37·14 39.73 11·36
Denii	Total		461,168	115,673	25.73
Bhabhua Mohanea	•••	•••	1 <b>8</b> 9,64 <b>7</b> 144,481	38,137 42,644	27·31 29·52
G	Total d Total		284,078	80,781	28.44
Non-occupand Under-raiyate	y raivats		1,236,476 16,833 18,738	255,850 2,965 7,908	20.69 15:15 42:90

326. Produce-rent unnecessary in Shahabad.—There is little justification for the continuance of the produce rent system for the bulk of the area so held, except in Bhabhua, Sasaram and Mohanea thanas, which are mainly irrigated by ahars and private canals. Even there it would be comparatively simple to provide by legislation for the proper upkeep of irrigation works, as these do not, as a rule, serve more than one village. At the time of the Permanent Settlement probably about 90 per cent of the total cultivated area was held on produce-rent and in 1812 about 75 per cent. The introduction of irrigation from Government canals is of course largely responsible for the charge and it is certainly not the least of the boons that they have conferred on the district. Where produce-rents still remain, the system is much more lenient or perhaps it would be more correct to say less offensively oppressive than in Patna or even in South Monghyr and South Bhagalpur. The nominal share of the landlord is scarcely ever more than one-half, while two-fifths and even one-third is a very common share.

327. Buchanan's references to produce-rent.—Buchanan's statements about produce rents are of great interest. He notes that by far the greater part of produce-rent lands are held on the Danabandi or "Kankut" system (appraisement), but in some the crop is actually divided (Agor batai).

The landlord, in the division of the crop nowhere here, except in Arrah, takes more than one-half of the net produce, and in some places is content with much less.

"I have only to mention that a custom in the division prevails in some parts of this district, which tends in some measure to diminish the evils of the practice. The share of the owner of the land diminishes in proportion to the number of waterings given, which induces the tenaut to exert himself in applying this most valuable industry to the mutual advantage of both parties, one-third of the crop on a well-watered field being generally of more value than half of what is produced without manure."

By net produce Buchanan evidently means, the produce after the customary deductions. The practice of reducing the landlord's share according to the number of waterings still prevails widely in South and Central Shahabad. In his account of pargana Arrah, Buchanan writes:—

"Rice, after deducting the harvest, pays in some villages half of the produce and in other  $-\frac{275}{40}$  ths; but the division is seldom made, a compensation (Danabands) settled by a survey is generally accepted in its stead."

## Of pargana Bihia he writes:-

"In the 3 th (i. e. of the total cultivated area of the pargana) where the rent is ascertained from the value of the crop, the harvest being deducted, the master in some mouzas is entitled to half and in others only 173 the of the remainder, all other charges but the harvest falling on the tenant."

Here again he notes danabandi as the usual custom.

"In pargana Bhojpur the land of which the rent is determined by a division of the crop, in some places pays half, in others  $\frac{291}{40}$ ths and the tenant from his share gives  $\frac{1}{40}$ th to the Patwaris.

This is in direct variance with his statement above that the landlord never gets more than half, except in Arrah, and throws some doubt on the value of his statements.

328. Reasons for lower landlord's share in Shahabad.—At any rate now this this or \( \frac{224}{40} \) this is very uncommon in Shahabad, as it apparently was in 1812, although by that date it was well established in many parts of Bihar district. The principal reasons for the difference seem to be that the raiyats of Shahabad were and are much more able to take care of themselves than the raiyats of Patna, and probably obtained more help from early Collectors, such as Brooke and Deane, than in Patna, both of whom appear to have really tackled the problem of abolishing "Abwab." In Patna no doubt the raiyats' difficulties were increased by the fact that most of their natural leaders had retained or secured the position of "Malik" and naturally became no less eager to encreach on the raiyats' share than the big zamindars themselves.

329. Actual and nominal share.—The working of the produce-rent system of the present day is admirably described on pages 81-84 of Mr. O'Malley's District Gazetteer. It will be seen from that account that where the landlord's nominal share is one-half, the actual proportion of the gross yield of grain realized by him scarcely exceeds 40 per cent., whether batai or danabandi is done. Considering the prevalence of more lenient rates of division, and also the fact that for canal irrigated lands the landlord pays canal rate in proportion to his nominal share, it is clear that the average amount of the gross produce, including straw, etc., which the landlord actually enjoys, is not above one-third, and I doubt if when allowance is made for lenient appraisement or for peculation before division, it is more than one-fourth. For example, second class paddy land will yield a crop worth about Rs. 23 per acre.

				Rs.	
Value of paddy crop		•••	•••	23	
Deduct value of straw, etc., 7	per een	t	•••	1.61	
			Balance	21.39	
Deduct 20 per cent, for harvesting	g <b>c</b> harge	s and ous	tomary allow	ance 4.278	
•			Balance	17:112	
Landlord gets # of this			•••	6.8448	
Landlord pays 2 of canal rate at 1	Rs. 3-8 1	er acre		1.4	
Landlord enjoys		••		5.4118	
hich is distinctly less than one-fourth	of the g	ross prod	uce		

The proportion of the area held by settled and occupancy raiyats which is held on produce-rent, viz., 20.7 per cent. is, however, higher than any other tract hitherto surveyed in Bihar, except Patna, 44 per cent., and South Monghyr 32 per cent., though no doubt Gaya will yield a higher figure. In South Bhagalpur, which is in many respects not unlike Shahabad, only 16 per cent. was so held. There is no doubt that commutation under section 40, Bengal Tenancy Act, would be a great advantage in most cases, though care will have to be taken that cash rents are not fixed too high on the basis of exaggerated realizations put forward by landlords or in the absence of any evidence from that side on the basis of rule-of-thumb calculations of the normal share of a roughly estimated value of the crop. The latter are full of particularly dangerous pitfalls, as there is little doubt that only the customary allowances with lenient appraisement, or so-called peculation by the tenants in the case of division of the crops, have made the produce-rent system endurable.

330. Cash rent.—However, in Shahabad, fortunately, it is the cash rents that are of prime importance. The following table gives the details according to classes of raiyats in the several thanas:—

				Ra	iyats at fixe	Raigats at fixed rent.			ed raiyats.	Non-o	ccupancy 1	raiyats.	•
N	Iame of Ti	bana.		Total area.	Total rent.	Average per acre.	Total area,	Total rent.	Average per acre.	Total area,	Total rent.	Average per acre,	
	1			2	3	lli	Б	6	7	В	D	10	)
Ви	ar Subdi	vision.		Acres,	Rs.	Rs. a. p.	Acres.	Rs.	Rs. a. p.	Acres.	Ra.	Re. n.	. p.
Buxar			•••	89,107	1,28,537	3 4 8	79,288	2,81,890	3 8 11 (	1,454	5,404	3 11	8
Dumraon		•••		60,565	2,12,438	3 8 8	90,518	3,51,881	3 12 2	1,232	4,811	3 14	7
		Total		99,672	3,40,973	3 6 9	169,804	6,33,774	3 11 9	2,066	10,215	3 12	10
1	Sadr Subdi	ivision.										 	
Arrah	***	•••		84,981	4,18,792	4 14 6	1	3,07,531	4 10 0	304	2,670	8 12	6
Piro ***	***	•••	•••	3,918	19,6:4	5 0 2	1	6,86,732	5 2 4	72	297	4 2	0
Shahpur	144	•••	•••	47,621	1,97,274	4 1 9	65,075	3,10,296	4 12 3	720	2,200	3 0	10
		Total		136,520	6,35,690	4 10 6	265.029	13,04,559	4 14 10	1,096	5,187	4 11	5
Sasa	ran Subd	ivision,											_
Bikramganj	•••	•••	***	3,288	11,027	3 5 0	151,340	6,00,027	3 15 4	1,436	3,621	28	3
Karghar	141	***	•••	2,482	6,432	296	69,021	2,46,248	3 9 1	835	2,089	2 8	0
Sasaram	•••	•••	•••	212	474	2 3 9	73,791	2,62,435	3 8 10	1,615	3.442	2 2	0
Dehri	***	***	•••	717	8,554	4 15 3	48.341	2,08,775	4 5 0	477	1,888	9 13	9
		Total	•	6,699	21,457	3 8 5	342,496	13,17,485	4 8 3	4,364	10,990	2 8	3
Bhai	bhua Subdi	vision.	İ										
Bhabhua				1,088	5,527	2 2 6	101,509	4,04,606	8 15 9	2,838	11,282	3 15	7
Mohanes		•••	<b></b> .	5,334	16,048	3 0 2	101,767	3,26,013	8 3 2	2,984	5,886	2 7	9
		Total		7,322	21,575	2 15 2	203,296	7,30,619	3 9 7	5,222	17.118	3 4	в
	Grand	Total		250,213	10,19,725	4 1 3	950,625	39,86,437	4 1 0	13,368	43,490	3 4	0
Tiha	bhua Hill	Villages		Nil	Nil	Nit	14,596	14,316	0 15 8	205	240	0 13	0

				Total of a	all cases of	raiyats.	Un	der-raiyata		
Na	me of Tha	na,		Total area.	Total rent.	Average per acre.	Total area.	Tetal rent.	Arerage per acre.	Remarks.
	1			11	12	13	14	15	16	17
Burar	Subdivision			Aeres.	Rs.	Rs. a. p.	Acres.	Rs.	Ва. ж. р.	
Buxar	•••	,		119,548	4,15,931	3 7 6	883	3,099	5 4 5	
Dumraon	•••	•••		152,315	5,09,131	3 11 9	2,338	13,029	5 9 2	
	Total	•••		272,163	9,51,902	3 9 11	2,926	16,127	5 8 3	
Sodr	Subdivision								i .	
Arrah	•••		<b></b>	151,828	7,28,993	4 12 10	894	10,114	11 4 1	
Piro	•••		•	137,401	7,08,653	5 2 3	381	1,951	520	
Shalipar	•••			113,416	5,09,770	480	1,653	11,246	6 12 11	
	Total		·•·	402,645	19,45,416	4 13 4	2,927	23,311	7 15 7	
Susuran	Subdivisio	n.	i		Ì				l I	
Bikramganj	•••			153,004	6,14,675	3 15 0	898	4,014	4 9 0	
Karghar	•••		•••	72.837	2,51,770	3 8 4	918	8,137	3 6 6	
Sas≥таш		***	•••	75,619	2,66,351	3 8 5	504	1,999	3 3 8	
Dehri	•••	•••		49,637	2,14,160	4 5 3	288	1,090	4 9 6	
	Total			958,657	13,40,962	3 13 1	2,600	10,260	3 15 0	
Ilhubhua	Subdivisio	7 <b>%</b> _			1		100 m			
Bhabhus.	•••		•••	106,336	4,21,414	3 15 6	1,208	4,533	4 0 0	
Mohanea	•••	•••		100.505	3,47,897	3 3 0	1,162	4,5°2	.'	
	Total	•••		215,541		3 9 0	2,373	9,355	· <b>-</b> ·	
Grand	l T' tal	•••		1,944,216	10,40,051	- 4 0 10	10,520	59,953	5 7 3	
Bhabhua H	III Villages	•••		14,891	14,556	0 15 8	333	356	1 1 0	

331. High rate of fixed rent raiyats.—The most striking feature of this statement is the practical equality of the rates per acre of fixed rent and occupancy raivats. This is, however, easily explained: 232,274 acres of land held by fixed rent raiyats lies in Buxar subdivision and Arrah and Shahpur thanas, out of a total area of 250,213 acres for the district, i.e., about 93 per cent. Most of this is the fertile rabi tract lying between the Ganges and the East Indian Railway. Buchanan in 1812 estimated that it then paid rent at about Rs. 5 per acre, which, allowing for the usual tendency of general enquiries to overestimate rents, was probably not far wrong, it is not surprising then that the average rate throughout the district is Rs. 4-1-3. The rates of "Guzashtadars" were not as is often supposed, specially privileged rates, but were probably not much below, if not actually above, the legal assessment of one-fourth of the value of the gress produce. This was not such an oppressive rate as it sounds in a tract, which was, as it still is, inexpensive to cultivate. I am inclined to think that it is not improbable that many of the "Guzashtadars" actually held on produce-rent of the time at the decennial settlement, and only obtained cash rents immediately afterwards, as indeed Buchanan says was the case in pargana Arrah. This, however, in no way compromises their rights to hold at fixed rent as at that time no other form of eash rent except hastobudi, was recognized by law or custom. The cash rents of settled and occurancy raivats were no doubt originally settled mostly after commutation, on the basis of produce, and no doubt before the advent of the canals the value of the produce was exceedingly small. Canal irrigation was rightly or wrongly seized on by some landlords as a reason for enhancement, but the "Guzashta" tradition, which, while well established in the north, has all along been dimly remembered throughout the district, has certainly acted as a slight break on rapid enhancement.\*

<sup>•</sup> Buchanan writing of Sasaram pargana says. "In some places there are no leases, in offers each village has one lease mentioning the rates of rent, which are supposed to be fixed in perpetuity." Again of Chainpur pargana: "A very few of the farmers of land will accept of leases; but those who do require one for each individual. The rates, however, are supposed to be fixed by custom, and it is thought that more cannot be exacted."

332. Comparison of rent incidence with other districts.— At the same time the average incidence of rent of settled and occupancy raisets is distinctly high in Shahabad as may be seen from the following statement:—

District.			Ave	rage rent	p <b>er acre</b>
Ol. see and				Rs. a.	<b>p.</b>
Champaran	•••	***		1 15	0
Saran	•••	***	•••	4 5	0
Muzaffarpur		•••		3 12	0
Darbhanga	•••	***		3 12	0
North Monghyr			•••	2 15	0
Purnea	•••	•••	•••	1 15	0
Bhagalpur	•••	•••	•••	2 10	0
South Monghyr			•••	3 8	0
Patna	•••	•••	44.	7 8	0
Shahs had	•••	***	***	4 1	0
NAME AND	• • •	***	***	- E	v

333. Calculation of the probable relation of rent to value of the gross produce throughout the district.—The total occupied area may be subdivided as follows. It is in excess of the net cropped area in the proportion of 100 to 95.29. I have therefore shown in the third column approximately the cropped area in each class:—

			1707 274		Area in acres.	Net cropped area in acres.
		1			2	3
Zisat and Bakasht	•••				294,556	280,683
Fixed rent raiyats	•••	1/4	N.A.I		250,213	238,429
0.143.3			(Cash rent		998,993	947,180
Settled occupancy an	a non-occu	paney raiyats	Produce rer	rt	258,815	246,610
Rent-free tenants	•••	सद्या	भव जयने		34,535	32,908
			Total		1,832,112	1,745,810

The annual value of the produce-rent paying area is about Rs. 20 per acre (gross produce including straw, etc.) This area, therefore, contributes Rs. 49,32,200 to the total annual value of the gross produce of agricultural land in the statistical area, viz., Rs. 4,67,43,764.

The balance of Rs. 4,18,11,564 gives an average annual value of Rs. 27.9 on the remaining area of 1,499,200 acres. The value of the fixed rent raiyat's land, which is mostly good rabi, giving a crop of 12 maunds an acre of wheat, or equally valuable crops of other kinds of rabi, is probably something more than Rs. 30 per acre. Even assuming the cash rents in 1812 were one-third of the gross produce, on which basis the gross produce would then have been Rs. 12, the same gross produce would now be worth 247/100 × Rs. 12 or Rs. 29.6, on account of the rise in prices of rabi crops. I think I can assume that fixed rent land, rent free land and land in cultivation of landlords is worth Rs. 30 per acre per annum. The total area of these classes is 552,020 acres, which would therefore yield Rs. 1,65,60,600 leaving Rs. 2,52,50,964 as the value of the cash paying area of settled, occupancy and non-occupancy raiyats, 993,993 acres. This gives an average value of Rs. 25-4-0 per acre.

The ordinary raivat of the district therefore pays about 16 per cent. of the value of the gross produce of his land in rent. It would seem that the cash rents in Shahabad have not reached the level of one-fifth of the gross produce on the average, but there is but a narrow margin particularly having regard to the expense of irrigation, which is mainly borne by

the raiyat in cash rent holdings. The figures seem to me to justify in every way very careful scrutiny of applications for enhancement of rent in Shahabad. To decree enhancements merely on the ground of rise in prices by a rule of thumb method, is not in accordance with the law, which enjoins the Court to fix a fair and equitable rent.

- 334. Bhabhua hill tract rents.—The figures for the Bhabhua hill tract are of special interest. As a general rule the only land which is assessed to rent in that area, is the rice land. The other land which is mostly poor stony soil capable of bearing scanty crops of the inferior rabi and bhadai staples in one year out of three, is held with a piece of rice land without payment of rent. Hence the figures for rent averages are misleading by themselves. However, it may be seen from Appendix D, that in this tract the area under rice is 5,621 acres. Hence the incidence of rent on rice land is about Rs. 2-9-5 per acre assuming which I believe to be the fact that none of the rice land is held as produce rent. This is a higher rate than is usual in Chota Nagpur, but not nearly so high as rents found in Palamau. It is not a rent which is in any way beyond the capacity of the land to bear.
- 335. Statistics of transfers.—I come now to the discussion of the statistics of transfers by sale of proprietary and occupancy rights, and by mortgage of land in cultivation by proprietors, tenure-holders and raiyats (Appendices G. H. and I.)
- 336. Transfer of proprietary rights.—As regards the statistics of proprietary rights, I have little to say. I regard them as quite valueless either for the purpose of discovering how rapidly such rights change hands or for estimating their cash value. In the first place, though they are supposed to be collected for the ten years prior to the year of attestation, I doubt if they are complete. Secondly, the unit of record-writing, the village has no relation to the unit of proprietary right, the estate. Thirdly, there is no means of saying how far the value of estates sold is typical of the value of all estates, except that it is certain that only the least valuable estates are sold as a general rule. The proper place for the collection of statistics on this subject, if they are required at all, is the Land Registration Office.
- 337. Mortgages.—The statistics of mortgages are of more value. Shahabad shows exceptionally high figures for mortgages, no løss than 5.5 per cent. of the total occupied area being under mortgage. In Buxar Subdivision the percentage is as much as 9.6 and in Arrah Subdivision 9.2. It is still more noteworthy that in these two subdivisions the fixed rent raiyats have mortgaged nearly 14 per cent. of the land in their occupation. About 83.5 per cent. of the area mortgaged in these two subdivisions is held by raiyats. So the land is not to any considerable extent falling into the hands of the professional money lending class, except in Arrah thana itself where that class holds more than 25 per cent. of the mortgaged area. There is, I believe, only one co-operative credit society in the district, viz., at Buxar. It would seem that the north of the district and especially Arrah thana is likely to be a particularly fruitful field for the operations of the Registrar, though no doubt the Bhojpuri raiyat will require some patient instruction before he realises the benefits of the movement.

In the Bhabhua hill tract only 187 acres have been mortgaged, but if, as is most likely, this is all rice land, then the not inappreciable proportion of 3.3 per cent. has been mortgaged.

The figures for the mortgage value of land in the different subdivisions are interesting, varying from Rs. 195 per acre in the Arrah Sub-division to Rs. 40 in Bhabhua. It is clear that the greater the value of the land the more ready the occupier is to mortgage it. It would be interesting to know what percentage a mortgage with possession expects to get for his money.

338. Sale of occupancy rights.—The statistics for sales, which refer only to sales of the lands of settled and occupancy raiyats, are also of interest in Shahabad. The area occupied by these raiyats is 1,236,476 acres. Of this according to the statistics 13,074 acres have been sold during the last ten years, or rather more than 1 per cent. But unfortunately statistics of sales are not

nearly as trustworthy as statistics of mortgages. For the latter are entered in the record-of-rights very nearly as a matter of course, since the mortgagee who has, and the mortgager who hopes to regain, possession, are equally interested to see that the entry is made. It is, however, of no particular interest for a raiyat who has bought a holding several years ago to disclose the fact, and unless he has not yet succeeded in getting his name entered in the landlord's office in place of the old raiyat, no one else is likely to disclose it. It is quite likely that as many sales in the last ten years are left unrecorded as are recorded. However, in Shahabad, even if this is so, sales of occupancy rights have not been very common, in spite of the fact that they are as a rule recognised without much demur by the landlord on receipt of a "Salami" of comparatively moderate amount.

339. Custom of transferability.—There is a little doubt that even outside the area, where the term "guzashta" carries the connotation of fixity of rent, it is common for holdings locally known as "guzashta" to be transferred without the consent of the landlord. Thus one Attestation Officer, who worked in the south of Shahpur Thana, notes that mostly transfers are recorded without the payment of any regular fee or nazarana, but that in villages held by Mr. Solano a fee of 10 per cent, of the purchase money is demanded from the purchaser. Mr. Solano's tahsildar was unable to show an instance of realization or of a refusal to record the purchaser's name, when payment was not made, nor did there appear to have been any suit on the subject. In a village of Mr. Mylne's a fee of Rs. 2 per bigha was said to be ordinarily paid by the purchaser before his name is entered in the jamabandi. But these were exceptional cases.

Another Attestation Officer writes of Chausa pargana that the occupancy right is generally transferable, but the purchaser has to get his name entered in the landlord's books, and the amount of "Salami" paid for the mutation is variable.

Again in South Bikramganj it is noted that the petty landlords do not oppose transfers, but derive a certain income from them, realizing Re. 1 per bigha for mutation from the purchasers, but sometimes a percentage of the purchase money. The Dumraon Raj does not object to transfers here, but the Surajpura estates (under Court of Wards) objected in some villages. Mr. Solano in Dumraon Raj villages in thika to him, takes  $12\frac{1}{2}$ % of the purchase money, of which  $2\frac{1}{2}$  per cent. goes to the amla, before doing mutation.

Of villages in than Mohanea it is noted that in some estates no salami is ever taken, but that the Maharaja of Benares takes 25 per cent. of the purchase money though this is not generally admitted by raiyats, who say the rate is 10 per cent. only. Mr. Mylne gets Rs. 2 per bigha (here the small bigha is one-fourth of an acre), while other landlords apparently take what they can squeeze out of the purchaser.

In the east of thana Bhabhua another officer notes that sales of occupancy rights were infrequent, and the purchaser had as a rule to pay salami, though even here one instance of a sale being recognized without payment of salami was found.

Sales in the north-west corner of Bhabhua thana are also reported as very rare, and the *salami* taken sometimes as high as one-fourth of the purchase money. The Surajpura estate is reported to refuse to recognize sales.

In Sasaram thana it is also reported that sales are infrequent and not recognized unless salami is paid, but no details regarding the amount of salami are available. In that thana a case had been decided just before attestation, in which it was held that the custom of transferability was not proved. An appeal to the High Court was then pending, but as no details of the case were given, I have not been able to trace it.

From Arrah thana, however, it is reported that occupancy raiyats have by custom full right to transfer their holdings. The landlords claim salami before making mutation. The Dumraen Raj, while under the Court of Wards, charged Rs. 2 per holding, but before took 2 per cent. in the purchase money. Other landlords take from Rs. 5 to Rs. 20 per bigha according to the class of land.

- 340. General conclusion from the reports regarding transferability.-The conclusion that may be drawn from these reports is that transfers of occupancy right are made in North Shahabad with practically no interterence from the landlords except the demand for a fee before mutation is done, and that demand is by no means universal. The fee varies, but in no case exceeds 10 per cent. of the purchase money. Probably if that amount were fixed as a maximum fee no serious justice would be done. Further south in Bikramganj thana 12 per cent. of the purchase money is reported as the fee for mutation. In South Shahabal, i.e., Phabhua and Sasaram Subdivisions, transfers of occupancy rights are much carer, mainly I think because the influence of the true "guzashta" tenancy is much less, but partly because of the poorness of the land, and the depression of the tenants, who have only recently come to regard themselves as having a permanent interest in their holdings. Where transfers occur the fee for mutation is reported to be distinctly higher and as much as one-quarter of the purchase money is reported as claimed. My own view is that no appreciable use is made of the restrictions by landlords on the transfer of occupancy rights in the district, to secure the retention of land in the hands of those who will cultivate it themselves. They use the restrictions merely to obtain for themselves a portion of the purchase money and so depress the money value of the occupancy right. I do not see that it would be in any way against public policy to legislate in favour of free transfers.
- 341. Price obtained for sale and mortgages.—Figures for sales of the rights of fixed rent raiyats have not been collected, and of course those rights are transferable without the landlord's consent. The prices paid for land sold and land mortgaged derived from these statements are comparable, although the latter cover lands held otherwise than by settled and occupancy raiyats. It is somewhat curious that the rate for the land under mortgages, which not only includes fixed rent and bakasht land, usually supposed to be the best of the occupied area, but is also generally believed to be specially selected by the mortgagee, is not noticeably higher than the rate for land sold.
- 342. Classification of purchases.—Nearly 85 per cent. of the purchasers are classed as raiyats, while rather more than 10 per cent are money-lenders. This means that a little more than 1,300 acres of lands held by settled and occupancy raiyats has passed permanently into the hands of money-lenders in the last ten years, and does not suggest any immediate danger. In Arrah thana, however, they have secured about 250 acres, and this is evidently the part of the district in which they are most active.

## PART V.

#### POPULATION AND MATERIAL CONDITION.

- 313. Comparative estimates of population.—The earliest estimate of the population of Shahabad district is Buchanan's in 1812. He estimated the population as 1,419,520 on an area of 4,087 square miles, giving an average density of 347 to the square mile. The estimate of the Revenue Survey in 1841-46 was 1,602,274 for 4,404 square miles, or 364 per square mile. At the first regular census of 1872 the population was proved to be 1,723,974 on an area of 4,385 \* square miles or 393 per square n.ile. The population of the district as at present constituted was then 1,710,471. By the census of 1881 it had risen to 1,949,900 and by 1891, 2,060,579.
- 344. Causes of fluctuation.—The increase between 1872 and 1891 must have been principally due, as Mr. O'Malley in his Gazetteer points out, to the effects of the Sone Canals. By 1901, the population had, however, fallen to 1,962,696 and again in 1911 to 1,865,660. The average density has, therefore, fallen from 171, er square mile in 1891 to 449 in 1901 and again to 427 in 1911. The main cause of the decline in the population between 1891 and 1911 appears to have been the high mortality from fever and plague. The ravages caused by these two diseases are described in the Gazetteer.
- 345. Average density.—The average density of the population varies very considerably among the thanas. Thus the density of Arrah (excluding Arrah town), Shahpur, Piro and Dumraon is round about 650 per square mile. Bikramganj, Dehri and Buxar round about 500, Karghar and Mohanea between 350 and 400, while Sasaram is only 233 and Bhabhua only 187. Sasaram is the only subdivision that has shown any signs of development in the last 20 years. In all the others the decline of population has been marked.
- 346. Recigions.—Of the total population of 1,865,660 not less than 1,730,563 were returned in the census of 1911 as Hindus while of the remainder 131,189 were recorded as Musalmans. The proportion of Hindus, 92.7 per cent., is the highest for any district in Bihar, while the percentage of Musalmans is the lowest. The only place where Musalmans are in any strength is Sasaram town, no doubt as a result of the influence of Sher Shah and his father.
- 347. Education.—About 4.6 per cent. of the population can read and write their own names. This proportion does not vary much throughout the district though it rises to slightly over 6 per cent. in the Sadr Subdivision and falls as low as 3 per cent. in the Bhabhua Subdivision.
- 348. Occupations.—Principal occupations of the population are shown in the following table taken from Table XV, Part A, II, Volume V, Part III of the 1911 Census Report. The figures include both workers and dependents:—

Income from rent of a	gricultural	land	•••	•••	35,716
Ordinary cultivation	•••	•••	•••	•••	923,581
Agents, Managers of	landed proj	pe <b>rty,</b> eler	ks, rent-colle	ctors,	
etc.	•••	***	•••	•••	13,540
Farm servants and field	d labourer	s	•••	•••	368,125
Raising of farm stock	•••	•••	•••	•••	46,555
Textile industries	•••	•••	•••	•••	32,535
Wood industries	•••		,	•••	15,300
Metal industries	•••	•••		•••	15,945
Ceramics	•••		•••		18,688
Chemical products, in	cluding ve	get <b>ab</b> le oil		•••	23,325
Food industries (large	ly grain p	parchers)	•••	•••	37,143
Industries of dress and washermen and b		ainly tailo	rs, shoemaker	rs, 	53,428

<sup>\*</sup> The total area of the district as ascertained in the operations under report is 4,353 square miles.

Industries of luxury arts and science	and those	pertaining tworkers in t	to literature recions stor	and the	
and metals)					17,597
Transport by road	1.1	•••	•••	•••	14,555
Trade in textiles		•••	•••		10,185
Other trade in food	stuffs (chi	efly grocers,	sellers of ve	egetable	
oils, etc., veget	able sellers	and grain a	ind pulse dea	tlers)	<b>64,</b> 90 <b>9</b>
Religion	•••	•••	•••		15,502
Domestic service		•••	•••	•••	31,336

349. Occupation figures compared with the average for Patna Division.—The figures for Shahabad are materially above the average for the Patna Division in the following principal occupations:—Raising of farm stock, metal industries, chemical products, food industries, industries of luxury, etc. They are materially below that average in the following occupations:—Agents, rent-collectors, etc., farm servants and field labourers, transport by road, religion and domestic service. Of the other occupations medicine with 8,217 and letters, arts and sciences with 8,766 are of much greater importance in Shahabad than in Patna or Gaya.

350. Explanation of variations.—Some of these figures are explicable by known facts about the district and the division. Thus farm stock is important in Shahabad owing to the extent of pasturage in the Kaimur Hills. Chemical products include vegetable oils and linseed is a crop largely grown in the district. Agents, rent-collectors, etc., are fewer in Shahabad than in Patna or Gaya because produce rents are less common. As regards farm servants and labourers the variation from the divisional average is not very great, but the Gaya figure is high, owing to the prevalence of the Kamiya system which is comparatively rare in Shahabad. Gaya also naturally raises the divisional average of persons whose livelihood is derived from religion. The prevalence of the occupations and industries of luxury and letters, arts and sciences, seems to be mainly due to a taste for music and dancing.

351. Emigration and immigration—The total population of Shahabad enumerated in the district in 1911 was 1,865,660 of whom 1,805,053 were born in the district. In all 1,854,915 natives of Shahabad were enumerated in the province of Bihar and Orissa. The population of the Patna district was 1,609,631 of whom 1,517,525 were born in the district while 1,597,730 natives of Patna were enumerated in the province. For Gaya the figures were 2,159,498, 2,098,104 and 2,204,000. Thus the percentages in the three districts are as follow:—

	District			Percentage of native born enumerated in the district to total population.	Percentage of natives of the district enumerated throughout the province to total population.	
	1		·-· ,	2	3	
Shahabad	***	•••	•••	96.7	99.4	
Fatna	•••			94.3	99:3	
Gaya	•••	<b>:</b>		97.6	1021	
Medial average	•••	•••		96.2	100 3	

This would seem to show that the native-born population of Shahabad is not more inclined than the population of the other districts of the division to emigrate to other parts of the province. The figures, however, throw no light on the question of emigration outside the Province, and it is known that emigration from Shahabad to Bengal and to Burmah is considerable. Mr. O'Malley gives some interesting figures on page 33 of his Gazetteer, which I have not been able to supplement.

## MATERIAL CONDITION.

In this discussion of the material condition of the agricultural population of Shahabad, the calculations regarding prices, rents, cost of living, cost of canal irrigation, etc. are based as far as possible on the state of things existing about the year 1912. Thus no allowance has been made for subsequent rise in prices nor for enhancement of cash rents, commutation of produce rents and increase of the canal rates.

352. Crop-cutting experiments — Crop-cutting experiments were carried out in the seasons 1911-12, 1912-13 and 1913-14, chiefly in connection with the settlement of fair rents and calculation of assets in Government and temporarily-settled 1 states. In the northern thanas most of these were conducted on the old system under which an area of one-tenth of an acre was cut and the crop threshed and dried and then weighed. In 1912-13 I introduced the system of cutting the crop inside an equilateral triangle giving an area of \( \frac{1}{1600} \) of an acre. The produce of the crop can be easily kept in a sealed envelope until absolutely dry, and triangular cutting is an advantage, where crops are sown or planted in lines, as the variation arising from the omission or inclusion of a whole line in square cutting is appreciable. The principal idea of this system is, however, that an officer can conduct experiments in large numbers in a spare hour or two, instead of having to arrange beforehand to camp in a certain place long enough to allow the crop to dry.

353. Advantages of the triangle method.—There is also no doubt that an officer can more easily obtain a just approximation to crop outturns by a number of experiments on a small scale in each of which he aims at an average crop for the tract he is considering than by a single experiment on a large scale in a particular field of that tract. Further from a consideration of his actual results in a number of experiments an officer can more easily judge of and correct his personal tendency to over or under estimate. As to the accuracy of the new system, it may be interesting to give the results of certain experiments made under Mr. Tanner's direction in Sasaram and Dehri Thanas in 1913. There 17 experiments were made on the old system and also 17 experiments within the tenths of an acre selected were made with the triangle. The crop cut was paddy. The average yield per acre arrived at by the old method was 10.8 maunds per acre, while the average arrived at by the new method was 11.9 maunds per acro. Under the old method "Ails" are included, but not under the new. Hence a deduction of 5 per cent. should be made from the results of the latter before applying the results to survey areas. This would reduce the latter average to 11.3 maunds per acre. The difference is mainly due to three or four poor experiments by the new system and in the majority of the 17 experiments very close approximation was obtained. I understand that Mr. Tanner has got even better results in Gaya owing chiefly to increased experience of the staff employed.

354. Results.—In view of these facts I think it is reasonable to give to each experiment under the new system one-third of the weight given to each under the old. The figures of the experiments made are as follows:—

		Pad	dy.		Rabi.					
	Old method.		New method,		Old method.		New method.			
	No. of experiments.	Total crop in Mds.	No. of experiments.	Total crop in Mds.	No. of ex- periments.	Total crop in Mds.	No. of experiments.	Total ero		
1	2	3	4	5	6	7	8	•		
Northern thanas chiefly Buxar, but also Shahpur, Arrah, Dumraon.	51	517	20	262	21	174				
Sonthern thanss Mohanes, Karghar, Bhabbus, Sasaram, Dehri.	26	316	88	758	19	128	82	911		
Total	77	833	75	1,018	40	300	82	911		

(The results of the new method have been reduced by 5 per cent.)

Assuming the results of the new method to have a weight of one-third of the results of the old, we can deduce as a rough approximation from this statement that the average outturn of paddy is about 11.5 maunds per acre, and of the rabi crops about 9 maunds per acre.

- 355. Meaning of rabi outturn.—A word of explanation is required regarding the latter. In Shahabad as elsewhere in Bihar the rabi crops are more often than not sown mixed together. In the experiments made I find for instance wheat and gram, barley, gram and mustard, barley, khesari and gram, barley, mustard and wheat, wheat and linseed, wheat, barley and linseed, khesari and linseed and other combinations. In accordance with the usual practice of the accounts of produce rent, I have lumped together the weight of each crop, and called the result a weight of rabi crops. The probable value in money for these mixtures will be calculated later.
- 356. Modification of results of experiments from other data.—The experiments, however, were mostly carried out in Government and temporarily-settled estates and do not cover the fertile estate of Mr. Mylne. The bulk of these lie in tracts, such as Chausa pargana, beyond the full influence of the Sone Canals, and for this reason I do not consider that these experiments alone give a fair average of the outturn of paddy. For Mr. Mylne's estate, a separate estimate was formed on the basis of very careful and detailed enquiries and examination of the standing crops by Babu Surendra Nath Banarji, an experienced Assistant Settlement Officer of marked ability. He arrived at the conclusion that the average outturn was about 13 local maunds of paddy per bigha, which is equivalent to 15.89 standard maunds per acre. To this should be added 5 per cent. as he has excluded the share taken by the actual harve-ters, before making his estimate of total outturn. Hence the outturn would be 16.68 standard maunds to the acre.

In this estate practically all the rice land is irrigated from Government canals. Now in the whole district about 42 per cent. of the rice land is so irrigated. Taking into account that the figure of 11.5 maunds per acre does refer to some canal irrigated land, I think that a fair estimate of the average produce of all rice land throughout the district would be 13 maunds of paddy per acre.

I do not think any modification of the average of 9 maunds per acre for rabi crops is required. Crops in the semi-diara area are of course very much better than this, but much of the rabi is poor land in Chausa and Chainpur parganas.

357. Reasons for estimates falling below usual estimates.—I am perfectly aware that my estimate of the outturn of paddy is much below estimates prepared in other districts such as Saran and Muzaffarpur, and that the estimates in Shahabad itself obtained from Canal Officers' experiments are much higher. But I am strongly of opinion that there is an almost irresistible tendency of experimenting officers to select fields above the average and to make insufficient allowance for dryage. Further, hardly any experimenting officer, when he is attempting to ascertain what a tract will produce, considers the fields which are planted or sown with paddy and bear no crop at all, i.e., are left to be grazed down. Any one who has experience of South Monghyr, Patna, Shahabad or Gaya will know that if statistics are compiled, as they are, for the area planted or sown with paddy they must include in average years a considerable proportion of such fields.

The estimate of crop outturns, on which the scheme for export of Indian wheat in 1915 was based, give food for thought to anyone interested in improving the accuracy of agricultural statistics. The wheat crop for India in that year as given in the final forecast could scarcely have been less than 10 per cent. above the actual. If that amount for error be possible in a crop largely grown in provinces possessing a numerous and well-trained revenue agency, it is perhaps permissible to view with some scepticism estimates in Bihar, not excepting my own.

358. No necessity for seasonal adjustment.—The seasons of 1911-1914 were normal, and indeed where, as in Shahabad, 42 per cent. of the net-cropped area is irrigated the outturn cannot vary enormously, except when the rains fail very badly.

359. Comparison with Buchanan's estimate.—Buchanan's estimate of the total money value of the annual crop was Rs. 12,006,417. Deducting the value he assigns for fruit, vegetables and bamboos Rs. 3,92,236, his estimate for crops proper would be Rs. 11,614,181. The area of the district, as he gives it, was 4,087 square miles, as against the present area for which statistics have been compiled of 4,260 square miles. His estimate may therefore be raised by 4.2 per cent. to Rs. 12,101,977. The value of paddy in his time was about Rs. 64 per maund and of wheat and barley together about Rs. 81 per maund. The of value paddy at the time of these operations was Rs. 1.82 per maund while the value of wheat and barley together about Rs. 2 per maund. The index number of the price of food-stuffs may thus be taken as 263, taking the price in 1812 as 100. At present values, therefore, the money value of the annual crop as it was in 1812 would be Rs. 31,828,650.

360. Difficulty of calculating the value of the crop—I do not propose to make detailed calculations of the amount derivable from each separate crop. For one thing the question of the twice cropped area presents particular difficulties in Shahabad. There is no doubt that a very large part of the area, shown as twice cropped in our statistics, is land on which aghani paddy is followed by a "paira" crop, that is a crop usually of khesari and linseed sown in after the paddy has started to grow and reaped in January. Naturally this is a poor crop and its value is probably not more than about Rs. 8 per acre. But I have no means of telling how much of the total "khesari" and linseed crops are thus grown, nor how much of the twice cropped area is grown with bhadai and rabi crops, but my knowledge of the district leads me to the conclusion that the latter is not very great. I have therefore adopted as a rough estimate the following plan:—

361. Plan adopted.—I have calculated the value of the paddy crop, aghani and bhadai, on the basis of 13 maunds of paddy per acre at 22 seers per rupee together with straw, etc., which is about 7 per cent. of the value of the crop.

have taken the rabi and bhadai area, excluding the bhadai paddy together on the basis of 9 maunds of crop per acre at 20 seers per rupee, together with straw, etc., which is worth about Rs. 2-4-0 per acre.

Of the rest of the aghani area, I have taken the sugar-cane area separately and valued it at Rs. 102 per acre. This is two-thirds of the value of the produce, as the crep occupies the land for a year and a half. The balance, which is inconsiderable, I have treated on the same basis as rabi.

The result of this calculation would be practically to count the twice cropped area as bearing full crops at each harvest, whereas a great deal of it is merely "paira" worth about Rs. 8 per acre. I reckon that in actual fact the second crop only adds about Rs. 11 per acre to the value of the produce of the land instead of Rs. 20-4-6 to Rs. 25-4-0, I have therefore deducted Rs. 12 per acre on the twice cropped area on this account.

The calculation is therefore as follows:—

	Area in acres.	Value per acre.	Total value.
1	2	3	4
	<u></u>	Rs. a. p	ks.
Paddy aghani and hhadai	684,889	25 4 0	1,72,94,448
Sugar-cane	39,564	102 0 0	40,85,528
Balance of aghani and bhadai areas and all the rubi area.	1,594,849	20 4 0	3,22,95 <b>,</b> 69 <b>2</b>
Gross cropped area	2,319,302		5,36,25,668
Deduct for over-estimation of second crop of twice cropped area.	573,492	12 0 0	68,81,904
Net cropped area	1,745,810	•••	4,67,43,764

If this is compared with the figure Rs. 3,18,28,650 in paragraph 359 of the value of the crop in 1812, after allowing for rise in prices, it will be seen that the value of the produce of the area under consideration has increased by about 50 per cent. This is of course principally due to the effect of the Sone Canals both in enlarging the cultivated area and in increasing the outturn per acre. The average value of the gross produce of an acre is Rs. 26.78.

- 362. The value of the annual crop for the district including the extra statistical area.—The crop of the area under statistics together with an area of 93 square miles which has for various reasons been excluded from the statistics has to support the agricultural population of the district. I reckon roughly that two-thirds of this area of 93 square miles is cropped, and treating this as rabi land, which it mostly is, I would add another Rs. 8,03,520 to the annual value of the crop of the district on this account getting a grand total of Rs. 4,75,47,284.
- 363. Sir D J. Macpherson's estimate in 1384.—After forming my estimate, I consulted Mr. (now Sir) D. J. Macpherson's report on the Government estates in Shahabad written in 1884. In that report he gives a considerable amount of space to a discussion of the probable outturn of the various harvests not merely of the Government estates but for the whole district.
- 364. Paddy outturn.—On page 27 he gives a table from which it appears that he calculated the outturn of winter rice at 7.72 maunds of paddy per bigha, or 12 maunds per acre. This is for land not irrigated from Government canals. He also calculated that for lands irrigated by Government canals the effect of canal irrigation was to raise the outturn by 23 per cent.—(vide page 30). This would give a yield of 14.76 maunds per acre on canal irrigated lands. He points out, however, that the effect of canal irrigation cannot be simply estimated by comparing the results of the application of canal water, with the results of other water, whether artificially applied or not, but that the great advantage of the canals is that they secure a crop even in a year of drought on lands irrigated by their means. He proceeds to calculate afresh, and on grounds that are, to my mind, of somewhat doubtful solidity concludes that the increased outturn of winter rice in canal lands is  $4^9_{16}$  maunds of paddy per acre. Even this would only bring the estimate up to  $16^9_{16}$  maunds, which is very close to But it may of course be said that if Sir D. J. Babu S. N. Banarji's estimate. Macpherson's estimate is accepted, then as 42 per cent of the rice area is irrigated from canals, the average for the district should be  $\frac{12 \times 58 + 18 \cdot 1 \times 42}{100} = 13.92$  maunds per acre. But the average area irrigated during the five years 1878-1883 was only 151,560 acres in all, while during the five years 1910-1915 the average area has been 4,13,812. It is surely reasonable to assume that according to the law of diminishing returns the average increase of outturn consequent on the use of canal water is not so great as in 1884. I think, therefore, that as far as the outturn of paddy is concerned Sir D. J. Macpherson's estimates are in close accord with my own.
- 365. The rabi and bhadai outturns.—A comparison between my estimates of the outturn of rabi and bhadai crop- with Sir. D. J. Macpherson's estimates is practically impossible. So much depends on the estimate of the effect of including lands cropped with paira crops in the twice cropped area. Besides this, there are several other hypotheses on both sides, which would require very detailed examination, and would in the end remain uncertain. I need only say that on the whole his estimates of outturn are probably higher than mine, as far as I have been able to compare them.
- 366. General comparison derived from money value of the crop per acre.—But there is one general method of comparison which may be used. Sir. D. J. Macpherson, in paragraph 51 of his report, estimates the value of the outturn for all lands at Rs. 11 per bigha, i.e., Rs. 17-6-0 per acre. He modifies this estimate later on the basis of some calculations of the total amount of cleaned grain, the quantity required for food and seed, and the exports. I must say I see no greater reason for relying on his revised estimate which is Rs. 12-12-0 per bigha than on his original estimate which is Rs. 11 per bigha.

Now the price of paddy has risen between 1884 and 1912 in the proportion of 100: 145, and the price of rabi crops in the proportion of 100: 133. It will not be very far wrong to take the present index number of price at 140, Thus Sir D. J. Macpherson's estimate of produce would now be worth Rs. 24.64. But he expressly says that his estimate excludes from consideration (1) the canal irrigated land, (2) the diara areas, (3) areas grown with special crops. These together make up now about one-third of the net cropped area. My estimate of average value throughout the whole statistical area is Rs. 26.78, i. e, Rs. 2.14 above Sir D. J. Macpherson's estimate raised proportionately to the rise in prices. Hence, if both estimates are correct the extra value derivable from the one-third of the net cropped area, which is abnormally productive, would be Rs. 6:42 or 26 per cent, of the value of the normal area. It must be remembered that though Sir D. J. Macpherson's estimate excluded canal irrigated land, it did not exclude land irrigated otherwise of which at that time there was considerably more than there is now, since canal irrigation in many places merely replaced other slightly less efficient supplies of water. I am not therefore concerned here merely with the difference of outturn between canal irrigated and unirrigated land. It might, however, be argued that the effect of the extension of canal irrigation since 1884 has been to increase the proportion of land under rice at the expense of the rabi area. This is probably true but Sir D. J. Macpherson apparently over-estimated (he had no detailed figures to rely on) the proportion of rice land showing it as 44 per cent. of the net cropped area, whereas it is even now not quite 40 per cent. Hence, in so far as rice land is more profitable than rabi land, his estimate was too high. Lastly, it may be fairly argued that, in so far as cultivation has actually extended, the average outturn, had other things been equal, would have tended to decrease, by the law of diminishing returns. All these points being considered I think Sir D. J. Macpherson's estimates may be taken as confirming the accuracy of

867. Estimate of Assistant Settlement Officer.—I give some estimate made by various Attestation Officers in different parts of the district.

An experienced Assistant Settlement Officer who worked in Mohanea thana, Chainpur pargana, estimated that the average yield in his circle for paddy was 6.6, pakka maunds per acre, and for rabi crops, such as wheat, barley, gram or peas, 6.05 maunds. This was without canal irrigation. Estimates by Mr. N. R. Mukharji, who did attestation and section 104 work in Chausa pargana, were for three villages with canal irrigation 9.06 maunds, 104 maunds and 12.8 maunds per acre for paddy.

Another officer in the north of Mohanca thana writes that the soil is not very fertile and but for the canals the outturn would have been very poor indeed. He made a crop cutting experiment and got 10 maunds of paddy per acre, and gives his opinion that this would be average outturn.

Another estimate, by an officer who worked in the extreme south-west corner of the plains area of Bhabhua thana, was 20 maunds of paddy per acre. This is for land which is irrigated but not from the Sone canals. He does not state that he considers this as typical, and as he puts the average rent per acre at Rs. 8 and the cost of cultivation omitting upkeep and feed of stock and harvesting charges at Rs. 13 per acre, I conclude he was thinking of first class land only.

<sup>\*</sup> It should be noted that Mr. Nolan, Collector of Shahabad, who knew the district well, thought the estimate too high. In a lengthy criticism of this report (letter No. 2023-G., dated 19th November 1×94, to the Commissioner of the Patna Division) he stated that in 1870, seven most competent Zaminders of the district were asked to state for the information of the Prigation Department what was the ordinary yield of crops on land not irrigated and again on land irrigated from wells or reservoirs. The medial average of the smounts stated in manuals per acre were:—

Paddy irrigated 11.04, wheat unirrigated 5.5, wheat irrigated 12.1, barley unirrigated 5.5, barley irrigated

These figures are distinctly lower than Sir D. J. Macpherson's. It may rerhaps also be mentioned that that gentleman had at the time only 4 or 5 year's service, and he does not give in his report the evidence on which he based his estimates.

I have not thought it necessary to extend still further this somewhat lengthy discussion by utilizing the results of Lord Macdonnel's investigations contained in "Food-grain Supply and Famine Relief in Bihar and Bengal" [Calcutts, 1876.]

Just to the north of this area, an estimate of 4 to 8 kacha maunds per bigha (\frac{1}{4} of an acre) is given for paddy. This means 8.8 to 17.6 pakka maunds per acre. The Assistant Settlement Officer, however, notes that paddy land is inconsiderable in his camp and chiefly the coarser kinds are cultivated.

His estimate for rabi is from 3 to 6 maunds per bigha or 6.6 to 13.2 pakka maunds per acre.

In the extreme east of Karghar thana which is very well served by canals the Attestation Officer's estimate for paddy was from 5 to 15 maunds per bigha. The maund here is equal to 42/55 of a pakka maund and the bigha is  $\frac{9}{8}$  of an acre. Hence this estimate means 6.15 to 18.45 maunds per acre. If the mean be taken 12.3 maunds per acre, 1 should say it was rather low for a canal irrigated tract. The same officer puts rabi outturn at from 3.69 to 9.84 maunds per acre which is also probably below the mark.

For the tract just north of the Kaimur hills in Sasaram thana I find an estimate of not more than 7.38 pakka maunds per acre for bhadai crops, 7.38 to 9.84 for rabi and for paddy, 12.3 to 14.76 maunds per acre, though for exceptionally fertile land the estimate is 24.6 maunds or more.

In Dehri thana the estimate is from 3.69 to 6.3 pakka maund per acre for bhadai paddy, from 12.3 to 24.6 for aghani paddy, and from 3.69 to 9.84 for rabi.

Around Sasaram itself, the estimate is for bhadai paddy 1.23 to 8.61 pakka maunds per acre, for aghani 1.23 to 24.6 maunds, for rabi as a "paira" crop 1.23 to 6.15 maunds and by itself 1.23 to 14.76 maunds, makai 1.23 to 12.3 and other bhadai crops 1.23 to 6.15. These are of course very wide estimates, of which it is difficult to make much use.

An estimate of the northern part of Arrah thana is specially interesting as giving information regarding the fertile rabi area near the Ganges. It is for aghani crops 8 to 10 maunds per bigha, for bhadai chiefly makai 10 to 15 maunds, and for rabi 15 to 20 maunds.

The estimate for aghani is unimportant, as there is little aghani there. Bhadai is also uncertain as late heavy rains are apt to ruin it. The rabi outturn per acre, assuming that the maund and the bigha are the ordinary local standards, would be 18:45 to 24:6 pakka maunds per acre. But this estimate can hardly be taken, without confirmation from other and more experienced officers, as applying universally to the whole of the rabi tract along the north of the district.

Pandit Lakshmi Misra, who did rent settlement in several estates in area, put the yield in Bhadia Taufir Estate at 14 maunds per acre for *rabi*, and that is probably about right for the area as a whole.

These estimates are of unequal value, and some give such wide limits as to be almost useless, but a study of them confirms my own estimate given above, which is based primarily on the crop cutting experiments and on Babu S. N. Banarji's estimates for good canal irrigated land.

✓ 368. Agricultural population.—According to the census figures of 1911, the agricultural population including dependents was found to be as follows:—

Rent receivers	•••	••	•••	35,716
Ordinary cultivators		•••		923,581
Agents, clerks, rent-collecters	***	***		12,540
Agricultural labourers	•••	***	•••	368,125
	Total	•••		1,340,962

Besides these there are about 30,000 actual workers, who returned agriculture as their secondary occupation. Their dependents will be about as many again. Hence, assuming that on the average one-third of the income of these

people is derived from agriculture, it may be reckoned that another 20,000 in all are dependent on the annual income from the land throughout the district. Further, there are about 60,000 potters, blacksmiths, *Domes*, carpenters, priests, etc., including their dependents, who all receive the bulk at least of their means of livelihood in kind. It may thus fairly be reckoned that the annual income derived from the land has to support one way or another about 1,420,000 souls. If my estimate of that annual income is reasonably correct, it would appear that the average annual income per head of the agricultural population is about Rs. 33-8-0. But of this annual income a certain amount is absorbed in other ways than in the support of the population directly.

369. Demands on the annual income.—Thus a portion of the crop of grain must be reserved for seed for the next year. I reckon this at about Rs. 2 per acre for all kinds of crops, on the net cropped area. Another portion has to be converted into cash to pay the canal water rate on land irrigated by Government canals. (Other irrigation charges may be taken as supporting agricultural labourers and need not be deducted.) Further of the straw, which I have reckoned as contributing to the annual income, some part is required for feeding the agricultural stock, and the agricultural stock itself has to be kept up by payments to cattle raisers whom I have not included in the agricultural population. Finally, the Government Revenue and Road and Public Works Cesses have to be met out of the annual income.

The deductions from the annual income of the statistical area on these counts are as follows:—

		Rs.
1. Seed Rs. 2 per acre on 1,745,810 acres	,.,	34,91,620
2. Canal rate average of the years 1910-1915		12,50,725
3. Plough cattle * —		
(a) Feeding 331,364 bullocks at Rs. 9 per annum	•••	29,82,276
(b) Replacing stock at Re. 1 per acre per annum or	net cropped	
area of 1 745 810 agree	•••	17,45,810
4. Government Revenue in 1911-1912	•••	17,78,578
Road and Public Works Cess	•••	3,32,000
Tot	al	1,15,81,015
Deduct for Government Revenue and Cesses paid on	extra statis-	•
tical area स्टामन स्थान	,,,	44,009
Grand Tot	al	11,537,004

Thus from the annual income of Rs. 46,743,764 the balance left to be divided among the agricultural population of the statistical area is Rs. 35,206,760.

The position of the ordinary cultivator suggests an analysis of at least equal interest.

370. The position of the ordinary cultivator.—Rent receivers of whom according to the census figures, there are 35,716 including dependents† take their share (a) in cash rent, (b) in produce rent, (c) in produce of lands in their own cultivation. There is no difficulty about calculating the cash rent. I have reckened that the value of the average gross produce of produce rent paying land is about Rs. 20 per acre of which about Rs. 2 is the value of bye-products. Under the lenient system of produce rent in Shahabad, together with low appraisements, the landlords will scarcely get more than one-third of the gross produce of grain. The produce rent paying lands are decidedly worse than the average and of course do not include any sugarcane which materially swells the value of the average gross produce. All things considered Rs. 6 per acre is probably about right. The commutation rate in the district, which is of course modified by consideration of cash rents for similar lands, has been about Rs. 5 per acre. Out of Rs. 6 the landlord pays about 5 annas per acre for canal rate.

<sup>\*</sup>Bulls are classed with bullocks, but on the other hand buffaloes used as plough cattle are excluded.

<sup>†</sup> this seems to me much too low a figure and a consideration of the number of separate accounts for payment of cess, including tenure-holders under the Cess Act, would seem to indicate that there are at least 200,000 people, including dependents, who are principally rent receivers.

The area taken as under produce rent is the net cropped area as calculated in paragraph 333.

371. Value of bakasht lands.—The value of the "Bakasht" lands presents great difficulties. In paragraph 333 I have assumed that the value of the gross produce on "bakasht" rent free and fixed rent land is Rs. 30 per acre. In view of the fact that much of the "bakasht" area is in Bhabhua and Sasaram Subdivisions, and in the Chausa pargana of Buxar Subdivision, where yields are low, I do not think that the "bakasht" land alone yields more than Rs. 25 per acre. Even to get that value of produce comparatively expensive cultivation including canal irrigation where available is required.

In Saian it was calculated that the cost of cultivation of aghani rice, which is not irrigated, was slightly more than one-third of the gross produce, of bhadai rice nearly 40 per cent., of wheat nearly 45 per cent. I believe no allowance was made for replacement of stock. In view of the extra expenses of irrigation and the lesser fertility of the soil in Shahabad, it is probable that the cost of cultivation is fully one-half of the value of the gross produce. I have therefore taken the net value of bakasht lands at Rs. 12-8-0 per acre. I reckon that labour absorbs Rs. 8 per acre of the balance.

372. Landlords' share of the annual income.—The landlords' share would thus be—

Ks.						
50,49,652	•••	•••	•••		Cash rent	(a)
	s, Rs. 5	canal rate	deduction of	nt after	Produce rea	,b)
14,02,594	•••	cres	on <b>246,610</b> a	er acre e	as. 11 pc	
			n landlord's			(c)
	12-8-0	tivation, Ks	l costs of cul	п for all	deductio	
35,08,537	•••		,683 acres	on 250,	per acre	
99,61,773	•••	Total				

Landlords' agents, clerks, etc., are paid out of the landlord's share as calculated above, and so need not be separately reckoned.

As a matter of interest, however, their share may be calculated. Assuming the average remuneration of each worker is Rs. 15 per mensem, there are 6,138 workers in the district or 6,047 in the statistical area. This would give the total annual remuneration as Rs. 10,88,460. On the other hand if it is assumed that the cost of management is 10 per cent. on the total income of landlords, the share of this class will be Rs. 9,96,177. It may perhaps be taken that their share is about Rs. 10,00,000. The balance of the annual value of the gross produce of the statistical area after deducting the landlords' share is Rs. 36,782,981.

373. Agricultural population of the statistical area.—In order to allow for the agricultural population dependent on the extra-statistical area the figures in paragraph 348 would be reduced in the proportion of 4,260 to 4,353. As, however, much of the extra-statistical area is either congested urban area or the Ganges bed, I think a reduction of  $1\frac{1}{2}$  per cent. on this account will be sufficient.

The agricultural population of the statistical area may thus be taken to be:—

Rent receivers	***	. •••		***	35,181
Agents' clerks, etc	***	***	•••	•••	13,337
Ordinary cultivators	***	•••	***	•••	909,727
Agricultural labourers	•••	•••	•••		362,604
Secondary cultivators	***	•••	•••		19,700
Village artizan«, etc	***	•••	•••	•••	59,100
			Total	•••	1,309,649

Out of the sum Rs. 36,782,981 left after deducting the landlord's share the cultivators have to meet charges for (a) seed, (b) canal rate, (c) plough cattle, (d) Road and Public Works Cesses.

374. The canal rate.—Of the total canal rate paid throughout the district, which is Rs. 12,50,725, I have reckened that the landlords pay 5 annas per acro on the produce rent paying land or Rs. 77,066 and they will also pay the whole rate on the "bakasht" land. This latter item is about 12 annas per acre and hence the landlords will pay about Rs. 2,10,512 for their "bakasht" lands.

The rest comes from the raiyats and will be Rs. 9,63,147. Feeding and upkeep of cattle for the whole net cropped area was reckoned in paragraph 369 to cost Rs. 47,28,086. Exclusive of the bakasht area it would cost Rs. 39,67,810. Cess at half an anna in the rupee on the rental of Rs. 64,52,246 will be Rs. 2,01,633.

Seed at 1	Rs. 2 per acı	e on net cro	pped raiyati	area of $1,4$	65,127 acres		29,30,254
Canal ra	1e	***	•••	***	***	***	9,63,147
Plough	cattle	•••	•••	•••			39,67,810
Cess	•••	***	•••	***		•••	2,01,633
					Total	•••	80,62,814

Hence the net annual income of the agricultural population of the statistical area excluding landlords and agents, clerks, etc., will be:—

Rs. 36,782,981, less Rs. 80,62,844, or Rs. 287,20,137.

375. The economic position of land lords.—The landlords' net income from the land after payment of cultivation charges for lands in their own cultivation and irrigation charges on produce rent lands has been calculated as Rs. 99,61,773. Out of this what used to be called mufassal or zamindari charges, i.e., charges for agents, clerks, etc., may be taken to be Rs. 10,00,000, leaving Rs. 89,61,773. Government Revenue is now Rs. 17,78,578, or 17.8 per cent. of the net income, and 19.8 per cent. of the income after deducting collection charges. Some of this income is absorbed by tenure-holders, but still there is no doubt whatever of the value of proprietary rights in the permanently-settled areas of this district.

376. Dividend for cultivators, agricultural labourers, etc — The ordinary cultivators, agricultural labourers, secondary cultivators and village artizans, etc., have to divide the net income from raiyati lands, viz., Rs. 28,720,137 and the labour share from the landlord's "bakasht" lands. This latter has been calculated in paragraph 371 to be Rs. 8 per acre on an area of 280,683 acres, or Rs. 22,45,464. Hence their total share is Rs 30,965,601 among 13,51,131 persons or slightly under Rs. 22 per head per annum. Mr. Stevenson Moore in his Report on the Material Condition of small agriculturists and labourers in Gaya, states that an income of Rs. 15 per head per annum would amply cover the cost of living in comfort. The report was based on the results of the Survey and Settlement operations of 1893-98. From pages 40—41 of volume I of Mr. Datta's "Enquiry into the rise of prices in India" it appears that the quinquennial average index number of wholesale general prices in Bihar for 1894-98 was 110, 1890-94 being taken as 100, while for 1908-12 it was 139. Thus the rise in the cost of living between the date of Mr. Stevenson Moore's Report and 1912 may be taken as 26 per cent. and consequently it may be reckoned that an income of Rs. 19 per head per annum will now amply cover the cost of living in comfort. There is then in Shahabad a margin of Rs. 3 per head to be distributed among the well-todo agriculturists and labourers while still leaving the rest with something more than a bare livelihood. There is also for division a fairly considerable income derived from trees in the raiyat's partial or complete possession, from mileh cattle kept by persons who are primarily agriculturists, from jungle products in the important area of the Kaimur Hills, and no doubt from other less important sources.

All things considered the Shahabad raiyats and agricultural labourers are fairly well off, at any rate compared with the same classes in other districts of Bihar, though in Chausa and Chainpur Pargana they are certainly less well off than in other parts of the district.

## PART VI.

# THE GOVERNMENT AND TEMPORARILY SETTLED ESTATES.

#### CHAPTER I.

CLASSIFICATION, VARIATIONS IN DEMAND AND ORIGIN.

- 377. Importance of Government and Temporarily-settled estates in Shahabad.—The district of Shahabad is peculiar among the districts of Bihar in having both an abnormal number of Government estates and also a large area for which the proprietors pay revenue which is liable to alteration.
- 378. Classification of estates.—The distinction between a Government and a temporarily-settled estate has not always been very carefully observed in the past and it may be useful to define and classify the various estates included under these denominations.
- A.—Government estates are estates in which the proprietary right is vested in Government, and are of two kinds according to the system of management—
  - (1) Estates leased out for periods to farmers who have no statutory right of resettlement.
  - (2) Estates managed direct, i.e., in which the rent is collected by Government servants from the raiyats or statutory tenure-holders.
- B.—Temporarily-settled estates are estates in which the proprietary right is vested in private persons, and are of three kinds, i.e.—
  - (1) Estates settled with the proprietors for periods, during which the revenue demand remains constant, and the proprietor enjoys the proceeds of the estate.
  - (2) Estates, for which the proprietors have declined to engage at the revenue proposed by Government and which have therefore to be managed in one of two ways—
  - (a) leased out for periods to farmers, who have no statutory right of resettlement, or (b) managed by Government direct, i.e., the rent is collected by Government servants from the raiyats or statutory tenure-holders.

The classification given above is important for the purposes of revision of settlements, but it has not been uniformly observed, and for administrative convenience is not followed in the statistics of collection supplied annually by the Board of Revenue in the Land Revenue Administration Report.

379. The Statistics of the Land Revenue Administration Reports.—It is of some interest to show how those statistics have been treated, as it might be assumed that from them a general survey of the fluctuations in the demand from each class of estate might be obtained.

In 1852-53 the land revenue demand was Rs. 14,09,708 derivable from 3,500 estates, of which Rs. 49,852 derivable from 98 estates is shown as the demand from Government estates. There is no definition of a Government estate, but from the comparatively small demand I conclude that only estates of my classification  $\Lambda(2)$  and  $\Pi(2)$  were included.

380. The effect of the confiscations after the Mutiny.—in 1857-58 the demand from "Government estates" had increased to Rs. 4,80,434 from 869 estates, primarily no doubt from the confiscations of the estates of rebels, it being stated that a positive increase in the total land revenue demand of Rs. 1,75,000 had accrued from the confiscation of Kuar Singh's estates. The total demand was Rs. 15,81,241.

By the process of settlement of estates with proprietors either on fixed revenue or revenue liable to enhancement, the demand from "Government estates" had sunk to Rs. 97,677 due from 151 estates by 1871-72.

381. Re-classification of estates.—In 1874-75 the demand was re-classified and had become Rs. 15,47,890 from 4,735 permanently-settled estates, Rs. 1,00,388 from 239 estates of class A and Rs. 89,908 from 160 estates of class B.

382. Fuller details.—In 1889-90 the demand was shown in even greater details, thus:—

							Demand.
						No.	Rs.
Perman	ently-settled e	estates		•••	•••	6,480	15,62,753
(a)	Settled with	proprietors	for definite	periods		274	69,765
(6)	Farmed owin	ng to recuss	anc <b>y</b>		•••	6	447
	Government	t estates.—					
(a)	Managed dir	ect	•••		•••	91	58,353
(b)	Farmed	•••	•••	•••		92	50,302

It is fairly clear that "Government estates managed direct" included temporarily-settled estates managed direct by Government on the recusancy of the proprietors, as in 1891-92 these are shown separately as 12 estates while Government estates managed direct are reduced to 85 estates.

The demand for that year is classified as follows:-

		No.	Demand. $\mathbf{R}_{5}$ .
Permanently-settled estates		6,785	14,84,745
Temporarily-settled estates-			
(a) Settled with proprietors for	definite p	eriods 274	66,863
(b) Farmed owing to recusancy	28/2	6	447
(c) Managed direct by Govern	ment	12	9,194
Government estates—			
(a) Managed direct		85	61,874
(b) Farmed	THE	98	54,972
In 1893-94 simplification was ma	de and t	he figures are	
March 1			Demand.
सन्य	पेव जयते	No.	Rs.
Permanently-settled estates	•••	7,487	15,07,472
Temporarily-settled estates			
(a) Settled with proprietors for	definite pe	riods 271	70,633
(b) Farmed owing to recusancy	•••	6	417
Government estates—			
(a) Managed direct	***	85	65,348
(b) Farmed	•••	99	52,954

It is something of a problem where the temporarily-settled estates managed direct by Government have gone, but I conclude that they were treated as Government estates, while other Government estates were sold out as permanently-settled thereby increasing the demand of permanently-settled estates by Rs. 22,727.

383. A simplified classification.—In 1896-97 the classification was further simplified thus—

		No.	Demand. Rs.
Permanently-settled estates	•••	8,422	15,07,472
Temporarily-settled estates	•••	367	77,723
Government estates—			
(a) Leased	***	84	5 <b>4</b> ,9 <b>81</b>
(b) Held direct	•••	104	73,369

384. The present classification.—In 1905-06 the classification now in use was adopted, viz.:—

opted, vsz. :—		Demand.
	No.	$\mathbf{R}\mathbf{s}$ .
A.—Permanently-settled estates	9,529	14,94,770
B.—Temporarily-settled estates, (i.e., estates settled for periods with proprietors).	545	1,31,427
(2) Private estates leased to farmers for per	iods	
(3) Government estates leased to farmers periods.	for	
C.—Government estates, i.e. (1) Estates manage by Government for proprietor.	ed 145	96,853
CGovernment estates, i.e. (1) Estates manage	ed 145	96,853

 Estates owned by Government as proprietors and held direct.

According to the same classification the demand was in 1911-12:-

					Demand,
					Rs.
A	19.0	***	***	10,137	15,03,104
${f B}$	***		***	508	1,41,000
C	•••	•••	•••	72	1,34,474

It will be seen then that it is exceedingly difficult from these statistics to estimate the effect of previous revenue settlements in the district, in view of the fact that the classification has not been uniform. Some indication may, however, be obtained from a consideration of the progress of the total demand.

- 385. Causes of fluctuation of demand.—The demand from each class of estates may be affected by the following causes:—
  - (1) Increase or decrease of the demand of estates, whose status is unchanged, by the process of resettlement.
  - (2) Transfer of estates from one class to another by-
    - (a) Permanent settlement of Government or temporarily-settled estates.
    - (b) Purchase by Government at revenue sales of permanently or temporarily-settled estates.
    - (c) Recusancy of proprietors of temporarily-settled estates, resulting in the estates becoming either estates held direct by Government or farmed.
    - (d) Change of system of management of Government estates or private estates managed by Government from farming to raiyatwari settlement or vice versa.
    - (e) Acceptance of proprietors of the new demand on revision of settlement in estates previously managed by Government.
  - (3) Resumptions of land previously held revenue free, or not included in the decennial settlement.
  - (4) Settlement of alluvial accretions.
  - (5) Confiscations.
  - (6) Settlement of confiscated estates.
  - (7) Permanent remission of revenue in permanently-settled estates on account of diluvion or as the result of Land Acquisition proceedings.
  - (8) Remissions for the period of settlement in Government or temporarily-settled estates on the ground of diluvion or other grounds.
  - (9) Sales of Government estates revenue free.
  - (10) Transfer of estates with their demands from or to adjoining districts.

All these causes have at one time or another operated in Shahabad to vary the demand from each class, and most of them operate to vary the total demand. However, when it is understood that it is impossible to assign the alteration of the demand between one year and another entirely to any one

- cause it is useful to examine the actual alterations that have occurred during periods in which certain causes are known to have been the most important.
- 386. The demand in 1843.—The earlier fluctuations of the demand are given in the Chapter on Revenue history. In 1843 the total land revenue demand was Rs. 13,55,282. By this time the general resumption operations had come to an end and the temporarily-settled estates of Chausa pargana had been recently resettled in 1840 for 30 years.
- 387. The effect of the Revenue Survey.—In 1852-53 the demand was Rs. 14,09,708 the difference of about Rs. 55,000 being mainly due to the settlement of taufir lands discovered at the Revenue Survey of 1844-45.
- 388. The result of the confiscation.—In 1860-61 it had risen to Rs. 16,50,075 as a result of the confiscation of the estates of rebels.
- 389. The Gangetic Survey of 1863-64.—In 1869-70 the demand was Rs. 17,10,445 the principal cause of increase being the settlement of alluvial accretions discovered in the course of the Gangetic Diara Survey of 1863-64.
- 390. Resettlement of Chausa pargana in 1870.—By 1874-75 it was Rs. 17,38,186. I attribute this increase mainly to the resettlement of temporarily-settled estates in Chausa pargana in 1870.
- 391. Transfers to Ballia and Saran.—In 1889-90 the total demand was Rs. 17,41,620 of which Rs. 15,62,753 was from permanently-settled estates. In 1891-92 the total demand had fallen to Rs. 16,78,095 of which Rs. 14,84,745 was from permanently-settled estates. The principal reason for the decrease in the demand from the permanently settled estates was the transfer of several estates, in particular Sheopur Diara and Sitab Diara to the Revenue rolls of Ballia and Saran.
- 392. Resettlement of Chausa pargana in 1890.—Apart from the permanently settled estates the demand rose from Rs. 1,78,867 in 1889-90 to Rs. 2,06,304 in 1898-99 or by Rs. 27,437 which was mainly due to the resettlements of Chausa pargana in 1890 and of other estates in the succeeding years.
- 393. Purchase o permanently-settled estates.—By 1905-06 the total demand was Rs. 17,23,050, the permanently-settled demand having decreased by about Rs. 12,000 while the temporarily-settled demand had increased by Rs. 22,000. The increase in the latter demand was partly due to the purchase by Government at revenue sale of some permanently-settled estates, which being settled raiyat-wari show much larger revenue than before, and partly to the resettlement during the period of several diaras estates at enhanced revenue.
- 394. Summary settlement of Mr. Mylne's estates—Between 1905-06 and 1911-12 the total demand increased to Rs. 17,78,578 an increase of Rs. 55,528 of which only Rs. 8,334 was on account of permanently-settled estates. The balance of Rs. 47,144 was on account of temporarily-sottled and Government estates, the demand from which rose from Rs. 2,28,280 to Rs. 2,75,474. A contributory cause was the summarily resettlement on progressive revenue of Mr. Mylne's extensive estate. Mr. Mylne's revenue was raised from Rs. 39,726 in 1905-06 to Rs. 53,781 in 1911-12.
- 395. Resettlement in Government and temporarily-settled estates in 1907-09.—Omitting these figures for both years the demand from Government and the other temporarily-settled estates was raised in this period from Rs. 1,88,554 to Rs. 2,21,693 or rather more than 18 per cent. This increase may be ascribed almost entirely to resettlement operations which were extensively carried out throughout the district. Unfortunately there is no comprehensive report of these operations and hence it is impossible to do anything more than form a rough estimate of the financial effect of them as I have done here. No doubt some of the increase obtained may have been due to increase of cultivated area but as nearly all the estates had been settled in 1890 or later, long after the introduction of the Sone canals, the effect of that will have been small if not negligible. Even allowing it was 3 per cent., which I much doubt, I venture to express the opinion that an enhancement due to revision of the assets of land already in full cultivation, which averages 15 per cent. over estates scattered throughout a district previously settled within a period of 20 years, must

result in grave over-assessment in many cases. This opinion is shared by practically all the officers who have been engaged in the administration of the revenue since the last settlement as well as by the officers employed in the resettlement of those of the estates which were dealt with in course of the operations under report.

396. The previous Revision Settlements.—What I have written above indicates the difficulty of estimating the general results of previous Settlements from the statistics easily available. The principal operations were carried out about 1840, about 1870, about 1890, and about 1907. But in no case was the area dealt with precisely the same nor was any general comprehensive report of the operations made or at least preserved. The only report relating to the subject is Mr. (now Sir D. J.) Macpherson's report on Government Estates dated the 18th July 1884. This, while full of intricate calculations and interesting information, is not a report on a Settlement, but a report of the condition of the estates at that date, and of course only covers those estates which at that date were known to be the property of Government. I have attempted to utilize that report in the chapter on Material conditions.

397. The distribution of the Government and Temporarily-settled estates.— The Government and temporarily-settled estates are distributed throughout the district. They fall into five main classes:—

- 1. Estates in Chausa pargana.
- 2. Mr. Mylne's temporarily-settled estates.
- 3. Estates lying on the banks of the Ganges and the Sone.
- 4. Estates on the Kaimur hills.
- 5. Miscellaneous estates.

398. Origin of the estates in Chausa Pargana.—The origin of the estates in Chausa pargana in Thana Buxar is given in the chapter on Revenue History. The bulk of them were originally temporarily settled with proprietors. In some the proprietary rights have passed to Government by revenue sale, in others the proprietors have refused settlement and they are managed by Government, while the remainder are still held by the proprietors.

399. Mr. Mylne's estates.—Mr. Mylne's estates formerly belonged to Kuar Singh and were confiscated after the Mutiny. The "Jungle Mahal" with four "Baharsi" villages (i.e., villages lying outside the area under jungle) were settled with Mr. Burrows in 1861 as a reward for service rendered to the troops acting against Kuar Singh. Mr. Burrows had held some of the area from 1857 onwards. He was promised a right to resettlement of the Jungle Mahal at the expiry of the Settlement in 1908 on such terms as may then be in force for the Settlement of Government Khas Mahals.

The other "Baharsi" villages were settled summarily with Mr. Burrows for 1859 and 1860 and in 1861 regularly settled with him for a period to expire in 1908. No formal lease was given and no promise of a renewal of the settlement was then held out. The lessees of 1880, viz., Mr. Burrows and his partners, Messrs. Thompson and Mylne (the present proprietor's father) applied in that year for a right of renewal of the settlement of these "Baharsi" villages. This was granted in consideration of an increased jama. It was then clearly laid down that no proprietary right had been granted either for the Jungle Mahal or the Baharsi villages. But in 1906 when the term of the leases was about to expire the Government sanctioned the recognition of Mr. Mylne as a temporarily-settled proprietor. It was arranged that settlement should be summary from 1908-09 onwards until a regular settlement of revenue had been concluded on the basis of a record-of-rights, and the revenue was fixed at an increasing proportion of the assets as stated by Mr. Mylne, which were accepted after a check by Mr. Maude, Commissioner of the Patna Division. These estates lie in a compact block, with two outlying villages to the south, partly in Shahpar but mainly in Piro Thana.

400. The Istaics on the banks of the Ganges and the Sone. The estate on the banks of the Ganges and the Sone are mainly Government estates

purchased at revenue sales, but some are alluvial accretions to permanently-settled estates temporarily settled with the proprietors of those estates. They lie principally in Arrah Thana, but some are found in Shahpur and Dumraon Thanas.

- 401. The Kaimur Hill estates.—The estates on the Kaimur hills in Thana Bhabhua were acquired on the outlawry of Ari Mardan Singh in 1784. Rehal in Sasaram Thana was confiscated from Kuar Singh, while Rohtas was peaceably surrendered by Shah Mal with the fort after the battle of Buxar.
- 402. The other estates.—The other estates are nearly all Government Estates and are scattered throughout the district having been acquired in numerous ways, which, in the case of estates of which the revenue has been settled in the course of the present operations, can be ascertained from the volumes into which the historical portion of the final report of each estate has been copied.

## CHAPTER II.

## PRESENT OPERATIONS PRIOR TO RENT SETTLEMENT.

- 403. The question of notification.—The first question with regard to the present operations in these estates was whether it was necessary to notify them under section 101 (2) (c) or 101 (2) (d) before settlement of fair rents under Chapter X, Part II, could be carried out. This had previously been done for such estates in other districts. The Board of Revenue was, however, advised that, by virtue of Section 101 of the Bengal Tenancy Λct, Part II of Chapter X, applies automatically to temporarily-settled and Government estates lying within an area covered by notification under section 101 (1) of the Λct.
- 404. The orders of the Board.—The orders of the Board, therefore, were that the supplementary notifications were unnecessary, but the Collector in consultation with the Settlement Officer should proceed without delay to compile a list of all temporarily-settled estates and Government estates within the notified area, and the Director of Land Rocords should be moved to obtain the orders of Government whether, in the circumstance of each estate included in the list, a settlement of land revenue is necessary or desirable. (The orders have now been embodied in rule 8 of the Settlement Manual.)
- 405. Preparation of lists.—The preparation of the lists was no easy matter, as the information in the Collector's Registers 32 and 32A besides being frequently inaccurate was also defective in that the Revenue Survey villages in which the estates lay were not recorded. It was, therefore, necessary to extract the information gathered from the draft records-of-rights prepared during the Cadastral Khanapuri season and compare that estate by estate with the Collector's registers. Where areas tallied within reasonable limits it was assumed that the estate had been properly located. In other cases special enquiries were instituted either in the Collectorate, e. g., by perusal of the records of previous settlements, or in the field. In the end all the estates of which the Collector had any knowledge were successfully identified, while some that had been lost sight of were brought to light.

The lists were divided into four parts, of which the last two were again subdivided into three parts each as follows:--

- I.—Estates which it is proposed to exclude altogether from the operations because they have been recently surveyed and settled or because for any other reason it is not expedient to survey and settle them.
- II.—Diara estates of a fluctuating character, of which the Cadastral maps and draft records have been prepared by the Settlement department, but in which the settlement proceedings should be undertaken by the district staff under Regulation VII of 1822.
- III.—(a) Estates temporarily settled with proprietors in which the term of settlement expires after 31st March 1914.
  - (b) Estates temporarily settled with mustajirs (farmers) in which the term of settlement expires after 31st March 1914.

- (c) Estates under khas management of Government in which the term of settlement expires after 31st March 1914.
- IV.—(a), (b) and (c) estates of the same classes as the corresponding subhead of III, but in which the term of settlement expires on or before 31st March 1914.
- 406. Government order on the lists.—These lists were duly drawn up and the proposals embodied in them accepted by Government, who merely expressed their intention of settling revenue in the case of the estates included in IV. As the enquiries into the circumstances of individual estates were pursued it was sometimes found necessary to recommend the exclusion of certain estates from list IV and the inclusion in other lists and these recommendations received the sanction of Government.
- 407. The Cadastral survey and record-writing.—The operations of survey and preliminary record-writing in these estates did not differ from and were carried on pari passu with the operations in permanently-settled estates. The general features of attestation were also the same, except for one particular question that deserves comment.
- cstates fell within the area in which the special enquiries described in paragraphs 216 et seq. regarding the guzashta custom were required, and in those that did it was found generally that the estates were alluvial accretions in which the "guzashta" right if it had ever existed had long since disappeared when the land had been submerged, or were lands in which all rights had been acquired for railway construction and had been subsequently sold out or settled free of all encumbrances. But the question remained whether a raiyat could establish a right to hold at fixed rates in any estates under the provisions of Section 50 of the Bengal Tenancy Act. The discussion is contained in the printed correspondence submitted to the Board of Revenue by Mr. H. McPherson as Director of Land Records with his letter No. 3801 dated the 20th September 1911. The arguments are too long to give here, but it was finally accepted by the Board that no raiyats in temporarily-settled or Government estates in Shahabad should be recorded as holding at fixed rent or rates of rent unless their right to do so had been specifically recorded in previous settlement proceedings.
- 409. The question of fixed rent in 1861.—In this connection it is of interest to note that the Settlement Officer Mr. Swinton, employed on the settlement of the confiscated estates of Kuar Singh, referred to the Commissioner in his letter No. 421, dated the 21st January 1861, the question whether he was empowered to enhance the rents of tenants, who had held lands for a number of years without any alteration in the assessment and who are denominated "Guzashtadars". The village in question was Karisath in Arrah thana, which is within the "true guzashta" area. The Commissioner in his reply No. 117, dated the 31st January 1861, said that the Settlement Officer must be guided by the broad rule that such tenures as the late zamindar could not have resumed or the rent which he could not have raised had he remained the owner cannot now be resumed or raised by Government under the forfeiture. He doubted whether Kuar Singh could have enhanced the rent of these "guzashta" tenures, and if he could not have legally done so the Settlement Officer could not.

This is, of course, an entirely different question. Here the estate had been permanently settled and hence there was no presumption, such as there should undoubtedly be in the case of estates never permanently settled, that rents had been generally enhanced. This estate, like many of the estates then confiscated, was again permanently settled in 1861, and so did not come within the purview of the orders quoted in paragraph 408. The estates, which are now held by Mr. Mylne, were of course permanently settled in Kuar Singh's time, but in the first place they lie outside the true guzashta area, and what is even more important the rents of the raiyats have certainly been enhanced since 1861 very considerably. Hence there was no breach of the principle laid down in the Commissioner's letter, in declining at the present settlement to reopen

the question of fixed rent status in Mr. Mylne's estate. As a matter of fact, 65 raiyats holding 350 acros were so recorded as their status had been so determined by Mr. Swinton in 1861.

410. Preliminary enquiries regarding enhancements.—The attestation officers were directed to make preliminary enquiries with regard to each temporarily-settled and Government estate with a view to ascertaining what increase in rents would result from settlement of fair rents under section 104, and on what grounds existing rents could be enhanced.

The result of these enquiries in the northern subdivisions, where the bulk of the estates lie and which were taken up first, was—

- (1) that no great increase of rent on the ground of increase in area could be expected as the estates had already been surveyed with considerable accuracy;
- (2) that generally landlords had made no improvements and that generally there was no increased productivity due to fluvial action;
- (3) that a detailed comparison of average rent rates in these estates with the rates in adjoining permanently-settled estates showed some cases of abnormally low rents in the former, but that this was not by any means the case in the majority of estates;
- (4) that a study of prices during the statutory periods indicated that an enhancement of about two annas in the rupce might be taken on the ground of their rise. It was, therefore, recommended by the late Mr. Shettle, in his letter No. 1369-Sh., dated the 14th August 1911, that generally enhancements should only be made on the ground of rise in prices and that section 31-A, which enables the Local Government to introduce a rapid and comprehensive method of ascertaining prevailing rates, should not be applied to the district. The recommendations were accepted.

## CHAPTER III.

## FAIR RENT SETTLEMENT.

- 411. Inception of section 104 work.—Three officers were deputed at the beginning of the cold weather of 1911-12 for the settlement of fair rents under section 104 and the framing of proposals for settlement of land revenue in estates where the rent of the raiyats is not paid direct to Government.
- 412. Staff.—Mr. Nirsingha Ranjan Mukharji was employed in the estates of Chausa pargana, Babu Surendra Nath Banarji in Mr. Mylne's estates, and Pandit Lakshmi Misra in the estates, along the banks of the Ganges and the Sone and in miscellaneous estates. The first named officer fell ill at the beginning of the hot weather, and was replaced by Babu Sudhanshu Bhusan Mitra, not however before he had done much valuable work. It was, nevertheless, particularly unfortunate, as he had done attestation in most of the villages in the previous season, and thus had an exceptional knowledge of the area, and though his successor made the best possible use of the valuable notes he had left, naturally such local knowledge cannot be completely communicated. The other two officers carried through their programmes to the end, and as the entire process of rent settlement alone usually occupied some six months before the rent-roll was finally confirmed, full opportunity was given to them to correct first impressions by experience gained in the course of the work.

The work of course presented many novel problems, as nothing of the same magnitude had been undertaken in Bihar except the settlements in the Government estates of Gaya, Patna and Monghyr. Much guidance was obtained from the Final Reports of those operations, but none of the officers who had conducted them were still employed on Settlement and the lack of personal experience cannot be supplied by even the fullest records of past operations. It was particularly fortunate that on my departure to become Secretary of the Board of Revenue, Mr. Murphy was available to continue the close control

which the work required, as, besides his intimate knowledge of the general problem of rents in Bihar, he had during the six months that he was acting as Collector of Shahabad kept in very close touch with the work and was in full sympathy with my ideas about it.

- 413. The principles of Settlement —The chief question for consideration at the outset of the work was how far the Settlement of fair rent was to be a mere mechanical process of adding to the existing rents a definite fraction derived from a calculation of the rise in prices and based on the rule laid down in section 32, or how far discrimination was to be applied and on what principles. I may note as illustrating the nebulosity of ideas on the subject of fair rents that one very able Assistant Settlement Officer seriously suggested that it would be fair if the raiyat was allowed to keep one-fourth of the net produce of his fields. Assuming cost of cultivation to be one-third of the gross produce, this would have meant a rent of half the gross produce or if cost of cultivation were one-half a rent of three-eighths of the gross produce.
- 414. Discrimination usually applied in private estates.—That some discrimination was required appeared to be clear from the consideration of the facts that in permanently-settled estates, it is the experience of the Bihar Settlement that private landlords by no means invariably apply for enhancement of rent even when they would probably be entitled to it under section 30 (b) on the ground of rise in prices and further that even when applications are put in they are frequently compromised at much below the full rate permissible under section 32. It would therefore be unsound to argue that there is no reason why Government should not take the full enhancement as private landlords are in the habit of doing. Private landlords usually know to some extent at least where it is inequitable or at any rate impolitic to press for an enhancement and a failure to know this usually reacts upon them in the noticeable form of strained relations with their tenancy. The soul and body of Government is, however, notoriously impervious to such impressions.
- 415. Proposals for tests of fairness.—In view of these facts and the constant reiteration in the Bengal Tenancy Act of the injunction that settled rents must be fair and equitable, it was evident to me that some principles must be worked out. I certainly could not claim to—

"Suffice by instinct or by tact
To thread the mazes of the Squatter's Act,
Neglect "demand" and overlook "supply",
Gaze on pure equity with heaven-lit eye,
And without line or plummet, rule or square,
Evolve the only rent precisely fair."

I therefore submitted to the Director of Land Records at the end of November 1911 proposals for applying tests of fairness. These tests were somewhat elaborated but not essentially changed in the course of discussion and proposals were formally communicated to the Collector of Shahabad in the following July in order to have on record the fact that he has accepted them,

416. The detailed defence of the proposals.—I quote from my letter No. 1685-Sh., dated the 24th July 1912 to the Collector Mr. P. W. Murphy:—

The starting point in the matter of the settlement of rents under section 104 appears to me to be the general principle, which is constantly repeated throughout the Tenancy Act, that rents settled by Courts must be fair and equitable. This is emphasized by the provisions that a Court must be satisfied that the new rent is fair and equitable even when it is accepted by the parties, e.g., under section 104-A (I) (a). It therefore appears to be the duty of the Settlement Officer to put forward some test of fairness of rents. It might of course be argued that where, as is the fact in many of the estates in Shahabad row under Settlement, the existing rents have been paid for 20 years and more, they must necessarily be considered fair, and it would be also fair to add on to the rents such enhancement as may be allowable under section 30 (b) on the ground of rise in prices. That, however, is a contention which I find it difficult to accept without qualification. There is a great difference between the rent a tenant can pay and the rent which considering the general history of land-holding in the country and the efforts of the legislature to prevent rack-renting, he may be reasonably expected to pay. If a tenant's rent in the past has been or has approached a rack-rent it is surely not settling a fair rent to tack on to that rent an additional sum to be taken out of the slight relief which the rise in the price of staple crops may have afforded him. If any attempt at all can be made to ease off rents that approach rack-rents, surely a beginning should be made in the Government and temporarily-settled estates.

Comparison with value of gross produce.—I have therefore after some consideration decided to apply the test that seems to be at once the fairest and the simplest, viz., a comparison of the rent with the value of the gross produce. It is obviously impossible to estimate the

value of the gross produce of every holding without incurring prohibitive expense. I have therefore limited my test to a comparison of the average incidence of the rent in the estate or that portion of the estate which falls within a particular village with the average value of the gross produce of the principal staple crops per unit of area. The question of course remains of the proportion of the gross produce that may fairly be taken as rent. The whole question was considered in extenso during the discussions that preceded the passing of the Bengal Tenancy Act. Mr. Worsley in his draft bill proposed that cash rents of occupancy raivats should not be enhanced beyond one-sixth of the value of the gross produce. Other authorities proposed one-fourth. Finally one-fifth was adepted in the draft bill of 1883.

The limitation proposed in the Tenancy Bill of 1883.—This limit was supported with vehemence by the Lieutenant-Governor Sir Rivers Thomson, and was only at the last thrown over by a majority of the Select Committee. It will be seen that the limit was strongly supported not only by Sir Rivers Thomson but also by Mr. Amir Ali, Mr. Hunter and Mr. Reynolds. It was discarded finally for four reasons:—

Reasons why the limitation was discarded in the Act.—(1) That it was unworkable by the Courts.

- (2) That it was unfair because it neglected the factor of the cost of cultivation.
- (3) That it was unfair because it neglected the factor of the area of the holding.
- (4) That as population advances, the average area of the holding must diminish and a larger proportion of the gross produce will be required for the support of the raiyat and his family. Hence a gradually decreasing proportion will be left as rent.

Examination of the applicability of these reasons to the present operations.—As regards the first objection I am inclined to agree that it would have been impracticable for the ordinary Civil Courts to ascertain in each enhancement suit the value of the gross produce. But, though I would not claim scientific accuracy for the estimates of my section 104 officers I consider that, as they are all officers of considerable experience in Settlement, it is not impossible for them to form fair estimate by detailed inspection of the standing crops of the fields, which they have carried out, and with the guidance of several crop-cutting experiments and of the evidence of landlord and tenants on the spot.

The second objection would be no doubt a serious one if an attempt was made to estimate precisely what is the money value of the produce of each field and to assess rent accordingly on that. But all that is proposed is to estimate the value of the produce of a few staples and for them the cost of cultivation does not vary greatly except as between diara and upland, and as regards the cost of irrigation, which I will deal with later. I am simply comparing the general average of the values of the gross produce with the average incidence of rent.

As to the third objection, it may perhaps be argued that rise in price is no ground for enhancement of rent of non-economical holdings, but the determination of the economic nature of each holding is to my mind far too difficult to attempt, and it is further an entirely new principle unknown to Bibar. I do not see that it is a proper ground for rejecting the one-fifth limit, that it would be unfair to enhance the rents of small holdings up to that limit.

The last objection appears to be that whatever limit is fixed a lower limit should be fixed hereafter, if population increases. That again does not seem to me to be an argument applicable to the present case. If one-fifth was a fair limit to fixed in 1885, it is at least not too low a limit for Government to put on its demands and the demands of temporarily-settled proprietors in 1912.

As a result of studying the opinions recorded I hold strongly that the only sound reason urged against the adoption of this limit were the difficulty of working it and the fear lest what was meant as a maximum should come to be a standard. I have already remarked on the first reason, and the second has no force in the circumstances of the present case.

The views of the Government of India in 1902.—It is true that when Mr. R. C. Dutt urged that in raisyntwari settlements the maximum of one-fifth produce should not be exceeded in the case of any single holding, and that the average land revenue for a whole district (under raisyntwari settlement) should be limited to one-tenth, the Government of India deprecated the use of these firstional standards, and refused in any way to lay down a general rule. But a perusal of pargraphs 14 to 17 of the Land Revenue Policy of the Indian Government (pages 16 to 21) will show that while the Government of India did not spare to point out the practical difficulties of adopting such arithmetical limits and the possible inequities of basing the demand on the gross produce, the argument against the proposal that was reserved for its final demolition was that the standard recommended, if systematically applied, would lead to an increase of assessments all round. It was urged that the Bengal Report gave statistical reasons for believing that rents are generally much below one-fifth of the gross produce and finally the conclusion is a follows:—"Since then it has been conclusively established that, under the existing practice, the Government is already taking much less than it is now invited to exact, and since the average rate, so far from showing an inclination to enhancement, is everywhere on the downward grade, the Governor General in Council is unable to accept a proposal which could only have consequences the very opposite to those which are anticipated by its authors."

The instructions issued to section 104 officers.—After this pronouncement emphasized by such remarks as "every natural instinct and every recent injunction of the Supreme Government urge a Settlement Officer to reasonableness and moderation" which are sown thick in this defence of the Land Revenue Policy, I submit that it is difficult for Government to insist on taking an enhancement on the plea of rise in prices where its officers find that the existing rent incidence already reaches or exceeds the one-fifth standard. I have therefore instructed the three section 104 officers to form an estimate of the average value of the gross produce in each village of an estate and of each estate in a village. For three weeks in the end of November and beginning of December they did little else but go over the land and see the standing crops questioning landlord and tenant as to outturn and making crop-cutting experiments. I also attempted to supply them with additional information from the results of crop-cutting experiments made by the district staff and by the Public Works Department officers employed in irrigation, though I am afraid that little guidance can be obtained therefrom as the plots selected do not often fall in the estates under Settlement, and in some cases are reported by the section 104 officers to be anything but typical of the land, whose produce should have been tested. Again in March and April further local inspection of the rabi-growing areas was made and two additional officers were deputed temperarily to help in conducting experiments.

On the evidence thus collected the section 104 officers have given me an opinion in each case as regards the value of the gross produce and the fifth of this has been adopted as a guiding rate against which has been compared the incidence of rent in the same tract. If it is found that the rent incidence already exceeds or equals the guiding rate no enhancement has been allowed, but if it falls below it, enhancements have been allowed in all cases, up to the guiding rate, previded of course that the enhancement which raises the present incidence to the guiding rate is justified on the ground of rise in prices. I should here note that when I find an enhancement is justified, it is applied uniformly and it is accordingly assumed that the differences of incidence found between the individual holdings are due to actual differences of soil or are the result of differences in the past history of the tenancies which it is inequitable to ignore.

Canal rate.—This is the general principle on which I have been working. I now go on to discuss a further point, which has had considerable bearing on the rent Settlement. As is well known much of the land of Shahabad district is irrigated from Government canals, and the raiyat, who holds a cash rent tenancy, can secure water on payment of a fixed sum per bigha. The most usual course is to take a seven years' loise, known as satistic, which ensures water at certain seasons on certain conditions on the annual payment of Rs. 3 per acre or Rs. 1.14 per local bigha which is precisely equal to § of an acre. If the satistic arrangement is not adopted, the raiyat can get water, if there is any to spare at certain seasons, by a seasonal agreement, which is of course more expensive if invariably entered into than the satistic agreement. The satistic agreement is so much the most common that it can be fairly taken as standard.

The question at once arises in what way this considerable annual payment required from the tenant for the water necessary to secure the present average of produce is to be taken into account. At the first I was inclined to treat it as part of the rent, remembering that in South Bhagalpur the tenants usually pay a consolidated rent which includes payment for irrigation facilities. I put this view to the Director of Land Records, Mr. H. McPherson, and he accepted it. On the other hand it, might be argued that this payment was merely add tional cost of cultivation and should not be taken into account at all or at most simply deducted from the value of the gross produce before the one-fifth is calculated. On closer, examination, however, I am inclined to hold that neither of these views is tenable. The water rate is not as in South Bhagalpur paid to the landlord, but to the Publi: Works Department, and so it is impossible to regard it as rent. It might perhaps be regarded as extra cost of cultivation, but if the principle of the relation of the rent to the gross produce is accepted, it is clear that exceptional cost of cultivation must be taken into account. Thus if it costs Rs. 5 to raise a crop worth Rs. 30 on an acre and it is accepted that Rs. 6 is the maximum rent fairly payable, it will not be readily accepted that lind giving a crop worth Rs. 35 at cost of Rs. 10 can pay a rent of Indeed, it may be fairly argued that all exceptional cost of cultivation is of the nature of a temporary improvement made by the tenant and that he is entitled to the whole of the additional profit. In this particular case Government has put facilities in the way of the tenants to effect an improvement in their lands and the tenants have availed themselves of the families, much in the same way as they might if Government had opened a factory for the supply of artificial manure. I should perhaps note here in parenthesis that it is desirable to keep the functions of Government as a purveyor of water for irrigation, and as landlord or sup rior landholder above temporarily settled prop ietors, entirely distinct. It would seem then that the tenants are entitled to all or at least the greater part of the increase in produce resulting from irrigation for which they pay. It is however, obviously impossible to estimate with any degree of accuracy what the value of this increase is. I have therefore proceeded on a different plan. It may be allowed that the tenant expects to get back not only the annual amount paid for irrigation lut also the cost to himself in additional labour for utilizing the water to its full extent, the payments to the superior landlord for upkeep of the village channels or the cost of his own labour in keeping them in repair, additional labour or cost in harvesting the extra produce, etc., and I do not think I am underestimating all this, if I calculate that it is at

least as great as the amount paid to the Public Works Department. Further, no tenant, will continuo to incur a cost of Rs. 6 per acre unless he makes a profit over and above the return of his outlay, and I reckon that this profit would ordinarily be not less than 50 per cent. I have therefore adopted the working rule that where lands are irrighted from Government canals three times the canal rate or Rs. 9 per acre should be reckoned as exempt from rent, i.e., it is deducted from the value of the gross produce before the calculation of one-fifth is made. I may note further that there seems to be every likelihood that the canal water rate will shortly be raised from Rs. 3 to Rs. 3-8 per acre, if this takes place,\* I do not think that my calculation will err on the side of leniency to the tenant.

Summary to proposals.—Thus I may sum up as follows my general principles for determining whether the existing rent is already so high as to justify me in refusing to allow an enhancement on the ground of rise in prices:—

- 1. The average value per unit of area of the gross produce of the principal staple crops in the village on estate is calculated after personal inspection of the crops shortly before harvest, crop-cutting experiments and the taking of evidence of persons interested.
- 2. If the tract is irrigated from Government canals or by expensive methods of irrigation provided by the raiyats themselves a deduction of Rs 9 per acre is made from the average value of the gross produce. If only part of the tract is irrigated a proportional reduction is made.
- 3. Che-fifth of the resulting figure for the value of the gross produce is taken as a guiding rate, and compared with the rent incidence of the tract. If the guiding rate does not exceed the rent incidence no enhancement is allowed. If it exceeds the rent incidence an enhancement is allowed subject to the conditions that the enhancement does not exceed the limit set by section 30 (b) and that the enhanced rent incidence does not exceed the guiding rate. It may be noted that barring one or two very exceptional cases I have not proposed to reduce rents even where the rent incidence considerably exceeds the guiding rate.
- 4. If an enhancement is allowed it is applied uniformly, it being presumed that the existing rents for the different holdings are fair inter se.

Difficulties of determining value of gross produce.—I of course admit at once that the determination of the value of the gross produce is not an easy task and that it may be difficult to defend in detail on the evidence on record in each case the estimate which the section 104 officer has given. They have, however, done their best and they are all three experienced Assistant Settlement Officers and two of them worked as attestation officers in a large part of the areas now under Settlement by them and have therefore had the opportunity of seeing the crops in two seasons. The great variety of their estimates in different estates and the considerable variation between the results of the comparison between the rent incidence and the guiding rate impress me with the honesty of their estimates.

417. Criticisms of the Director of Land Records.—The letter also contained some discussion of commutation of produce rents to which I shall refer later. A copy of this letter was sent to the Director of Land Records. The Collector accepted the proposals in his letter 1281 R-XIV-4, dated the 5th August 1912. The Director of Land Records, Mr. J. Reid, wrote to the Commissioner of Patna his letter No. 2531, dated the 28th August 1912, in which he said that he was of opinion that there ought to be some limitation on enhancement of rent on the ground of rise in prices, and that the criterion of one-fifth of the gross produce appeared to be the best available. He added that "It must be distinctly understood that the one-fifth of the gross produce is not a standard to which all rents should tend to approximate, but only a rough guide for the fixation of rents. There are several cases no doubt in which owing to the excessive fertility of the soil or simplicity on the methods of cultivation, the cultivator might reasonably be expected to pay as rent a greater proportion of the produce than one-fifth of the gross value of the produce of his holding, whereas, in other cases where the land is poor and the cost of cultivation heavy, this charge would be considered exorbitant. The one-fifth criterion should therefore not be pressed too rigidly, in the vast majority of cases it will be found a safe guide, but where exceptional circumstances exist, there should be no hesitation about disregarding it ".

Mr. Reid also expressed himself adverse to the proposal to reduce existing rents on the ground that they exceed 20 per cent. of the value of the gross produce. He held that in temporarily-settled estates the rents could not be legally reduced, unless the proprietors themselves agreed. I have discussed this point in paragraph 271 above. The Commissioner did not reply formally, but I understand that he raised no objection to the application of the principles. Government and the Board of Revenue were also, I believe, unofficially consulted and accepted the views of the Director of Land Records.

418. The treatment of the canal rate.— The question of the treatment of tracts largely irrigated from Government canals is probably the most vulnerable point in this analysis. To regard the canal rate, for the purpose of applying the one-fifth test as a part of the rent is not by any means an outrageous proposition. It can be easily shown that if (1) the cost of cultivation excluding canal rate is directly proportional to the value of the gross produce, and if (2) the raiyat should get a yearly profit from his field directly proportional to his yearly outlay, then the sum of his fair rent and his canal rate will be equal to the fair rent payable on the land prior to canal irrigation, multiplied by the proportion which represents the increase in the value of the gross produce due to canal irrigation.

The first assumption is approximately correct, since for staple crops prior to the introduction of canal irrigation, the irrigation charges, if any, fell principally on the landlord, while canal irrigation undoubtedly means additional labour in cultivation, and the increased outturn additional cost in harvestin;

The second assumption appears moderately just on the face of it. On the other hand, if the canal rate is regarded as extra cost of cultivation, the whole question of the fair share to take as rent when cost of cultivation is particularly heavy is opened up.

- 419. Is canalirrigation "fluvial action"?—Another possible way of looking at the matter is to regard the increased produce as to result of fluvial action and the explanation to Section 30 of the Bengal Tenancy Act certainly lends colour to this point of view. But it is very doubtful if the framers of the Act would have considered the utilization of canal irrigation as a case of "fluvial action". The "fluvial action" sections were intended to replace and make definite the old law, which provided for enhancement on the ground that "the productive powers of the land had increased by an improvement effected otherwise than by the agency or at the expense of the raiyat" (a phrase which is still retained in the Chota Nagpur Tenancy Act). But no such increase results from the mere construction of a canal, unless and until the raiyat actually contracts for the water, and thus the improvement is not without expense to the raiyat.
- 420. The division of the profits of fluvial action.—Even if the increase were ascribed to "fluvial action" the question of the share which might equitably be given to the landlord remains. Section 31 (b) lays down a maximum of one-half of the value of the net increase in the produce of the land. This may possibly be fair in the case of diara lands, though I personally do not think it is, except in cases where the landlord previously got one-half of the value of the net produce. But it would certainly be most unfair to apply the maximum in the case of canal irrigated land where the increased produce is partly due not only to the extra labour of the raiyat but also to his enterprise in taking the water. The criterion I laid down is admittedly a rough one, and I have not been entirely satisfied with it. But in view of the fact that canal rates have already been raised by eight annas per acre in all cases except "rabi" waterings. I do not think the raiyat has been treated too leniently.\*
- 421. The work of section 104 officers.—The principal work therefore of the section 104 officers was to determine whether in view of the present proportion of rent to gross produce there was room for an enhancement on the ground of rise in prices. They had also to adjust rents on the ground of excess or defect of area compared with the area recorded at the last Settlement.
- 422. The allowance for errors of survey and area extraction.—As the last settlement was as a rule based on a survey very nearly as accurate as our own, which included in the holdings of the tenants the "ails" or divisions between the fields, an allowance of only 5 per cent. instead of the usual 10 per cent. was made in comparing areas. This allowance was intended to cover possible errors in area extraction and represents the sum of the maximum error to be expected in the extraction of area from the maps of each survey. In Mr. Mylne's estates

<sup>\*</sup> Vir. Nolan commenting on Mr. (now Sir) D. J. Macpherson's Report No. 13, dated the 5th August 1883, wrote "Mr. Edgar made a marginal note in a report." "This ridiculous Settlement deprives us of the profit we might have had from irrigation". He was probably not aware at the time that the Board of Revenue had ruled that the supply of caual water being at the expense of the tenant is not a ground for onbancing the reap of occupancy raiyats."

It would be interesting if this ruling could be traced.

it was found that the *jamabandi* areas were based on the Cadastral Survey made in 1875-78 of land irrigable from the Sone canals, and the same allowance of 5 per cent. was therefore applied in those estates also.

- 423. Procedure in settling rents.—The section 104 officers submitted their proposals for rent settlement in each case to the Settlement Officer, and when his approval had been obtained the Rent Roll was framed, and draft published. It was arranged that copies of the Rent Roll as draft published should be sont to the Collector, or in the case of estates not in the Sadr Subdivision to the Subdivisional Officer, in case those officers wished to object to any entry under section 104E. The Rent Roll also remained in camp for objections under section 104E from the proprietors or their tenants for a minimum period of one month. After any objections, which were filed, had been heard and decided, the Rent Roll was submitted with a final report to the Settlement Officer for confirmation under section 1041. The Settlement Officer was always of the rank of a Collector and consequently was empowered to confirm the Rent Rolls by Government Rule 72(b) (i). The rents as confirmed were then entered in the record-of-rights and that record finally published. Appeals under section 104 (G) (I) against the orders of the Assistant Settlement Officers on section 194E objections were heard by the Settlement Officer under Government Rule
- 424. Objections under section 104E.—Three thousand eight hundred and seventeen objections under section 104E. to the draft settlement rent-roll were filed. These were dealt with as a rule by the Assistant Settlement Officer who had framed the rent-roll.
- 425. Appeals.—Fifty-six appeals to the Settlement Officer against the orders passed on these objections were presented under section 104G. In 42 of these the Lower Court's order was completely upheld. Of the total number of appeals no fewer than 34 came from comparatively unimportant estates near Nasriganj in Dehri thana, and of these 12 were allowed. The 12 appeals that were allowed were with regard to the status of certain tenants who had been recorded as tenure-holders but claimed to be raiyats. They were found to have been so recorded at the last Settlement, which was made under the Bengal Tenancy Act, and there was no sufficient reason to regard them as tenure-holders in the face of the presumption of correctness attaching to the previous record-of-rights. No second appeals to the Commissioner against the orders of the Settlement Officer were presented.
- 426. Use of the Table of Rates procedure.—In one estate, viz., Salempur, tauzi number 992, lying in the village of that name, than a number 11, Arrah, the procedure of a Table of Rates was followed. The reason for the application of this method was that the value of the lands had considerably altered as the result of fluvial action since the last Settlement of 1901 which had been revised under the orders of the Commissioner in 1904. Some lands had much increased in value and others had deteriorated. The section 104 officer reclassified the lands and fixed new rates in consideration of the outturn of the crops. The rate for the best land was fixed at slightly above one-fifth of the value of the gross produce, on a very moderate estimate. In view of the fact that the cost of cultivation in these lands lying near the Ganges is very low, the rate was fair. No objections were filed under section 104B(3), and on the Table of Rates being submitted to him under Government Rule 72 (a) (ii), the Commissioner confirmed it.
- 427. Commutation of produce-rents.—In all Government estates as well as in temporarily-settled estates held by proprietors, attempts were made to convert produce-rents into cash-rents as directed by rule 437 of the Settlement Manual. The general practice was to propose as a cash rent the mean between the average cash rent for similar lands and the average realizations of produce rent for the last 10 years. Where as was often the case no satisfactory evidence of realizations was available it was assumed that the realizations amounted to two-fifths of the value of the gross produce of grain. In many cases, however, either the raiyats or in the case of temporarily settled estates the proprietor refused the proposals, which were in such cases dropped.

428. Produce-rents in Government Estates.—It seems likely that in Government estates held khas, realizations of produce-rents are much below the real share which Government might claim. If any further attempts to commute are made this should be taken into account. But at the same time the considerations, which I have put forward in paragraphs 285-6 when dealing with the general question of commutation should be borne in mind, and in particular the probable true value of the landlord's share should not be swelled as it was in many cases in 1907, when assets of temporarily-settled estates were being calculated, by taking current gazette prices at Buxar or other such places instead of the prices of the locality itself at harvest time.

429. Rent enhancement.—The general results of rent settlement may be seen in Appendix Q (ii). The increase in cash-rent demand on all accounts is about 9.9 per cent. on the previous demand, but of that only 74 per cent. is actual enhancement, while the rest is alteration of rent, on the ground of alteration of area, or assessment to rent of land previously hold without payment of rent. The rate of enhancement pure and simple was thus slightly higher than that obtained by private landlords, as stated in paragraph 259. But it must be remembered that the bulk of the Government and temporarily-settled estates lie in the northern thanas, and very little in Bhabhua and Mehanea thanas, where the enhancement allowable on the ground of rise in prices was insignifi-cant. It may be remarked that although it had been decided that there was no ground for the general application of section 30 (a), by which rents can be raised on the ground, that they are below the prevailing rates, and that consequently the whole district should not be brought under the operation of section 31 A, which provides a special method for determining such prevailing rates, yet in particular estates and villages the principle of the prevailing rate was applied. Most of these cases were those in which the settlement-holder had come to some agreement with his tenants as regards rents, which operated to deprive Government of a fair share of the value of the crop.

430. Rent incidence.—A useful comparison may also be made between the rent incidence of the fair rents settled for occupancy and settled raiyats in these estates and the rent incidence of the same classes in all estates in the several thanas.

Serial No.	Thana.		स्यमेव ज	Incidence of f per acre in ( ment and ten settled esta occupancy settled rai	lovern- porarily- tes for and	Incidence of attested rents for same classes in all estates.
1		2		3		4
		<del>-</del> · · · - · ·		Rs.	p.	Rs. a. p.
1 2	Arrah Shahpur )		•••	4.	5 8 4 0	4 10 0 4 12 3
	> Exclu	uding Mr.	Mylne's	_	-	ļ.
<b>3</b> 4	Piro ) Est Mr. Mylne's Est	ates		3 13 6		5 2 4
5	Dumraon	•••		7	0 0	3 12 2
6	Buxar	***	•••	3	8 10	3 8 11
7	Bikramganj	•••	•••	3	9 0	3 15 4
8	Sasaram			3	1 7	3 8 10
9	Dehri	•••		3 1	1 0	4 5 0
10	Karghar			3	5 8	3 9 1
11	Mohanea	•••	•••	1 1	2 7	3 3 2
12	Bhabhua	***	•••	3	3 4	3 15 9

It will be seen from the comparison that generally the rents settled in Government and tomporarily-settled estates are slightly lower than the rents attested in all estates, except in Dumraon, Mohanea and Mr. Mylne's estates. As regards Dumraon the area held by occupancy and settled raiyats in Government or temporarily-settled estates is only 591 acres, and most of that is in the fertile semi-diara tract. In Mohanea the fair rent incidence is very low, but most of the Government estates in that than contain little good land. Mr. Mylne's estates comprise the best of the canal irrigated land in Piro and Shahpur thanas, and the proprietor enhanced rents very considerably, on the introduction of the canal irrigation. Babu Surendra Nath Banarji calculated that the incidence was even now more than 21 per cent. of the value of the gross produce. It is not surprising that only 3 per cent. enhancement was given on the average throughout these estates.

#### CHAPTER IV.

# REVENUE SETTLEMENT.

- 431. Classes of estates in which Revenue Settlement was required.—In estates, which are the property of Government and held khas, that is settled direct with statutory tenure-holders and raiyats, no further action, after the settlement of fair rents, was required, except to have the record-of-rights finally published. The remaining estates belonged to three classes:—
  - (1) Estates for which there is a proprietor who is in possession.
  - (2) Estates for which there is a proprietor who has refused the previous Settlement, and is in receipt of malikana and not in possession.
  - (3) Estates, which are the property of Government, but which have been farmed.
- In all these cases proposals for Revenue Settlement were required. For it was decided that even in cases falling under class 2 it was proper to give the proprietor an opportunity of engaging at a revenue to be determined on a recalculation of the assets, in accordance with the principles of section 3 of Regulation VII of 1822, while, in cases falling under class 3, it had to be considered whether the estates should be again farmed or held *khas*, and in the former event what the revenue to be paid by the farmer should be.
- 432. Powers of the Settlement Officer.—The Settlement Officer was vested with the powers of a Collector under Regulations VII of 1822 and IX of 1825 as amended by Regulations III of 1828 and IX of 1833 and he authorized the Assistant Settlement Officers subordinate to him to make enquiries preparatory to Settlement under section 24 of Regulation VII of 1822. The Settlement Officer was also empowered as a Collector under Regulation II of 1819 in order to deal with resumptions, of which one case occurred which will be mentioned below.
- 433. Notices of Revenue Settlement.—Before Revenue Settlement was taken up the notices required by section 2 of Regulation VII of 1822 were served on all proprietors still in possession of their estates, but not on recusant proprietors or on farmers, as the law does not require them to be notified. Rule 758 of the Settlement Manual is incorrect in regard to this point and should be amended.
- 434. The confirming authority.—The question of the confirming authority in the case of Revenue Settlements had to be considered. In estates owned and held khas by Government, the settlement of fair rents is technically a settlement of revenue, but no further confirmation is required beyond the confirmation of the rent-roll by the authority laid down in Government Rule 72 (b). Other cases are governed by Rule 707 of the Settlement Manual, and it was decided that settlements with a "rental" that is to say "revenue" exceeding Rs. 500 but not exceeding Rs. 10,000 should be confirmed by the Commissioner and not by the Director of Land Records.

- 435. Procedure.—The procedure adopted was that with his final report of rent settlement, the Assistant Settlement Officer submitted proposals for Revenue Settlement. These the Settlement Officer forwarded to the Collector with his own proposals on the following points:—
  - (1) The assets to be adopted as a basis of revenue settlement.
  - (2) The proportion of the assets fairly to be demanded as revenue.
  - (3) The selection of the Settlement-holder.
  - (4) The period of the Settlement.

The Collector where the revenue proposed did not exceed Rs. 500 dealt finally with the case, and where it exceeded that sum submitted it to the Commissioner with his proposals. There was some discussion as to the course to be adopted, when the Collector was not prepared to accept the Settlement Officer's proposals. The Director of Land Records recommended in his letter No. 2109, dated the 1st August 1912, to the Commissioner of Patna that in such cases the Collector should return the record to the Settlement Officer to give him a chance of discussing any additional points or objections that might have been raised, before final orders of confirmation be passed.

The Collectors of Shahabad during the progress of this part of the operations did, I believe, invariably follow this course. But, I think, that it should be specifically laid down in the Settlement Manual as the proper course to follow. A busy or inexperienced Collector, who has to rely largely on his Khas Mahal Deputy Collector might otherwise overrule the Settlement Officer on an important point without full consideration, as it is impossible for the Settlement Officer to defend his proposals at length in every single case.

The points enumerated above and the problems arising from them may be conveniently discussed separately in detail.

## CALCULATION OF ASSETS.

Apart from the cash-rents, which presented no difficulties, the assets usually contained the value of the produce-rents collected and the value of the lands in the Settlement holder's own cultivation.

- 436. Produce-rents.—The small proprietors as a rule kept no trustworthy papers of their realizations of produce-rent. It was therefore taken as a general rule that the value of the landlord's realizations was two-fifths of the value of the gross outturn of grain. But this rule was a first approximation only and each individual estate was separately treated.
- 437. "Bakasht" lands.—The value of the lands in the Settlement-holder's own cultivation were generally taken to be one-third of the value of the gross outturn including bye-products. The method of assessment was accepted by the Collector as fair, and it was also reported to the Director of Land Records. It has, however, been questioned by the Board of Revenue in letter No. 17-15-1, dated the 28th January 1915, to the Commissioner of the Patna Division. I venture to submit a defence of it.

The Board was replying to a proposal by the Commissioner that the standard of 55 per cent, may be fixed as the percentage of the assets to be taken in future temporary settlements in Shahabad. In the course of the letter quoted above, the Board wrote:—"The fact that a large proportion of the land in the Shahabad temporarily-settled estates is held as landlords' private, land coupled with the very lenient method of assessing those lands which was adopted for the last settlement furnishes a further reason against the adoption of any fixed standard of revenue.

The method of assessment of these lands originally contemplated by the Settlement Officer was one-fifth of the gross produce, that being the standard conceived by the Government of India in their Resolution of January, 1902, as the highest which can be taken as rent in rangetware tracts. Subsequently, however, a standard of one-third of the gross produce was adopted as the standard assetical value on which the assessment should be based.

In the opinion of the Board the method of fixing the valuation of the nij-jete lands or bakasht lands might wall be and probably will be reconsidered at the next settlement.

It is no doubt a good enough method when dealing with rents in raiyatwari areas, but it ignores the existing rates of rent for similar lands in the locality, and it is at those rates that the zamindars would settle the lands if they settled them with raiyats, if, indeed, they did not succeed in securing higher rates for their bokasht lands. Even if they were content to merely give out the lands in "baths" they would almost certainly secure to themselves a net half of the produce, and the fact that they do not give them out and thereby save themselves the trouble of khas cultivation goes to indicate that the retention of the lands in their own cultivation pays them better.

The assetical value to the landlord of these lands is not therefore a closely guarded minimum rent, but something much greater and there seems to be no reason why Government should not have a fair and reasonable share of the real assetical value.

If the valuations in future were to continue to be made on the same very lenient system, it is by no means certain that even the old recognized percentage of 70 per cent. of the assets could not with safety be demanded in many cases. But, be this as it may, it is certainly necessary, as the Government of India have repeatedly pointed cut, to take each case on its own merits and submit it to a thorough examination especially as regards the effect of the proposed percentage on the income of the landlords."

- 438. Meaning of "landlord's private land."—In the first place, it should be noted that the phrase "landlord's private land" must not be construed as true "zirat." There is, I believe, no such land in any temporarily-settled estate in Shababad. The land in question is part of the raiyati stock held and cultivated by the proprietors themselves or by hired servants working under their supervision.
- 439. Reason for altering the proportion of the value of gross produce.—In the second place, my original proposal was to value these lands at two-fifths of the value of the gross produce. I then thought it probable that one-half only of the assets would be fixed as Government Revenue. I found, however, that there was not likely to be any adequate reason for taking less than 55 per cent. which was the general standard adopted in Orissa in 1898. My original proposal would have secured that for these lands the petty proprietors did not pay more than one-fifth the value of the gross produce, as revenue, which was the maximum already accepted for the district as a fair rent for raiyats. When I found that the proportion of assets to be taken as revenue was likely to be at least 55 per cent., I proposed to alter the method of valuing these lands, and to base it on one-third of the value of the gross produce, instead of two-fifths, aiming at still retaining on the average about one-fifth of the value of the gross produce as the standard of revenue. The Board's account perhaps requires this explanation, lest it should be hastily assumed that the original proposal was to take one-fifth and that subsequently this was increased to one-third.
- 440. Incidence of assumed assets compared.—It may be seen from Appendix Q (iii) that the question of the valuation of proprietor's bakasht lands is of little importance in Shahabad outside than Buxar, which practically means Chausa Pargana. There 6,437 acres of such land were assessed at Rs. 34,670 giving an average incidence of about Rs. 5-6-0 per acre. The incidence of cash-rent of occupancy and settled raiyats in that than for Government and temporarily-settled estates is Rs. 3-8-10. That of non-occupancy raiyats is slightly less. Produce-rent lands have been assessed at about Rs. 4-15-0 per acre. I submit that on these figures there is no ground for supposing that the bakasht lands have been seriously under-assessed as a whole.
- 441. The Orissa rule.—It was generally laid down in Orissa that the lands held in a proprietor's own cultivation should be valued at their letting value. That may be a good rule where such lands are inconsiderable compared with the land let out to raiyats, of which some has been recently settled. But in many of the estates in Chausa Pargana the bulk of the land was in the proprietor's own cultivation, and the cash-rents paid by raiyats offered no satisfactory guide by themselves. As a matter of fact, the cash-rents were almost always considerably below the valuation arrived at by taking one-third of the value of the gross produce.
- 412. The profits of khas cultivation and of produce-rants.—The Board also considered that if the proprietors " were content to merely give out the lands in batai they would almost certainly secure to themselves a net half

of the produce, and the fact that they do not give them out and thereby save themselves the trouble of *khas* cultivation goes to indicate that the retention of the lands in their own cultivation pays them better".

- If by a net half of the produce is meant one-half of the gross produce, I submit that this is not correct. As I have shown elsewhere the landlord of a produce-rent holding in Shahabad practically never gets more than 40 per cent. of the gress product of grain. Now the value of bye-products is about 10 per cent. of the value of the gross produce. Thus at the best the landlord will scarcely get more than 36 per cent. of the total value of the gross produce on the batai system, which is not widely different from the one-third which was the basis of my proposals. Further, in Chausa Pargana it is not very easy to get raiyats for inferior lands, and the result is that the proprietors as a matter of fact do keep in their own cultivation much inferior land merely because otherwise it would go out of cultivation altogether.
- 443. The petty proprietor's position compared with the raiyats' position.—
  It is also arguable that it is scarcely equitable to treat these proprietors who are as a matter of fact little more than ordinary cultivators more harshly than Government estate raiyats. They have no greater security of tenure and are subject to a more summary process of ejectment on failure to fulfil their engagements. The only advantage t ey possess is that if at a Settlement they decline to enter into engagements they are entitled to a mere pittance as malikana. I am somewhat at a loss to understand why a standard which is adopted as a maximum for raiyats' rents should be exceeded when the rent becomes revenue. It may be considered whether anything is gained by using the freedom which Government has reserved for itself in the matter of revenue settlement, to encourage petty proprietors to let out all their land to raiyats, and so to become mere annuitants on the land.
- 444. The profits of "bakasht" throughout the district.—It may be argued against me that I have in paragraph 371 assumed that the landlord gets as profit from lands in his own cultivation one-half of the value of the gross produce. I think he does as a general rule, throughout the district, but cost of cultivation in Chausa Pargana is higher than elsewhere in proportion to the value of the gross produce owing to the poorness of the soil. The canal rate, for instance, is exactly the same for that soil, full as it is with kankar nodules as it is for the rich soils of Piro thana. But even waiving this point, I should be prepared to maintain that it is not fair to take, say, 60 per cent, of one-half of the value of the gross produce of lands cultivated by petty proprietors, as long as it is admitted that the rents of raiyats in Government estates held khas should not ordinarily exceed one-fifth of the gross produce.
- 415. The sugarcane rate in Mr. Mylne's estates —A question of some importance in the calculation of assets in Mr. Mylne's estates was the legality of the demand for a special rate for growing sugarcane. It was found at attestation that such rates were frequently paid, and had been paid for a great number of years, certainly before the passing of the Bengal Tenancy Act. The contention of some raivats was that they were not legally bound to pay the special rate, because, by Section 23 of the Bengal Tenancy Act, they were entitled to use their land in any manner which does not materially impair the value of the land or render it unfit for the purposes of the tenancy, while by section 178 (3) (a) it is provided that nothing in any contract made between a landlord and a tenant after the passing of the Rengal Tenancy Act shall take away or limit the right of an occupancy raiyat to use land as provided by section 23. I, however, held that, in the case of tenancies dating from before the passing of the Rengal Tenancy Act, the special sugarcane rate was part of the original contract and so section 178(3) did not apply, while for new tenancies it might be presumed that the rate was part of the contract under which Settlement was made, and was therefore no restriction on the right to use the land as provided by section 23. I was prepared to consider any cases in which it was shown that the sugarcane rate was imposed some time after the creation of the tenancy but no sach case was found. The sugarcane rate was therefore attested as part of the legal rent and was taken into consideration in

determining the assets. The average amount of the excess over the normal rent during the last 15 years, as far as it could be ascertained, was taken for the purposes of calculation.

I understand, however, that Mr. Mylne had difficulty in realizing these pecial rates after Settlement of fair rents, and sued some raiyats. The District Judge held in appeal that they did not constitute legal rent, on the ground that they were restrictions on the free use of the land according to section 23.

The Calcutta High Court on second\* appeal reversed this decision and decreed the special rates. In doing so the Honourable Judges, distinguished the decision in Prabat versus Chirag (1. L. R. 33, Calc.; 607), where it was held that landlords were not entitled to get enhanced rent in consideration of allowing the tenant to grow sugarcane. In the present case it was held that there is nothing in the Tenancy Act, which invalidates a custom or contract under which differential rates are payable for different crops. It would be advisable to clear up the question thoroughly when the Act is next revised.

446. Sair collection.—Some Sair collections were included in assets wherever found. They were unimportant except in Mr. Mylne's estates. There "phalkar" (collection for fruit of trees), "jalkar" (collection for fishery rights), "mot.rfa" (house-rent for non-agricultural tenants), realizations for sale of timber on the landlord's own land and on those lands of tenants, where he happened to have a right in timber, were all collected. A considerable revenue was also derived from rent of houses in Jagdishpur and other bazars, "tarpin," a tax on machines used for crushing sugarcane, "Shorabhati," a tax on brick-kilns and the manufacture of saltpetre, "Chauthmakan," a realization of one-fourth of the sale price of houses, including non-tent-paying homestead land, for recognizing sales, "beai," a charge on all grain weighed in the markets son the estate, and others. Only " phalkar," "jalkar," timber proceeds, and "motar/a" were included in the assets, and these were calculated on the average shown in the Jamabandis for the last 15 years. It was, however, necessary to calculate the value of bazar lands, that is to say, the ground rent, not the rent of houses constructed by the landlord, which has been mentioned above. Mr. Mylne did not offer much evidence on this point, and the estimated rental value was based principally on some deeds granting land rent-free for the purpose of building house or shops. A detailed account of other points of interest in the assessment of these estates is given in Babu Surendra Nath Banarji's Report which has been printed t

#### THE PROPORTION OF ASSETS TO BE TAKEN AS GOVERNMENT REVENUE.

447. In Chausa Pargana the proportion taken had been 70 per cent. up to the settlement by Babu Rai Krishna Bahadur in 1906-07. That officer very materially increased the estimate of the assets made by previous Settlement Officers, and as a result it was found that the proprietors declined settlement. In some cases, therefore, the Collector with the sanction of the Board of Revenue offered Settlement at 50 per cent. of the assets. At the prosent Settlement the original aim was to reduce the proportion of the assets taken down to 55 per cent., the proportion generally adopted in Orissa. It was found, however, that frequently that would result in an actual diminution of Government Revenue paid in the past few years, which there was no sufficient reason for reducing. In some cases, however, where the estimate of assets at the last Settlement was excessive, Government Revenue was actually reduced and the proportion of assets taken was fixed rather as a result of the determination of a fair Government Revenue in view of existing assets and the revenue paid in the past than on any hard-and-fast principle. In fact, generally it may be said that the aim was to fix a revenue fair both to Government and to the proprietor rather than to work on mere arithmetical

<sup>\*</sup> Mylne versus Tulsi Keeri and others, decided on 11th August 1915.

<sup>†</sup> Land Revenue printed proceedings, Nos. 1-5, November 1913, and Nos. 5-8, September 1915.

proportions, subject only to the general principle that the revenue did not exceed 70 per cent. or fall below 50 per cent. of the assets, except in very special cases.

- 448. Cases where less than 70 per cent. of assests were taken referred to the Board.—All cases in which the proportion of assets to be taken as revenue was less than 70 per cent. were referred to the Board for final sanction under the latter half of Rule 667 of the Settlement Manual. It should be noticed that the orders of Government quoted therein refer only to Government estates settled with one or more of the principal raiyats' estates let in farm owing to the refusal of the proprietors to accept Settlement, and to resumed estates settled with the proprietors. In Chausa Pargana it is certain that some of the estates do not fall under these classes, though most of them are, I believe, within the last class. The remainder, viz., most of the estates in Taluka Indapur are estates, which are temporarily settled because they have never been permanently settled. It is, I imagine, impossible now to distinguish these, nor is it a very practical matter, as the proportion of assets to be taken in these cases is, under Rule 667, to be such as Government may from time to time direct.
- 449. A proposal for decentralization.—At the same time it might perhaps now be considered whether it is still necessary to centralize the control of this matter as closely as this rule prescribes. The power might, for instance, be left to the Commissioner or even to the Collector to resettle at a proportion not less than that adopted at the previous Settlement or the Commissioner might be empowered to sanction all settlements in which not less than 60 per cent. of the assets are taken. What I have written above refers primarily to the Revenue Settlements in Chausa Pargana. In the case of Settlements of alluvial accretions Rule 677 of the Settlement Manual was strictly followed and 70 per cent. of the assets were taken as revenue.
- 450. Proportion of assets taken in Mr. Mylne's estates.—In Mr. Mylne's estates the question was considerably complicated by the past history. The full discussion of the treatment of these estates has already been printed for Government and for the local officers concerned, and I need not, therefore, do more than briefly refer to a few points.

The assets and Government Revenue at various times are shown in the following table:—

Year,			Assets.	Government revenue.	Percentage,		
		1			2	3	4
1861-1875					1ts. 65,578	35,712	5 <b>4</b> ·5
1876-1882			•••	}	93,993	35,712	38
1883-1907	•••	•••	•••		1,24,006	39,726	32
1908-1909		•••	•••	ļ	1,41,528	49,535	35
1909-1910		•••	•••	••• {	1,41,528	50,990	36
1910-1911		***	•••		1,41,528	52,365	37
1912-1913		•••	•••		1,41 528	53,780	38
1913-1914 to 31st	October	•••	•••		1,41,528	55,195	39
1913-1914 (from 1s	t Nover	nber)		•••	1,54,141	77,070	50

For both the jungle mahal and for the Baharsi villages Mr. Mylne's predecessors in interest were given leases to expire in 1908, with the right to resettlement on such terms as to assessment and period of resettlement as may be in force in Government Khas mahals. In 1908 a summary Settlement was

made, until such time as the Survey and preparation of a record-of-rights under Chapter X of the Bengal Tenancy Act should have been completed. Immediately after the summary Settlement had been made, it was decided to admit Mr. Mylne's claim to be a temporarily settled proprietor, but there was no alteration in the terms of resettlement. There was, therefore, no reason to repeat in the regular Settlement of 1914 the very lenient proportion of assets given in the summary Settlement of 1908, and indeed the proportion taken now is distinctly below the normal proportion taken from other temporarily-settled proprietors in Shahabad. The terms of the Settlement were approved by the Government of India to whom Mr. Mylne presented a memorial.

#### THE SELECTION OF THE SETTLEMENT-HOLDER.

451. There was no very great difficulty about this part of the work. As I have already said, where a temporarily-settled proprietor had refused the last Settlement, he was generally offered Settlement on the basis of the newly-calculated assets. In 24 cases in Chausa Pargana the proprietor accepted the new terms, and estates, which had been held khas, were restored to the proprietors. But where the proprietor had accepted the last Settlement, and had subsequently defaulted and the estate had been purchased at a Revenue sale by Government, the option of resettlement was not given. I am not sure that the distinction was a sound one. It appears to penalize the proprietor, who at least made an attempt to meet the demands of the last Settlement. At the same time it would probably be an unsafe policy to ignore the penalties attaching to failure to meet a demand which has been definitely accepted. The selection of Settlement-holders was made by the Collector and the Settlement Officer did no more than place before him the facts, which had come to light during the operations. Naturally it was for the Collector to decide whether estates for which there was no proprietor or for which the proprietor declined to engage were to be held khas or let in farm. In Appendix Q (i) it will be seen how each estate was finally treated by the Collector in respect of the selection of the Settlement-holder.

## PERIOD OF SETTLEMENT.

452. The standard period of Settlement adopted was 20 years, in order that the estates might again be taken up when the general operation for the revision of the record-of-rights throughout the district are undertaken. It is probable that the revision programme will reach Shahabad by about 1933-34. Should the programme be delayed, it would be advisable to continue the Settlement summarily. In a few cases where special reasons existed, such as the probability of diluvion or material increase in fertility due to fluvial action, a shorter period was adopted. These cases will require the attention of the Collector.

#### FINAL RESULTS OF SETTLEMENT OF REVENUE.

453. The total land revenue demand for all the estates, which came under land revenue Settlement is now Rs. 2,46,550 against Rs. 2,12,105 the demand of the last Settlement The increase is a little more than 16 per cent. Most of the increase comes from Mr. Mylne's estates and from the Nasiriganj estate in Dehri thana. Full details are given in Appendix Q (iii).

The demand, however, taken by itself is of little use for judging of the equity of the Settlement, and comparison with the previous demand is misleading, where, as in Buxar thana, estates have changed from proprietors' estates to raiyatwari estates or vice versá. The first point to be looked to is the proportion of the assets taken. After discussing that point, the Particular case of Chausa Pargana in Buxar thana will be considered.

454. Percentage of assets taken.—The following table shows the percentage of assets taken at the present Settlement and at the previous Settlement. As some estates in Buxar than awhich were previously settled with proprietors have

now become Government estates and vice versa, the figure in the first and in the second half of the statement do not refer to precisely the same estates.

	the present	dly settled with poperations. Figures onerations		Estates found temporarily settled with pro- prietors at the inception of the present oper- ations. Figures for the last settlement.				
Thans,	Aurots.	Government Revenue.	Percentage of revenue on assets.	Asset 6,	Government Revenue.	Percentage of revenue on assets.		
1	2	3	4	5	G	7		
Arrah	Rs. 2,50d	Rs. 1,299	51.8	R . 2,272	Rs. 1,209	52.8		
Shahpur excluding Mr. Mylno's estates.	1,581	1,137	70	1,820	1,219	67		
Mr. Mylne's estate	1,54,141	77,070	50	1,41,528	55,195	39		
Dumraon	4,217	2,952	70	5,873	4,111	70		
Buxar	1,07,575	58,683	54.5	86,435	50,129	57		
Dehri ,.,	153	107	70	163	114	70		
Karghar	776	194	25	411	103	25		

It will be seen that the proportion of assets taken has been preserved generally, except in Mr. Mylne's estate and in Buxar. As regards Mr. Mylne's estate the explanation has already been given in paragraph 450. In Dumraon the proportion of assets has been preserved, but the actual assets have been reduced by reason of diluvion.

455. Result of Revenue Settlement in Chausa Pargana.—In Buxar the assets have generally been increased but not to the extent that the table shows as more estates have been settled with proprietors than were so settled at the inception of the operations.

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The detailed figures for Buxar thana are as follows:-

		Present S	ettlemont.	Immediately prior present settlemen		
	Assets. I		Revenue.	Assets.	Revenue.	
1			3	4	5	
	_	Rs.	Rs.	Rs.	Rs.	
Temporarily-settled with proprietors	•••	1,07,575	58,683	86,435	50,129	
Government Estates held khas	•••	13,650	13,650	31,144	31,144	
Government Estates farmed	•••	13,253	7,232	395	293	
Total		1,34,478	79,565	1,17,974	81,566	

It appears, therefore, that in spite of a substantial increase of assets the total revenue has diminished. But assuming that Government Estates held khas cost 12½ per cent. of the revenue to manage there will be a net saving of Rs. 2,189 as against the cost of management prior to the present settlement. Adding this to the new revenue the figure becomes Rs. 81,754 against Rs. 81,560. Hence the effective revenue has remained about stationary.

The real aim of the Settlement was to make the demand more equitable. That this has been accomplished may be fairly deduced from the fact that a considerably larger proportion of the revenue is now derived from temporarily-settled proprietors, who have been restored to their estates which they had been forced to relinquish owing to over assessment in 1907. The Collector has found it desirable, on the other hand, to settle a considerable number of estates in farm. I believe this action has been taken principally where khas management was found to be a failure and the demand from the raiyats never realized in full. If so, there should be a distinct improvement in the collections even though the demand has been reduced by the present operations.

456. Comparison with the previous Settlement.—Estates, which were held by temporarily-settled proprietors at the inception of the operations, and for which the proprietors accepted the new settlement, may be regarded as having been moderately assessed at the last settlement. The previous revenue for such estates was Rs. 46,041. This has now been raised to Rs. 52,458, an increase of 14 per cent. As some of these were certainly let off too lightly in 1957, the increase is not excessive, in view of the fact that raiyati rents have been enhanced in many cases and are now legally payable, while the value of the produce of land in the proprietor's own cultivation has very considerably increased. The revenue of the same estates when settled in or about 1890 was Rs. 32,539 which was in all probability very light, although nominally 70 per cent. of the assets were taken.

#### CHAPTER V.

#### MISCELLANEOUS.

I have given in Appendix Q (i) a list of the Government and temporarily-settled estates, in which settlement of rent under section 104 and, where required, of revenue was carried out during the operations under report.

- 457. Exempted estates.—The estates exempted for various reasons can be ascertained by a comparison of this list with the lists supplied to the Collector which are described in paragraph 405. With regard to the estates for which the current Settlement expired later than the 31st March 1914, the Board of Revenue in letter No. 17-30-4, dated the 7th March 1913, to the Director of Land Records, decided that the existing settlement may be renewed yearly or for a fixed period of 20 years from 1912. In the case of estates let in farm it has to be considered, as each farming lease expires, whether the estate shall be held khas or again leased to a farmer. If the latter course is adopted, the same principles regarding revenue demand and the period of resettlement will be followed.
- 458. Cost of Survey and Settlement in exempled estates.—As a result of this order the costs of the operations were, in the case of estates not under Revenue Settlement, recovered from the proprietors, tenure-holders, farmers and raiyats in the usual proportions according to their respective classes, precisely in the same way as for the bulk of the district.
- 459. Distribution of copies.—The following orders were passed regarding the distribution of copies of the record-of-rights in Government and temporarily-settled estates both those dealt with under section 104 and those not so dealt with.

In addition to the finally published record which is made over to the Collector, the following copies will be prepared:—

- 1. For Government estates held khas, one copy on the Collectorate form and one on the raiyati form will be prepared. The former should be made over to the Collector and the latter to the raiyats.
- 2. For Government estates leased to farmers and for temporarily-settled estates one extra copy in the Collectorate form, one on the maliki and one on the raignti form should be prepared. The Collectorate copy will be given to the Collector and the raignti copy to the raignts. If rents have not been settled under Section 101, the maliki copy will, in Government estates, be given to the farmer and in temporarily-settled estates to the proprietor. If rents have been settled under Section 104 the maliki copy will be given to the Collector to be given by him after Settlement of revenue to the person with whom settlement has been made.

- 460. The Government Estates and the Estates managed by Government distinguished in the record-of-rights.—For estates belonging to temporarily-settled proprietors, but actually in possession of Government, the entry in Khewat Part I of the names of the proprietors was made, with a note in the remarks column that the estate has since a certain year been in the direct possession of Government. Government, however, has been recorded as the landlord of tenure-holders entered in Khewat Part III and of raiyats in their khatians. The note "miadi bandobast" (temporary settlement) was made in Khewat Part I for these estates as for those still in possession of the proprietor. Estates, which are the property of Government, were distinguished by the words "Khas mahal".
- 461. Some typical difficulties.—Some few examples of the difficulties met with may be of interest. It is impossible within the space allotted for this report to deal adequately with any considerable proportion of the individual estates.
- 462. Bhilampur.—Bhilampur, tauzi No. 1671, Chausa Pargana, lies in the village of the same name, thana No. 81, Buxar. It was settled for Rs. 181 in 1840, for Rs. 270 in 1870 and for Rs. 292 in 1892. Practically all the land is now and always has been either in the cultivation of the proprietor or settled with raiyats on produce-rent. In 1892 the assets were calculated by classifying the soil and attaching nominal rates to each class ranging from Re. 1-8-0 to 0-4-0, with the result that 422 bighas were assessed at Rs. 417-8-0 or roughly Re. 1 per bigha. The revenue was then fixed at 70 per cent. of assets. In 1908 the same practice was followed, but the Settlement Officer had much greater ideas of the capacity of the land and assessed at rates of Rs. 2-8 to Re. 1 the total assets reaching Rs. 852 on 436 bighas or 1.95 per bigha. He had first submitted a rent rate report which gave total assets of Rs. 1,033. This he based principally on the assertion that, for the best class of land, Rs. 3 per bigha was paid in Isapur. As a matter of fact, Isapur which is also entirely a temporarily-settled estate, is also entirely held on producerent except for one minute nagdi holding. Mr. Marr, the Collector, directed a reduction, which however still left the assets at twice the assets of the previous settlement. In spite of a reduction of the proportion of assets from the usual 70 per cent. to 50 per cent. the proprietors declined the settlement offered to them at Rs. 426, and were given malikana of Rs. 14-8-0 or so, being 5 per cent. of the revenue of Rs. 292 in force before 1908. I have not been able to ascertain whether the proprietors were called on to state at what revenue they would engage. If they were presumably they would have offered at least Rs. 292, and would have been entitled under rule 677-III of the Settlement Manual to Rs. 29 as malikana.

The estate was held khas, but as one-third of the cultivated area was in cultivating possession of the preprietors, collections were not very successful. The Khas Mahal Office at Buxar failed to give a very clear account of the actual average collections, but it was estimated that these did not exceed Rs. 337 and were probably not above Rs. 300. In view of these circumstances and the trouble and expense of khas management in bh voli villages, I suggested that a resettlement might be made on the old revenue of Rs. 292 and this was accepted by the Collector, after it had been ascertained that there was no chance of an amicable commutation of produce-rents.

However, I am inclined to think the settled revenue too low, and consider that if this case had not come up as almost the first case for Revenue Settlement, it would not have been either proposed or accepted. After the Settlement was concluded practically on a basis of 55 per cent. of assets calculated at Re. 1 per bigha, the proprietors and raiyats were asked if they would commute. The raiyats accepted Re. 1 per bigha as a fair rate, but the proprietors would not accept anything lower than Rs. 2 per bigha. If this latter rate were accepted as the value of the land, the total assets would be about Rs. 800 or not much less than the previous assets. I am not, however, prepared to admit the proposition that the amount at which proprietors desire commutation to be made is necessarily the real value of their share of produce-rent.

463. Bazidpur.—Bazidpur, tauzi No. 2706 (formerly 2198), lies in the village of that name, No. 841, Bhabhua. It became a Government estate in 1903 by purchase at a Revenue sale, after several persons had previously bought

it and failed to identify the lands. It was found in 1903 that the Revenue Surveyors had recorded the lands of this estate as the estate of the same name but of tauzi No. 2197 while the real lands of tauzi No. 2197 had been swallowed up by the proprietor of Baghi, tauzi No. 2129, who was also the proprietor of 2197 but not of 2198. The mistake was discovered and the estate settled as a Government estate in 1905, on a total rent-roll of Rs. 176 which was arrived at apparently after full consideration of all available documents and accepted by the raiyats, of whom some were the ex-proprietors. However, by 1911, all the original raiyats had abandoned their holdings and at the present settlement only three non-occupancy raiyats were found, of whom one, a rich man from a neighbouring village, holds almost all the land, and is keeping it as an experiment in which he is being helped by the Subdivisional Officer of Bhabhua with agricultural improvement loans. The rent fixed at the last settlement was estimated by the section 104 officer to be above one-fourth of the gross produce, and has of course not been enhanced. The case is interesting as showing how difficult rent assessment is, and illustrating the necessity for accurate estimates of produce as a basis of new settlements.

464. Alawalpur.—Alawalpur, tauzi number 1526, lying in the village of that name, than a number 85, Buxar was settled in 1840 on a revenue of Rs. 91-2-0. It was resettled in 1870 at a revenue of Rs. 217-2-5, and again in 1890 at revenue of Rs. 231-10-6. In 1908 the assets were calculated at Rs. 1,088 and Settlement was offered at a revenue of Rs. 541. The proprietors declined Settlement and the estate was held khas. During three years' khas management the average collection was Rs. 129 per annum.

The total area of the estate is 207 acres, of which 171 acres are liable to assessment, of these 148 acres were at the time of Settlement in cultivating possession of the recusant proprietors. It is obvious, therefore, that the pitch of the assessment depended largely on the value put on these lands. The estate has no canal irrigation and only grows bhadai and rabi of poor out-turn, mainly of the cheaper crops. The Assistant Settlement Officer estimated the value of the gross produce at Rs. 5-9-4 per bigha. I proposed in this case to assess the lands in cultivation of the proprietors at Rs. 2 per bigha, which is more than one-third and less than two-lifths of the value of the gross produce. As a result the assets were calculated at Rs. 522, and ultimately the proprietors agreed to take Settlement at Rs. 275, i.e., at 52.7 per cent. of the assets. To this the Collectors Mr. Gruning and Mr. Murphy both agreed. The result is that in lieu of a realization of Rs. 129 from which malikana and cost of management had to be paid, the revenue is now Rs. 275. Compared with the Settlement of 1890 the Revenue has been increased by 185 per The cultivated area in 1890 was 195 acres. It is now 171 acres. There has been a rise of prices of food staples between 1883 (Sir D. J. Macpherson's Report) and 1912 of about 40 per cent. As the cost of cultivation in these poor lands is proportionately high and is likely to be very nearly half the value of the gross produce, it would hardly be fair to take an enhancement of revenue of more than 20 per cent, between those dates. I therefore maintain that an enhancement of 18.5 per cent. between 1890 and 1912 is quite as much as Government has any right to expect.

465. Itarhia.—Itarhia, tauzi No. 1716, lies in the village of that name, thana No. 569, Buxar. It was settled in 1842 at revenue of Rs. 800, in 1872 at revenue of Rs. 996, and in 1892 at revenue of Rs. 1,057. By 1907 three other estates 9887, 9888 and 9889 had been formed out of it by partition.

The Revenue settled in 1907 was as follows:-

Tauzi No.			Reverue.	Area in acres.
1716	•••	•••	676	330
3887	***	•••	452	226
9888	•••	•••	428	204
9889	•••	•••	8	3

Thus in that year the revenue incidence was about Rs. 2 per acre as against Re. 1-5-0 in the previous Settlement. The assets of the 1907 Settlement were Rs. 996 and the revenue 70 per cent of this. At the present Settlement the assets were calculated as follows:—

			Rs.	Rate	per acre.
3 acres of nagdi land (di	<b>h</b> )		25	Rs.	8-5-4
134 acres of produce-rent la	nds		777		5-12-9.
35 acres of bakasht lands	•••	•••	232	,,	6-5-6.
Miscellaneous assets		• • •	2		
	Total Rs.		1,036		

On the basis of these assets my successor, who thought the existing revenue too high, proposed to fix the revenue at Rs. 570 or 55 per cent. of the assets. Even this was not accepted by the proprietors, and the estate is now held *khas*. The collections in 1913-14 and 1914-15 have been nil and Rs. 25 respectively. It is to be hoped that they will improve.

466. Taufr Bhedia.—The Settlement of Taufir Bhedia, tauzi No. 1298, lying in villages Dobha Taufir No. 64, Gangali No. 72, Mohanpur No. 73 and Kharha Tanr No. 74, all in thana Dumraon, presented some circumstances of interest. The estate is an alluvial acretion to the permanently-settled estate, touzi No. 1292, belonging to the Dumraon Raj. It was one of the comparatively few temporarily-settled estates created as the result of the Diara Survey of 1863-64. It was settled in 1869 for Rs. 3,649, in 1882 for Rs. 2,444, in 1892 for Rs. 5,472. But as the area of the estate naturally changes from year to year owing to alluvion or diluvion comparisons between Settlements are not profitable, unless the areas are considered. The Settlement of 1892 was based on an area of 2,441 bighas giving an incidence of Rs. 2.24 per bigha, but was subsequently reduced to Rs. 4,922 on an area of 2,25± bighas, or Rs. 2.18 per bigha, and again from 1904 onwards to Rs. 4,752 on an area of 2,223 bighas or Rs. 214 per bigha. Lastly, in 1908, a demarcation of the boundary between the permanently and temporarily settled estates was made and pillars erected. The area of the temporarily-settled estate was then determined to be 1,941 bighas and the revenue was reduced to Rs. 4,111 or Rs. 2:13 per bigha.

At the present Settlement it was found that the Dumraon Raj had only one jamabandi for the permanently and temporarily-settled estates. It was therefore, in the first place, necessary to separate the rents paid for lands lying in the two estates, before Settlement of rent could be carried out in the temporarily-settled estate. It was also found that a portion of the temporarily-settled estate, as surveyed at the last Settlement had been decided by the Criminal Courts to be in possession of the tenants of the Sheopur Diara estate, which pays revenue in Ballia District. This was accordingly excluded from Taufir Bhedia and the Collector of Ballia has undertaken the Settlement of it.

As a result only 875 bighas are left in this estate, but owing to an increase of assets consequent on an enhancement of attested rents by two annas one pie per rupee, the revenue was determined at Rs. 2,952 or Rs. 3.26 per bigha. The substantial rise in the rate of revenue assessment is due not only to the enhancement of rent but also to the fact that the land lost to the Ballia Estate is inferior to the bulk of the land of the estate. Maharaja Keshav Prasad Singh has accepted the Settlement, including the condition that in the event of any land accruing to the estate by alluvion or by order of Civil or Criminal courts additional revenue will be demanded.

467. Lain.—A few estates of which the Settlement expired on or before the 31st March 1914 were not settled for various reasons. Among these the case of the estate bearing tauzi No. 2707, in village Lain, thana No. 154, Mohanea is of special interest.

This Settlement village comprises 23 Revenue Survey mauzas, all surveyed on the same Revenue Survey plan. The lands of the village had been originally given as jagir to invalid sepoys, on whose death they were resumed and settled permanently with their descendants. 22 estates were so formed, of which 21 were surveyed as separate Revenue Survey Mauzas, while one was surveyed as two Mauzas. It is interesting as showing the disregard of the Collectorate mauzas by the Revenue Surveyors to remark that before the

Revenue Survey the 23 jagirs were reckoned to form part of the two neighbouring mauzas Maniarpur and Dumar Pokhar, and hence 16 of them are known as "az rakbe Maniarpur" and 7 as "az rakbe Dumar Pokhar"

The cultivation of the estates was neglected and all were at various times sold up for arrears of Government Revenue. Eight of them, viz., tauzis 2847, 2819, 2854, 2845, 2850, 2379, 2380 and 2381 were purchased by Government in the absence of private bidders and amalgamated to form tauzi number 2707. The remaining 14 estates, viz., tauzis 2377, 2378, 2848, 2843, 2844, 2846, 2851, 2852, 2855, 2375, 2376, 2858, 2853 and 2856 were purchased by private persons. Owing to the fact that the lands were all uncultivated the separate estates were not properly located after the Revenue sales. During the preparation of the record-of-rights Government was recorded as proprietor not only of the estates amalgamated as lauzi 2707, but also of four other estates 2848, 2851, 2852 and 2855. The lands of these estates are for the most part actually cultivated, but though Government has claimed the lands, actually no rent had been paid to any one. Again of the lands of tauzi 2707 some portions have been held by tenants paying rent to private proprietors. Further, it was found that of the eight estates which were amalgamated to form tauzi No. 2707, On these facts five had been settled for terms extending beyond 1914. being represented to the Collector, he agreed to extend the term of all Settlements up to 1920, with a view to straightening out the tangle of possession in the meantime. It is important that this work should be taken up in good time.

A68. Keotia.—In village Keotia, thana No. 24, Arrah, there is a temporarily-settled estate, tauzi No. 349. It was found that the temporarily-settled proprietor had lost possession of a considerable block of the estate as surveyed and settled in 1907, which was now held by permanently-settled proprietors of an adjoining estate. The action prescribed by Rule 206 of the Survey Manual was adopted, riz., the sanction of the Commissioner was obtained under the proviso to clause 9, section 10 of Regulation VII of 1822, to making a separate Settlement of this block with the party occupying it and constituting it a separate estate to which tauzi No. 11124 was given. The persons found in occupation have, however, declined Settlement, and the new estate is now let in farm, though those persons have attempted to establish their possession against Government by means of a proceeding under Section 145 of the Criminal Procedure Code. The temporarily-settled proprietor who had lost possession has also given notice of a suit against Government. There should be no difficulty about defending the suit if it is prosecuted, as the provisions of the law were carefully observed at the time of the Settlement.

469. Need of collection of material for resettlement in the intervals between Settlements.—In spite of the very considerable amount of care that was taken to avoid inequitable enhancements of tenants' rents and to treat proprietors of temporarily-settled estates with the liberality which Government has constantly enjoined, I have no doubt that some cases of failure have occurred. Although the experience gained throughout the permanently-settled parts of a district does materially help a Settlement Officer in charge of major operations to form general views regarding principles of assessment, yet the burden of conducting such operations leaves him too little leisure for the consideration of the individual cases and the acquisition of detailed local knowledge.

For these he has to trust to the Assistant Settlement Officers actually engaged on the work, and though I and, I believe, my successors had every reason to be satisfied with the energy and ability of those officers, yet I confess myself to a feeling of some anxiety when I consider on what slender evidence of the actual value of the products of the land some of the data of the settlement are based. At the same time I do not for one moment admit that the time and trouble taken has been thrown away, because our results were merely approximations. What I do urge is that more may be done in the interval between this and the next Settlement to gather year by year really adequate estimates. This can only be done by trained and competent officers of the district staff. The estimates to be of any use must be widespread, regular and independent, and most of all must be tabulated after they have been accepted as worthy of credit, and not huddled away in dusty and oblivious almirahs.

## PART VII.

# EFFECTS OF THE SETTLEMENT OPERATIONS.

- 470. Unrest caused by the operations.—That Survey and Settlement operations throughout a district create a very considerable amount of unrest is a common place. In Shahabad it was anticipated that the unrest would at least reach the normal, and I remember being warned, before the operations began, of the terrors of the Bhojpuri raiyat and his lathi from which it appeared unlikely that the Settlement Officer and his subordinates would escape unscathed. It is gratifying to be able to say that all classes accepted and most welcomed the operations. But while the actual operations may go reasonably smoothly it is always a matter of concern whether the results of them are really commensurate with the money spent and the trouble involved. For information on this point I am mainly dependent on the help of Mr. T. S. Macpherson, who, while District Judge, kindly collected the opinions of the Judicial officers, serving under him, and has also allowed me to quote from his annual reports on Criminal and Civil Administration for the year 1915. The opinions of the Judiciary on the value of the record-of-rights are of first class importance, as they see far more of the record after it is finally published than any other officers.
- 471. Effect on crimes of violence.—With regard to the crime of the district the District Judge wrote:—
- "It is remarkable that in the District of Shahabad there should have been only one Sessions trial on charges of rioting with culpable homicide and it would seem that the record-of-rights which has been finally published throughout the non-diara area of the district and the absence in jail of certain notorious diara maliks have brought unaccustomed peace to the district".
- It is probably too early to discuss statistically the effect of the record-of-rights in diminishing certain forms of crime, but the passage quoted above is a hopeful indication of a decided improvement in that respect.
- 472. Increase of Civil litigation.—In his Annual Administration Report of Civil Justice Mr. Macpherson wrote:—
- "The pressure of work experienced in the Civil Courts of Shahabad in 1913 and 1914 as the after-math of the Survey and Settlement operations did not sensibly diminish in the year under report. Though the pending file at the end of the year seems high, it includes a large number of rent suits which will be decided ex parte, and it is possible to say that though for some years the new institutions will be heavy and the file will tax the energy of the district staff to the utmost, the worst is over and there are signs that the flood of litigation is tending to subside and certainly the proportion of rent suits in which a strenuous contest is to be expected is diminishing."
- 473. Inclusion of abwabs in landlord's demands.—In rent suits many landlords aggrieved by the excision of illegal abwabs and illegal enhancements from the rents recorded in the record-of-rights still sue for the amount of rent shown in their jamabandis. With such a claim is frequently combined a prayer for settlement of fair and equitable rent which renders necessary a local enquiry. The enquiry was sometimes made personally by the Munsifs of Buxar and Sasaram who have had training under the Settlement Department and sometimes by Revenue officers as Commissioners. On the other hand, the raiyats have in some cases secured proof generally from the landlord's books produced during Settlement operations that their recorded rents include illegal abwabs and they contest on this ground his claim for rent at the rate shown in the record-of rights.
- 17 b. Rent suits in the Bhabhua Subdivision.—There has been a great increase in rent suits from the Bhabhua Subdivision. There is some reason to apprehend that the Settlement operations were least successful in that area, and in any case it is clear that there has been a serious disturbance of the relations between landlord and tenant, probably because they were interpreted for the first time in the light of the Bongal Tenancy Act. It is said further that the rights of the aboriginal tenants of the Rohtas plateau were not understood.
- As to the defects of the record-of-rights in the Kaimur hills, I understand that two particular points are the subject of criticism.
- 175. Status of Kharwar headmen.—The first point is the record of Kharwar headmen as tenure-holders having permanent rights but not holding at fixed

rents. Mr. Sifton, the present Collector, is inclined to doubt whether they should have been recorded as tenure-holders at all. As a general rule, where the Kharwar headman remains he merely pays over to the landlord the rents he receives from the village and makes no profit at all. In fact as he has also to pay for his own lands, he usually pays more than he receives. It is argued that as he has not taken land to make a profit by subletting to tenant he is not a tenure-holder. But the definition of tenure-holder in section 5 is not exhaustive as I read it, for the word "primarily" seems to indicate that other kinds of tenure-holders may exist. The fact of the matter is that the classification of tenants in the Bengal Tenancy Act does not absolutely fit the conditions of all the areas to which it applies. But it has to be followed and in cases like this we are on the horns of a dilemma. If the headman is merely recorded as a raiyat, either the other tenants must be recorded as under-raiyats, or if they also are recorded as raiyats he has no power to collect the rents from them, although he is usually bound to do so by his agreement with the proprietor. It is obviously unjust to record the other tenants as under-raiyats.

476. Resemblance to South Monghyr "Chakbanddars."—It was suggested that the procedure adopted in South Monghyr as regards Chakbanddars which is explained in Appendix Y of the South Monghyr Final Report might be applied here. That was to record the Chakbanddar as a tenure-holder with regard to the whole "chak" and to note that he possessed occupancy right with respect to the land in his own cultivation. In other cases where Chakbanddars had not sublet the lands originally brought under cultivation by themselves or their predecessors, they were recorded as raiyats, while the other tenants were also recorded as raiyats, with a note that they paid the rents through the Chakbanddars. As regards the first kind of entry, I am inclined to agree with Mr. J. Reid's opinion expressed in paragraph 5 of his letter No. 2504, dated 28th April 1914, submitting the South Monghyr Final Report, that its legality is questionable in view of the provisions of Section 22, Bengal Tenancy Act. As to the alternative it has to be considered whether the circumstances are the same. The Chakbanddar in South Monghyr was, I believe, definitely introduced by the proprietor in historical times. The Kharwar headman, however, is generally the descendant of the actual proprietor himself, who has been ousted from that position and degraded to his present position.

477. Points of difference. Further, it is quite clear that in 1880 and in subsequent years these headmen definitely claimed the right to receive rents and to collect jungle fees, and in the present settlement those of them who had not been defeated in the Civil Courts, and some who had, still pressed for that position. I do not think they would have been satisfied to be placed on the same level as the ordinary raiyat. Neither do I see that any harm has been done, provided of course that they are supported in their resistance to demands from proprietors for enhanced rent, unless such enhancements have been decreed in Court, and provided that enhancement suits are tried by competent officers who are careful to take all the circumstances of each particular case into consideration, as they are bound to do under section 7. If, as Mr. Sifton reports, the superior landlords refuse to take the recorded rent the Kharwars should be induced to pay it into Court. In any case it is useless to discuss what might have been their status if the Chota Nagpur and not the Bengal Tenancy Act had been in force in the Kaimur Hills.

478. Liability of uplands to assessment.—The second point of criticism is less easy to answer. It is that contrary to the usual custom of hilly tracts, the tanr (upland) has in some cases been recorded either as batai or as "kabil lagan" (liable to pay rent). As to the entry of batai I find that it has been made in twelve villages lying in the extreme north-west corner of the hilly tract of Bhabhua thana and covers a total area of 425 acres. Besides this there is an entry of about  $2\frac{1}{2}$  acres in one village and of less than 1 acre in another village, somewhat detached from this block. There are no other entries of this kind in any hill village of Bhabhua thana except those which extend down into the plains from the plateau. I cannot without a disproportionate amount of laboour give the figures for Sasaram thana.

479. Produce-rent entries .- I quite agree that it is contrary to the general custom of the tract that any-thing should be paid as rent for "tanr" lands held in conjunction with "dhanhar" (rice) lands. Whether these are so held, I cannot say, but presumably they are. Some of them have been entered as "batai" on the admission of low-caste raiyats, and I think that the entries regarding them should be treated with some reserve in the event of the raiyats denying that they have ever paid a portion of the crop. In such cases it might reasonably be enquired whether rent receipts are given, and if not the landlord should, I think, be called on to show that he has actually realized any thing. In some cases there is clear evidence from the attestation rent notes that the entries are due to a mistake. Commutation might also be freely made where the produce-rent system is really found to be established, as there is absolutely no justification for its existence in that country. In so far as it encourages a few low-caste raiyats introduced by the landlord into the villages to cultivate poor lands badly, it is distinctly uneconomic and is probably an encroachment in the rights of the established cultivators to take up fresh land without naymont of additional rent unless and until they convert it into



"dhanhar ."

480. Kabil lagan entry. - As regards the "kabil lagan" entry, I do not remember the question coming up in 1912, when Bhabhua was attested. I was myself satisfied that the general custom was that "tanr" lands are held along with "dhanhar" lands and are not liable to pay separate rents. In March 1913 certain references on the point were made by one of the two Attestation officers engaged in the hilly tract of Sasaram. On one of these Mr. Duncan noted, "It is the general custom in the Kaimur hills that the 'bhit' land is unassessed with rent. This is a concession on the part of the malik, and the Khas Mahal authorities, for instance, have reserved the right to assess such land in future. Where no such reservation is made these lands should, I think, be recorded 'Mafi' and where the reservation is made we should note in column 19 that no rent is realized from the raiyat for any 'bhit' lands which form part of his holding ".

On this Mr. Murphy, who was then Settlement Officer, noted that he had discussed the matter with Mr. Duncan, and thought the records might be left as they were. The entry in this village was-(1) where the holdings consist of only "bhit" lands and no rent is paid, the word "belagan" in column 8, and (2) where the holdings consist of both "dhanhar" and "bhit" lands, the "bhit" plots have been recorded as rent-paying along with the "dhanhar" plots, i.e., no entry of "belagan" has been made in column 8 against the "bhit" plots. This order, therefore, in no way recognized "kabil lagan" as a suitable entry for "bhit" plots.

481. The Board's order of 1883 .- In 1914, however, Babu Ramu Lal Varma, who had attested the hill tract of Bhabhua in 1912, was settling fair rents in Rohtas Government estate. He pointed out that the Board of Revenue in sanctioning the settlement of Pipra Izad Thakbast, a hill estate, temporarily settled with proprietors, had ruled that the occupation of rabi land (i.e., "bhit" land) rent-free must not be recorded or recognized as a right of any raiyat (letter No. 386-A., dated 11th June 1883, to the Commissioner of Patna). This

is no guarantee at all that landlords will not harass their raiyats until they agree to an assessment out of Court, or succeed in gaining from an officer unacquainted with the conditions of the tract an assessment which any well-informed officer would at once see is unfair and inequitable. At the same time, I ought to point out that Mr. Craven when settling the Kolhan in 1895-97, preserved the old rate for rice lands and imposed a new assessment of two annas per acre on upland cultivation and this was accepted without any opposition. It would therefore seem that there is good ground for holding that upland cultivation should not be recorded as not liable to assessment.

(Vide paragraph 11 of Mr. H. McPherson's letter No. 107-T., dated 14th June 1912, to the Board of Revenue.)

482. Rent suits throughout the districts.—Institutions of rent suits in 1914 were 11,114 and in 1915, 11,409. Regarding these the District Judge writes:—

"The actual variation is small. The increase would, however, have been a decrease except for a rise in institutions at Sasaram from the Chainpur Pargana. Prior to Settlement operations that area was largely oblivious of the provisions of the Bengal Tenancy Act or the Law of Limitation. In future, however, the relations of landlords and tenants will doubtless be governed by the statute rather than by custom as heretofore. The normal presettlement institution of rent suits was some 7,000 to 8,000. The tendency to a decrease in institutions is already posservable in the areas where Settlement operations were first completed, because the raiyats of the lower castes pay the ascertained rent without demur. But the raiyats of the higher castes from long habit systematically default, cynically hoping that as in the past some accident of limitation or mistake in execution proceedings will relieve them of part at least of their liability, or that as in the past in the Dumraon Raj, their bolding may be sold up, and they will be able to sit rent-free for years until the landlord awakes. In respect of this class of raiyat, the record-of-rights is the Magna Charta of the larger landlords, who will not hesitate to bring rent suits at the recorded rent. It is not expected, therefore, that institutions will, at any rate for several years, fall to the pre-settlement level, but the great majority of suits will be decreed ex parte at the rent shown in the Settlement record or the fair and equitable rent settled under Section 106, Bengal Tenancy Act."

Only 49 in 1914 and 73 in 1915 of the suits under the rent law were for enhancement or abatement of rent. As regards this the District Judge writes "suits for enhancement of rent are wonderfully few considering how sore landlords are over the cutting out of illegal enhancement and illegal abwabs by the Settlement authorities."

483. Noting of results of case work on the certified copies of the record distributed to landlords and tenants.—What is, I think, a definite defect, in the existing practice of district settlement operations has been noted by Mr. Macpherson in the following terms:—

"Certified copies of the record-of-rights were issued to raiyats and to the sole or chief co-sharer landlord shortly after final publication of the record. But in consequence of orders upon applications under section 105 and in suits under Section 106, Beng I Tenancy Act, which have probably affected lakhs of entries in the record (there have been over 2,544 appeals to the Special Judge under section 109 of the Bengal Tenancy Act) which under section 109-D have to be entered in the record-of-rights and which are under the statute part of the record-of-rights, such certified copies have been incomplete copies of the record-of-rights, and it is unsafe to rely upon them. Both the District Judge and the Collector drew the attention of the Revenue authorities to the matter. It is clearly impossible for the Munsifs in (to take one example out of many) 5,000 to 7,000 ex-parte rent suits, many of them at Buxar or at Sasaram to consult the record in the Collector's record room or to ask the Collector to supply certified copies.

This matter is of the utmost importance to the Civil Courts in Shahabad where the number of entries under section 109-D has attained dimensions beyond anything experienced in any other district.

The matter is engaging the attention of the Settlement Officer in consultation with the District Judge and the Collector.

48t. Munsifs' opinions on the value of the record.—I have elsewhere referred to the very interesting notes given by Munsifs on the result of the operations. They are all agreed that the disposal of rent suits has been vastly simplified. "Contests now are mostly trivial and flimsy and there is no need of filing and proving heaps of 'siahas' and 'jamabandi' papers, as of old." "Most of the rent suits are disposed of 'exparte'

and a large number of them are satisfied shortly after they are filed." Disputes have been settled once for all in rent suits and unsettled state of affairs will no longer be seen in respect of rents of lands which hitherto have been in chaotic confusion." "Now-a-days the entries in the record-of-rights are rarely assailed. The record-of-rights has been a great boon to many of the petty landlords who had not proper collection papers". "Comparatively few (rent suits) are contested. The tenants seem to have realized that frivolous objections against the record-of-rights only serve to increase costs of the suits". The Munsifs of Shahabad, it is evident both from their own notes as well as from the experience of the District Judge, are generally well aware of the legal presumption of correctness attaching to the entries in the record, and are at considerable pains to observe the provisions of section 147A and 147B. Thus one Munsif writes "In deciding ex parte rent suits I frequently find on comparing Survey Khatians with the plaints that the landlords claim rents at rental higher than that of the Survey records by a few annas or a few pics. When it is detected they do not press the claim at the higher rental." As regards the general value of the operations another Munsif has a very interesting note.

"People appear to have fully realized the benefits of the Settlement operations and landlords and tenants have come fully to understand their respective rights. The landlords and
their agents attend Court with their big volumes of village Khatians and the tenants with their
Khanapuri parchas, area slips and maps tied in a roll at one end of their wrapper (Dohar). No
sooner is the tenant asked, he will tell his khalo number and the yearly rental. It is
a pleasing sight to one who had seen these tenants in the pre-settlement days and in the
earlier period of the operations when put to a question what is the yearly rental he would
most perplexingly look to the Tahsildar or Patwari standing opposite the attestation table
Whenever a tenant is asked what is the amount of his mortgage debt and date of its execution
he has no longer to appeal to the creditor who never gave out the true figures on purpose, but
the tenant at once tells the real figures. Each tenant has got a map and this is a boon
inestimable to him."

I have besides had a number of special questions put by the Munsifs as to the interpretation of various entries, which, at the suggestion of the District Judge, I have endeavoured to answer as far as I could in the body of this report.

485. Meaning of "Kaemi."—One that is of prime importance I have not dealt with elsewhere, viz., meaning of the word "Kaemi". One Munsif thinks it is the term used for occupancy status, and suggests that we should differentiate between that and the status of a settled raiyat. The answer is that we do and that "Kaemi" is the translation of "settled raiyati" status, not of the status of an occupancy raiyat which is translated "dakhilkar." If other difficulties arise of this kind I would refer any body interested to the "Guide and Glossary to the Survey and Settlement operations in the Patna and Bhagalpur Divisions" published at Calcutta by the Bengal Secretariat Book Depôt in 1907. If this is now out of print, it should certainly be brought up to date and reprinted without delay. Mr. James has given explanations of several words in his Patna Final Report and some will be found in the Glossary at the beginning of this report.

## PART VIII.

### CONCLUSION.

## VILLAGE OFFICIAL.

ernment official than in any other district of Bihar. But even there he is, as a rule, much more a servant of the landlord than he is a Government official, though he is often able to hold his own, and play for his own hand against both Government and the landlord. He is still liable to be dismissed by the Collector, and he has in the past had to file in the Collectorate at certain intervals extracts from the village accounts known as "teiskhana" papers from the fact that the form contains 23 columns. He is generally paid from the "neg" realized at \frac{1}{2} anna in the rupee on the rent, though occasionally he is paid in cash or by a percentage of the collections as elsewhere. The "neg" is, I believe, a legal demand under Section 18 of Regulation XII of 1817. But as it has generally been attested as part of the rent in the absence of any protest from the raiyats, it should not be separately realized over and above the rent, unless the landlord can show, that it has been definitely cut out from the total demand in the course of the present operations. There was a proposal a few years ago to repeal the Patwari Regulations throughout the Province and now that there is a record-of-rights in Shahabad there would, I think, be no objection in that district to the final abolition of patwaris as quasi-Government servants.

487. Goraits.—The landlords maintain a "gorait" in nearly every village, who is supported, as a rule, by means of land on a service tenure. He is liable to his landlord for various services, such as the supply of "rasad," calling up raiyats, carrying messages, etc. One attestation officer notes that he found goraits of much assistance, when deciding possession disputes between two raiyats and probably they would be found useful by any officer holding local enquiries provided the landlord himself had no interest in the case.

488. Abwab.—The following list of abwab found in Shahabad has been compiled from attestation officers' notes. Generally the abwab were amalgamated with the rent a comparatively short time ago, but some are still realized:—

	Name of Usual rate.	The Control Life		
Name of abwab.		Usual rate.	Appropriated to	Explanation.
1		2	3	4
CASH-REN	(TS.			
Bata	•••	l anna per rupee of rent.	Landlord	Presumably for difference be- tween sicca rupees and Com- pany's rupees. But it has been found before 1836, when Company's rupees were first declared sole legal tender. Its legality is doubtful.
Sarak	•••	lanna per rupce	Ditto	For upkeep and protection of roads.
Neg		anna per rupee but sometimes I anna and sometimes only anna.	Palwari	The ordinary manner in which patwaris are paid. Probably a legal demand though not rent, by reason of Section 18, Regulation XII of 1817. Also known as "Rasum", "Marsum" (Chainpur Pargana) and "Takahi" (Kaimur hills).

Name of abwab.	Usu <b>a</b> l rate.	Appropriated to	Explanation.
1	2	3	4
Kharcha	l anna per rupce	Landlord's amla and peons.	For their expenses.
Chanda	Indefinite	Landlord	Intended for gifts to Brahmans.
Darmokaka	ł anna per rupce	Ditto	Meaning unknown. Found in Chainpur Pargana.
Mohrana	anna per rupec	Ditto	Found in one village of the Kaimur Hills. Intended a payment for stamping renreceipts which are, however, no longer given.
Kathmari Produce-	Di(to	Ditto	Found in Kaimur Hills. Ori ginally meant for an amin. I means "moving wood", i.e. surveying by pole. But no amin is now employed.
Sethi	to t seer per maund of landlord's share.	Patwari	It is not usually claimed except when the landlord's nomina share is less than one-half.
Dhari	to I seer per maund of landlord's share. Elsewhere 10 scers wherever the total outturn exceeds 10 maunds or sometimes 5 maunds.	Landlord	The explanation given by one officer is that originally "dhari" was 10 seers weight of grain put in one pan of the scale used for weighing and kept there throughout the weighing and then given to the weighman I admit 1 do not see the force of this arrangement.
Supahi	to 1 seer per maund of total produce.	Landlord's amla	Means relating to the "sup," i.e., the winnowing fan or basket. Sometimes merely one "sup" full of grain is taken from the total produce. Found in Kaimur hills.
Amlakharcha	½ secr per maund of total produce.	Ditto	For their expenses.
Pachhua	5 seers	Landlord	Taken only from non-resident raiyats whose produce exceeds 5 maunds. Means "afterwards' because it is taken after divi- sion is completed from the raiyat's share. Kaimur hills.
Ramdani or Machuber.	$\frac{1}{8}$ seer per maund of total produce.		For religious purposes. Kaimu hills.
Kanuawa	Ditto	Landlord's servant	This is for the "Kandu" who works for the landlord's anda when they go to the village Kaimur hills.
Pawai	total produce.	Weighman	Kaimur hills.

As regards the produce-rent abwab, where I have noted "Kaimur hills," it is really rather the tract of the plains below and to the north of the hills, where these abwab are found. Though the list is a considerable one, yet it may fairly be said that except for bata, sarak, neg and kharcha in cash rents, and serhi and dhari in produce rents, the others are mere curiosities. W. A. Brooke rooted out abwab in 1789 so thoroughly that all attempts to reintroduce them on a considerable scale have failed.

489. Weights and measures.—The district of Shahabad is fortunate in having only two standards of measurements in general use, viz., the 5½ hath bigha, which is almost exactly five-eighths of an acre, and the 31 hath bigha, which is almost exactly one quarter of an acre. The former is universal over the Sadr and Buxar Subdivisions, and general in Sasaram Subdivision. The latter is found particularly in Chainpur Pargana which covers most of the Bhabhua Subdivision. In the Kaimur hills land measurement is scarcely understood, and the only approximate measure is the "Jiwan", which is perhaps a term like the old English "plough gate" denoting an area capable of being ploughed in about eight days or requiring a certain amount of seed reckoned as 41 local maunds to 6 local maunds according to the quality of the soil. It is usually taken as equal to four bighas or 21 acres, but it is not a term of precision at all. In three villages of Mohanea thana the landlord claimed that the bigha only contained 16 kathas, a reminiscence painful to me of the "kamarband" controversy in Bhagalpur. The claim was disallowed. Weights are much more confusing. One weight is the kacha maund of 40 seers each equal to 44 tolas or 11 of the pakka maund (Chainpur Pargana). The most common, however, which is generally in use outside Chainpur pargana consists of 8 paseris of 6 seers each which again contain 14 gandas, and is equal to  $\frac{42}{55}$  of the pakka maund. The ganda is thus  $\frac{40}{11}$  tolas. The variations are partially explained by the use of Gorakpuri pice instead of rupees as the lowest unit of weight. The village measures of area and weight are given in the village note which, though not part of the record-of-rights, is a useful guide and generally trustworthy on such points.

#### NOTICE OF OFFICERS.

490. A list of the officers who were employed on these operations is given in Appendix A.

I wish to express my great appreciation of the value of the work done by practically all of these officers, and I am sure that the other officers who have held the post of Settlement Officers in Shahabad would be ready to join me in this appreciation.

The outstanding difficulty of the work, the treatment of "Guzashta' tenancies, was courageously tackled by Mr. Murphy and Mr. Philip, and I had little to do but to elaborate their ideas. For the detail of that work, as well as for much valuable help in working out principles for fair rent Settlement in Government and temporarily-settled estates, I was very much indebted to the late Mr. Shettle whose premature death was a great loss. Mr. James' wide experience of Survey and Settlement was most valuable in South Shahabad, while Mr. Rowland during his unfortunately short association with the operations did much useful work. Messrs. Tanner and Duncan lost no time in acquiring an intimate knowledge of the details of the work and established reputations for thoroughness, which their subsequent work in Gaya has further enhanced. I am particularly indebted to Mr. Tanner for much help in writing this report.

Rai Sahib Nilmani Dey made an excellent Assistant Settlement Officer in charge. He has been associated with Settlement operations in every district of Bihar and has very fully earned the title conferred upon him. Maulavi Shamsuddin Haidar, as Assistant Settlement Officers at Head-quarters for the Settlement Branch, filled that difficult an laborious position with great success, while Mr. J. H. Murphy, who was Professional Adviser and in general charge of the Cadastral Branch, worked most loyally and well. I am much indebted to Mr. Murphy for the excellent maps he has provided for the report,

Of the other officers, where nearly all worked well, it is somewhat invidious to make a selection. The following deserve special mention:—

Maulvi Abul Khair Muhammad Ishaq, Mr. Nrisinha Ranjan Mukharji, Babu Bijay Bihari Mukharji, Babu Sudhanshu Bhusan Mitra, Pandit Lakshmi Misra, Babu Satamanya Mukharji, Babu Surendra Nath Banarji II of Deputy Collectors, and Babu Surendra Nath Mukharji, and Babu Sachindra Kumar Sen of Munsifs. I am particularly obliged to Babu Sudhanshu Bhushan Mitra and Pandit Lakshmi Misra for much belp with this report.

I should also like to echo the appreciation, given by Mr. James in his Patna Final Report, of the services of the subordinate staff of Khanapuri Kanungos, Inspectors, Amins and Settlement clerks of all grades.

My thanks are due to Mr. H. McPherson and Mr. J. Reid, the two Directors of Land Records under whom I served, and also to the various officers who were Collectors of Shahabad during the operations.

While the Report was passing through the Press, Mr. Duncan's death from wounds received in action was announced. Government has lost in him an officer of marked ability, fine character and extensive knowledge of agrarian conditions. His death and that of Mr. H. T. Cullis, who was killed in the trenches in Flanders in December, 1915, are matters of personal grief to the large staff of the Bihar Settlement, with whom they had been closely associated.



 ${\bf \Lambda PPENDIX~\Lambda}.$  List of Officers who worked in the Shahabad District.

Name of Officer.	Designation.	Nature of employment.	Period of	émplo	yraent.	Remarks,
<u> </u>	2	3	4			Č.
			Y.	м.	υ.	
P. W. Murphy, Esquire, 1.c.s	Settloment Officer.	General control and super- vision.	1	9	12	
J. A. Hubback, Esquire, I.C.s	Settlement Officer and Assistant 8 et t lement Officer in charge.	Ditto	2	10	10	
P. S. Shertle, Esquire, 1.c.s	Ditto	Ditto	1	5	15	Ресеавед.
E. L. Tanner, Esquire, 1.c.s	Settlement Officer	Ditto	2	1	15	
A. B. Duncan, Esquire, 1.c.s	Settlement O ffi c o r and A s s i s tant Settlement Officer in charge.	Ditto	2	3	22	Died of wound received in action.
J. F. W. James, Esquire, I.C.S	Assistant Settlement Offi- cer in clarge.	Ditto	0	5	17	
C. L. Thilip, Esquire, i.c.s	Ditto	Ditto	1	4	23	
F. G. Rowland, Esquire, 1.c.s	Assistant Set tlement Officer in charge.	Ditto	0	9	4	
Rai Saheb Nilmani Dey	Doputy Collector and Assistant Settlement Officer in charge.	Ditto	0	4	7	
Maulavi Shamsuddin Haidar	Deputy Collector a n d Assistant Settlement Officer at headquarters.	ters and Case work.	3	0	0	
Maulavi Abul Khair Muhammad Ishaq.	Ditto	Ditto	2	7	26	
	सवम	व जयने				
Mr. Nrisinha Ranjan Mukharji	Deputy Collector and Assistant Settlement Officer.	Attestation and Case work, Section 104 work.	2	3	22	Transferred to Bengal.
Babu Ramapada Chatarji	Ditto	In charge of headquarters.	0	8	9	Ditto.
Babu Bijay Bihari Mukharji	Ditto	Attestation and Case work.	1	8	29	Ditto.
Mr. C. St. J. Howo	Ditto	Khanapuri	0	6	19	
Eabu Sudhanshu Bhusban Mitra	Ditto	In charge of headquar- ters, Attestation, Case work and Section 104.	4	9	10	
Mr. I. Y. Downing	Ditto	Khanapuri	0	6	4	Left service.
Mr. Kenneth Raha	Ditto	Ditto	0	5	24	
Eabu Jiban Chandra Chatarji	Ditto	Attestation and Case work	1		2	Tran s ferred to Bengal.
Babu Phani Dhushan Mitra	Ditto	Ditto	2	2	24	Ditto.
Babu Sharat Chandra Makharji	Ditto	Ditto	0	8	25	
Eabu Ramu Lal Varma	Ditto	TY.	1	9	22	
Maulavi Abdul Qadir Khan	Ditio	7044	0	4	27	
Babu Chandra Kumar Mathur	Sub-Doputy Collector and Assistant Settlement Officer.	Khanapari, Attestation.	3	1	6	
Munshi Shamshir Jang Bahadur	Ditto	Attestation and Case work.	1	3	9	

# APPENDIX A—continued.

# List of Officers who worked in the Shahabad District.

Name of Officer,	. Designation. Nature of employment,		loyment,	Period of	iod of employment.		Remarks.		
1		3	3		'   	4		5	
Pandit Lakshmi Misra .	Sub-Deputy Assistant Officer.	Collector and Settlement	In charge of her Case work, At and Section 10.	testation,	Y.	м. 1	р. 0		
Maulavi Anwar Karim .	. Ditto	•••	Khanapuri, Casa Recovery.	work and	1	5	19	•	
Babu Madhab Chandra Misra .	. Ditto	***	Case work	•••	0	10	18		
Babu Kshetra Mohan Mukharji .	Ditto	,	Attostation and	Case work	0	9	11	Transferred	to
Maulavi Muhammad Sahab Uddi Khan.	Ditto		Khanapari		0	5	2	Bengal.	
Babu Satamanya Mukharji .	Ditto		Khanapuri an work.	l Office	1	0	16	Ditto.	
Mr. Dhirendra Lal Day .	Ditto		Khanapuri		0	6	9	Ditto.	
Babu Bhupendra Nath Ghoshal .	. Ditto		Ditto	•••	0	8	27		
Babu Sati Prasad Ganguli .	. Ditto	***	Khanapuri and	Case work	1	Ţ	15	Ditto.	
Babu Srimohan Das Gupta .	Ditto		Attestation and	Case work	0	8	0	Deceased.	
Babu Lalit Kumar Sen .	. Ditto	200	Ditto	• • •	2	9	13		
Babu Surendra Nath Banarji, I	Ditto		Attestation, Ca Section 104 v Office work.		J	10	24	Transferred Bongal.	to
Babu Haripada Ray	. Ditto	(S)	Attestation and	Case work	. 0	9	17	Ditto.	
Babu Surendra Nath Bhattacharji	Ditto	- Mi	Ditto		σ	9	10		
Babu Nalinindra Lal Bose .	. Ditto	1,511	Khanapuri		o	5	<b>2</b> 6		
Babu Abinash Chandra Banarji .	. Ditto		Attestation and (	Case work	0	10	24	Transferred	to
Babu Jag Dutt	. Ditto	(Company)	Case work		0	7	23	Bengal.	
Babu Chandra Madhab Prasad	. Ditto	21271)1	Attestation and	Case work	0	Ð	28		
Eabu Atul Chandra Som	. Ditto	dotd	Khanapuri	***	0	6	8		
Maulavi Sa'yid Muhamma Abdallah.	I Ditto	•••	Ditto	•••	0	5	9		
Maul wi Saiyid Amanat Husain .	. Dilto	***	i Case work	•••	U	0	15		
Maulavi Safdar Husain .	Ditto	***	Attestation		0	6	22		
Babu Jabuabi Prasad Singh	Ditto		Khampuri		0	4	23		
Babu Bishun Lal	. Ditto	***	Khanapuri an work. Final tion.	d Office publica-	3	O	O	Dismissed.	
Babu Saut Bilas Singh .	. Ditto	•••	Khanapuri, At Recovery and work.	testation, 1 Office	2	10	Ú		
Babu Atul Gopal Ray	. Ditto	•••	Attestation and	Case work	O	9	14	Transferred	to
Babs Pashripati Ghoso			Ditto		U	11	24	Bongal.	
Babu Sukhdeo Narain	Ditto		Office work ar Publication.	d Final	0	10	0		
Mr. II. J. B. Lel'atourei .	Ditto	,.,	Khanapuri	•••	0	7	5		
Babu Shashi Bhushan Ghosh	Ditto	•••	Khanapuri an work.	d Office	1	4.	0	Transferred Bengal.	to 

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APPENDIX A—concluded.

# List of Officers who worked in the Shahabad District.

Name of Officer,	Designa	Nature of employment,			Period of	empl	oyment.	Remarks,		
1	2	3				4		5		
						Y.	M,	D.		
S. Hafiz-ud-din Balkhi	Assistant Officer.	Settlement	Khanapuri work.	and	Office	1	10	10	Resigned.	
Mr. Ihtisham Ali Khan	Munsif and A tlement Office		Khanapuri, and Case v		estation	1	3	1		
Babu Narendra Nath Chakrabartti	Ditto		Khanapuri tion.	and A	ttesta-	1	0	0		
Babu Surendra Nath Mukharji	Ditto	•••	Khanapuri, and Case v		estation	1	3	0		
Babu Sarada Prasad Datta	Ditto		Ditt	0	•••	1	0	12	Transferred	to
Babu Sachindra Kumar Sen	Ditto	***	Ditt	0	•••	1	1	25	Bengal. Ditto,	
Babu Sheonandan Prasad	Ditto		Die	o.	•••	1	4	3		
Babu Ram Chandra Ghose	Ditto	0.F	Ditt	:0		1	3	8	Transferred	to
Maulavi Usman Ali	Ditto	GIAN.	Attestation		,,,	0	5	8	Bengal.	
Babu Amarnath Chatarji	Ditto		Attestation puri.	and	Khana-	0	8	2		
Babu Brajendra Kumar Biswas	Ditto	VA	Khanapuri, and Case w		estation	1	3	1		
Babu Raj Narayan	Ditto		Ditt	0		1	6	0		
Pandit Ram Chandra Chaudhuri	Ditto		Ditt	٥		1	6	1		
Maulavi Abdush Shakur	Ditto	ग्रन्थक	Case work			0	5	0		
Maulavi Muhammad Abul Barkat	¹ Ditto	4.1.4.1.1	Ditto			0	3	0		
Babu Haribar Prasad	Ditto	•••	Ditto		•••	0	4	0		
Babu Muneshwari Prasad	Ditto	•••	Ditto			0	2	28		

### APPENDIX B.

List of Notifications issued in connection with Survey and Settlement of Shahubad District.

Serial No.	Notification No.	Date.	Brief of Notification.
1	2	3	4
1	424-L.R	20th January 1908	Authorizing under Section 3 of the Bengal Survey Act the Survey of thana Arrah.
2	2315-T.R	27th October 1908	Authorizing under Section 101 (i) of the Bengal Tenancy Act. the Survey and preparation of a record-of-rights in thana Arrah with the exception of those lands for which a record-of-rights has already been prepared in connection with the Survey and Settlement of Government estates, temporarily-settled estates and zamindari estates.
3	42 <b>97-</b> T <b>R</b>	7th November 1908	Authorizing under Section 3 of the Bengal Survey Act, the Survey of thanas Shahpur, Piro, Dumraon, Buxar and Bikramganj.
4	2145-L.R	25th July 1909	Authorizing under Section 3 of the Bengal Survey Act, the Survey of thanas Moha- nea, Karghar and Bhabhua.
5	1792-F R	7th September 1909	Authorizing under Section 101(i) of the Bengal Tenancy Act, the Survey and preparation of a record-of-rights in thanas Shahpur, Piro, Bikramganj, Buxar and Dumraon with the exception of those lands for which a record-of-rights has already been prepared under Chapter X of the Bengal Tenancy Act in connection with the Survey and Settlement of Government estates, tomporarily-settled estates and zamindari estates.
6	1791-T.R	7th September 1909	Amending the exceptions in serial 2 in agreement with serial 5.
7	868-T.R	13th June 1910	Authorizing under Section 3 of the Bengal Survey Act, the Survey of thanas Sasaram and Dehri.
8	1436-T.R	9th September 1910	Authorizing under Section 101 (·) of the Bengal Tenancy Act, the Survey and preparation of a record-of-right in thanas Karghar, Mohan a and Bhabhua with exceptions as in serial 5.
9	1860-T.R	3rd Qetober 1910	Cancelling serial 1 so far as it concerns the area lying between the middle of the deep stream of the river Ganges and the outer boundaries of certain villages specified in the notification.

## APPENDIX B-continued.

List of Notifications issued in connection with Survey and Settlement of Shahabad District.

Serial No.	Notification 1	No.	Date.		Brief of Notification.
1	2		3		4
10	1861-T.R.		8 d October 1910	•••	Cancelling serial 3 in a similar manner.
11	1862-T.R.	••	Ditto		Cancelling serial 2 in a similar manner.
12	63-T.	•••	Ditto	•••	Cancelling serial 5 in a similar manner.
13	778-T.R.		7th June 1911		Authorizing under Section 101(1) of the Bengal Tenancy Act, the Survey and preparation of a record-of-rights in certain Government estates for which a record-of-rights had been previously dealt with under Chapter X of the Bengal Tenancy Act.
14	1386-T.R.	•••	]5th September 191		Authorizing under Section 101 (1) of the Bengal Tenancy Act, the Survey and the preparation of a record-of-rights in thanas Sasaram and Dehri with exceptions as in serial 5.
15	5951-R	,,,	27th August 1913	प्रमेव	Reviving Notification No. 424.L.R., dated the 20th January 1908, subsequently can- celled by Notification No. 1860-T.R., dated the 3rd October 1910, so far as it concerns Molna Chak, thana No. 437, thana Arrah.
16	595 <b>%-</b> R		Ditto	•••	Reviving Notification No. 2315, dated the 27th October 1908 subsequently cancelled by Notification No. 1862-T.R., dated the the 3rd October 1910, so far as it concerns village Molna Chak.
17	5953-R S-136	•••	27th August 1913	•••	Cancelling Notification No. 2315-T.R., dated the 27th October 1908, so far as it concerns Shankarpur No. 441, thana Arrah.
18	5954-R S-186	•••	Ditto	•••	Cancelling Notification No. 1792-T.R., dated the 7th September 1909, so far as it concerns Rajapur Taufir No. 63, thana Dumraon.
19	1934-R S-68	•••	16th March 1914	•••	Cancelling Notification No. 2315-T.R., dated the 27th October 1908, so far as it concerns the northern portions of Mahadewa No. 4, thana Arrah and Shankarpur No. 11, thana Arrah.

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APPENDIX B-concluded.

# Final Publication Notifications.

Serial No.	Notification No.	Date.	Brief of Notification.
1	2	3	4
1	7171 S-223	30th October 1913	Declaring that under section 103(A), subsection (2) of Bengal Tenancy Act, record-of-rights have been finally published in every village included in than Bikramganj.
2	3000 S-125	22nd April 1914	Declaring that under Section 103(A), subsection (2) of Bengal Tenancy Act, record-of-rights have been finally published in every village included in thanas Piro and Dumraon with the exception of certain villages in thana Dumraon.
3	609 S-53	28th <b>Ja</b> nuary 1915	Declaring that under Section 103 (A), subsection, (2) of Bengal Tenancy Act, record-of-rights have been finally published in every village included in thanas Mohanea, Karghar and Bhabhua.
4	5080 S-170	26th July 1915	Declaring that under Section 103 (A), subsection (2) of Bengal Tenancy Act, record-of-rights has been finally published in every village included in thanas Arrah, Shahpur, Buxar, Sasaram, Dumraon and Dehri with exception of certain villages of thanas Dumraon, Dehri and Arrah. It also cancells Notification No.  S-125  22nd April 1914, so far as it relates to thana Dumraon.

APPE 1
MILA2

						C	opped area	ļ.				Cultu	rable area	ofher than	current fall	0₩.
				Bhadai.	Agbani.	Rabi.	Other cropped area.	Total.	Dofaeli.	Net cropped area.	Current fallow.	Old fallow.	Groves not fruit bearing and bantboos,	Culturable Jungle.	Other kind.	Total.
	1			2	3	4	5	6	7	. 8	9	10	11	12	13	14
										_		Acres,	Acres.	Acros.	Acres.	
BUXAN		IVISION.		Acres. 9,174	Acres. 81,843	Астев. 126,100	Acres, 2,847	Acres. 219,964	Acres. 64,129	Acres, 165,835	Acres. 6,931	13,410	339	]#I	480	Acres. 14,373
Dumraon		***		27,107	65,904	116,642	7,782	207,286	41,201	160,084	6,124	7,144	910	1,158	315	9,557
								· 								
		Total		38,281	137,747	212,642	10,579	427,249	106,330	321,919	13,055	20,551	1,232	1,319	825	23,950
SADR	מעחs	1 <b>V1</b> 810N.				B	234	20								
Arralı	•••			27,651	47,851	131,000	B,132	218,8+3	37,012	181,831	2,041	4,916	687	251	1,122	6,958
Piro	***			14,910	106 229	122.910	3,630	247,609	80,715	166,891	2,667	5,770	206	173	1,278	7,422
Shahpur				16,572	43,251	<b>90</b> ,609	5,180	155,912	29,624	127,248	3,725	8,850	370	80	415	7,680
		To <b>ta</b> l		50,483	197,531	349,42k	17,142	622,364	148,35]	476,013	8,400	17,536	1,103	510	2,810	22,068
			ŀ				संय	मेप ज	यते -					<u>-</u>		
SASARA	M SUI	division,												ļ		
Rikramganj	***			16,145	100,322	150,590	4,014	271,071	78,297	192,774	5,519	12,258	172	209	324	13,053
Karghar		***		10,049	56,446	125,418	694	192,607	53,633	139,074	2,924	10,072	156	65	322	10,615
Basaram		***		12,271	63,354	116,863	1,144	193,362	45,211	148,151	8,240	19,064	139	46,411	885	66,499
Dehri	•••	***		5,481	40,101	45,405	2,083	93,160	24.517	66,603	1,834	7,835	237	2.060	696	10,827
		Total		43,040	250,343	437,976	7,935	750,200	203,583	518,012	18,3 7	40,229	701	48,823	2,287	100,894
BHARH	IUA SI	JBDIVISION	,													
Bhabhua	***			16,713	88,235	109,233	782	271,993	67,023	207,970	6,814	17,446	178	<b>30</b> ,120	760	48,504
Mohania	411			14,562	60,563	107,724	1,348	244,496	61,201	93,291	6,072	23,438	216	44	459	25,167
								<u> </u>				<u> </u>	<u></u>			
		Total		31,305	149,097	339,957	2,130	<b>519,45</b> 9	118,224	401,265	12,180	40,884	394	31,104	1,210	73,661
	GBANI	Total		170,995	711,518	:,366,603	37,786	2,819,309	573, 93	1,715,400	52,094	128,203	3,525	81,825	7,001	2:20,648
Hill villages 861 to 1037.	In Pha	bhua Than:	1 No.	5,294	f <sub>4</sub> 022	6,378	14	19,709	2,043	16,665	1,887	4,144		27,781	63	31,928

DIX C. KHASRA.

Arm	not availa	ble for cui	ivation.	. spd 19.			Ir	rigated ar	es and bo	ow Itriga	ited.	Deta	ils of Ir	rigated a Crops.	F68 84 75	. Betrja		ber of
Rouse nites.	Water,	Other kinds,	Total.	Total uncult ivated columns, 9, 14	Total area, columns 8 and 19.	Irrigated area.	Irrigated from Wells.	Irrigated from Government Canals.	Irrigated from private Capals.	Irrixated from Tanks and Ahars.	Irrigated from other sources,	Rice.	Wheat.	Othe: ctreats and pulses.	Other food erops.	Non-food grops.	Macoury.	Earthen.
15	16	17	i 18	19	20	21	#2	28	24	25	26	27	28	29	30	31	32	33
Acres, 2,150 2,945	Acres. 5,910 5.548	Acres. 8,109 5,555	Acres. 16,162 14,043	Acres. 37,486 29,729	Acres. 193,301 195,813	Acres, 05,900 85,743	Acres. 3,402 9,873	Acres. 59,362 44,457	Acres, 482 3,126	Acres. 2,354 7,973	Acres. 240 514	Acres. 49,048 32,616	Acres. 4,550 5,583	Acres. 7,011 18,074	Acres. 2,744 6,428	Acres. 1,608 1,842	Acres. 1,961 2,790	Acres. 83 610
5,0 <b>9</b> 5	11,458	13,057	30,210	87,195	389,114	131,643	15,135	103,019	3,608	10,327	754	82,764	11,143	25,115	9,172	3,450	4,763	738
3,686 2,459 2,579	8,670 9,3.9 3,488	9,54? 12,490 3,147	21,898 24,259 <b>9</b> ,004	30,898 34,347 20,499	212.720 201.241 147,787	38,696 120,701 57,818	5,110 8,007 13,518	4,004 77,500 31,481	19,283 10,374 2,000	9,237 23,788 9,110	1,053 903 1,009	23,930 . 88,977 23,977	1,674 6,247 5,919	9,864 17,678 18,674	1,278 7,5:5 4,518	1,753 2,340 1,460	3.518 3,518 2,778	361 484 663
5,525	21,457	<b>2</b> 5.24A	<b>6</b> 7,250	95,744	561,757	217,265	26,644	118,084	32,257	<b>42</b> ,136	3,115	1,37,685	1:,070	48,414	13,338	5,5:0	9,614	1,297
2,488 1,407 1,887	8,523 4,923 59,143 21,461	10,720 175,604 4,022	22,197 10,950 214,534 26,605	40,789 30,499 269,373 39,166	233,543 160,563 437,424 105,769	116,816 57,190 66,622 38,465	8,607 3,733 10,987 5,547	80,819 37,916 7,: 33 27,112	4,507 2,672 4,039 1,042	15,139 11,059 41.054 4,176	542 678 2,609	74,463 29,669 39,276 21,746	·	19,806 11,669 10,429 6,756	9,100 3,439 4,544 5,600	2,496 3,450 4,686 1,208	2,932 1,708 1,979	663 203 480 628
5,994	73,950	199,482	290,378	\$99,687	946,299	278,093	29,077	159,809	12,400	35,378	4,418	169,143	31,698	46,630	20,513	10,832	7,659	1,984
2,200 1,913 4,113	14,198 8,455 22,043		319,511 22,310 341,530 707,360	374,999 53,448 429,077	582,593 246,743 829,342 2720,512	66,456 38,348 104,904 731,805	5,84! 9,952 15,793	180 12,087 12,237	14,313 4,199 18,512		3,759 1,251 4,010	48,044 15,642 61,686	0,028 5,716 11,744 68,661	9,009 11,687 20,786	2,429 2,136 4,145 48,478	5,713	2,097 2,090 4,167 20,204	202 56 25%
172	4,517	204,862	259,551	303,365	320,031	34	34						1	4	id		 	 

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								Вилр	IAI.	\				
				.0	CBBRAGS A	ND PULSES				Fibres.		Dyrs.	MISORLLA- NEOUS CROPS.	
7	bade.		Bice.	Jowar (millet), janera, macutia.	Mandus.	Maize.	Kndo.	Other food-grains, including pulses.	Jute.	Sun bemp.	Others (mulberry, etc.)	Indigo.	Vegetables.	Total.
	1 .		2	3	4	٤	6	7	8	9	10	11	12	13
	Mayord Selfor was made to		Acres.	≜cres.	Acres.	Aores	Acres,	Acres,	Acres.	Acres.	Acres.	Acres,	Acres.	Acres.
	ubdivision	- 1	F 470	110	PEO	1 900	910	1,135	20	15			10	9,17
emisos	.45		5,410 10,836	119 409	259 607	1,393	813 1,978	2,248	19	152			5	27,10
	Tetal		15,955	527	●66	12,559	2,786	3,338	22	167			15	36,28
SADR SI	ubuivision					TH		7						-
rrsb	141		8,334	736	400	12,179	4,019	1,162	2	153	1		5	27.65
i70			7,202	176	1,681	3,255	1,880	469		1		243	5	16,94
hahpor			5,974	<b>5</b> 31	1,174	5,829	2,860	819	1	217			7	16,87
	Toul	. <b></b>	21,470	1,572	3,165	21,263	8,897	2,470	4	371	1	243		59,48
Bararam	SUBDIVISI	ON.												
likramganj	•••		11,437	1 <b>R</b> 2	753	763	1,737	971	ı	•••		290	31	16,14
arghar			3,729	57	310	419	2,513	2,090	18	•••		 I	14	10,04
esatam			8,030	30	1,933	2,9 <b>6</b> 6	1,463	2,732	83	13			31	12,27
i∳hri			3,399	20	517	жэ	597	782		·. <b>.</b>		31	16	6,46
	Total		21,696	269	3,542	4,237	6,309	7,478	103	13		<b>3</b> 21	82	43,94
BHABHUA	SUBDIVISIO	N.												
Auddad		***	1,304	317	2,155	3,154	1,294	8,406	60	14			38	16,74
fohania	***	•••	3,371	1×9	534	1,110	2,479	7,029	33	13		·	14	14,5
	'fotal	m.i	<b>8</b> ,675	DOG.	2,679	5,064	3,773	11,435	93	27			52	\$1,3
(iza	ALTOT UK	••	62,695	2,874	10,242	43,113	21,765	2×,768	222	678	1	564	108	170,9
Hill villages			328		766	901	401	2,547	6	Б				5,2

DIX D.

#### MENT.

	_							_ ·	KIBOÁ	1.									
CER	E & 1.8 A M	PULBE		OIL-		8v	GAE.	FIBRES.	Мтво	#LLAP	EOUB (	Juope,				CHBEALS	AND PE	LDER.	
Bice,	Jowar (millet), janera, gehu-	Bajra (millet).	Other food-grains, including pulses.	Til or jinjili.	Condiments and spices.	Sagarcane,	Others.	Cotton,	Vegetables.	Yame.	Other food crope.	Other6.	Total.	Rice (boro).	Wheat.	Barloy.	Gram,	Arbar.	Other food-grains, including
14	15	16	17	18	19	20	31	22	23	24	25	26	27	28	29	30	31	32	53
≜cres,	Acres.	Acres.	Acres,	Acres.	Acres.	Acres.	Acres,	Acres,	Acres.	Acres.	Acres.	Aores,	Acres.	Acres.	Acres,	Acres.	Acres.	Астен.	Acres
73,002	2,020	2,621	1,761	22	6	2,117		ŀ	9	250	25		81,843	19	11,227	8,021	5,723	3,931	58,26
42,13:	2,527	2,790	2,181	2	1	5,979		£33	9	257	27		56,994	232	15,485	12,301	97,501	7,220	35,03
116,138	4,550	5,411	3,942	24	7	8.096		1	18	507	52 		187,747	251	25,712	20,325	63,237	11,151	93,311
<b>37,44</b> 8	9,506	1,389	2,909	17	2	445	2			36		1	47,851	1	31,218	15,548	85 <b>,</b> 866	10,423	26,57
98,5]]	207	31	1,667	1	4	7,670		1.	4	221	13		106,229	3	12,372	13,986	25,728	2,691	53,67
83,690	2,719	155	2,126	27	8	4,196	2	-1 진단	3	299	15	1	43,251	80	11,816	10,573	91,837	8,606	21,85
163,659	12,439	1,675	6,792	45	14	12,211	4	1	8	566	32	2	197,931	34	45,406	40,107	108,431	21,719	104,0
89,157	76	45	2,963	23	6	8,750			4	267	31	. <b></b>	100,322	1	23,271	10,890	31,336	2,675	66,597
43,061		37	11,318	20	2	1,284		1	1	133	7		56,446	3	<b>35,37</b> 5	3,345	21,913	1,119	44,49
<b>54,6</b> 67	388	17		747	27	2,802			3	169	15		63,381	11	21,968	7,393	17,938	2,783	36,88
31,384	₩) t	23	3,723	251	16	4,559			7	125	13		40,191		6,525	5,593	8,597	1,688	13,12
217,269	1,114	125	22,575	1,041	51	17,395		1	15	694	66		280,343	14	67,130	27,221	79,783	8,165	160,00
79,46-	: : 2,170	618	3,722	608	2	1,903			14	800	31	1	88,235		35,420	8,129	35,989	5,143	62,06
40,644	1,676	2.793	k,273	2บ	 	883		 	2	531	   зн 		60,982	1	33,012	H,658	50,:193	4,376	63,8
120,112	3,846	3, 101	11,995	635	5	1,886		     •••	16	1,131	69	1	149,007	1	6H,432	16,787	86,232	0,510	136,4
<b>622,17</b> 3	21 948	10,509	4 5,304	1,745	77	39,588	4	3	67	2,989	219	3	741,518	500	227,669	104,940	337,672	50,554	472,9
					-			-			-		-						
5,386	1,171	15	1,211	231					5				8,021		215	1,076	1,850	678	7

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				·			1							1
				726-88800	i.	-		FIBRE		DYES.			1	Daves AN
	Thana.		ed.	rd.	•	Condiments and aploca.			•	Ð.	•			( <b>.</b> )
			Linseed.	Mustard.	Others.	Condi	Cotton.	Munje.	Others.	K as um.	Opium.	Coffee.	Tea.	Tobacce.
	1		84	<b>3</b> 5	36	57	38	39	40	41	43	45	44	45
			Acres.	Acres,	Acres,	Acres.	Acres.	Acres.	Acres,	Acres.	Agres,	Acres.	Acres.	Acres.
BU	LAR SUBDIV	ision.												
Busar			16,676	365	38	425	3	58	•	<b>3</b> 11	827		44.	11
Departon	<b></b>		5,113	700	354	193	10	479	1	693	5/14	•••	•••	1
	Total	***	21,759	955	887	617	13	637	1	904	1,881			18
#AD	R CORDIVIS	ion.						g.						
Arreh	, *** 14.		3,363	1,823	614	134	34	362	1	\$68	722		· <b>-</b>	
Pire			19,241	1,027	63	121	***	3		39	746			1
Shahpur	<b></b>		3,298	1,030	73	109	23 4 जय	460	2	305	285			•••
	Total		18,902	3,920	750	364	57	816	3	712	1,753			1
SASAB.	AM SCEDIVE	SION.												
Bikramgan	i <b>t</b>		14,951	889	32	655		4		82	462			
Karghar		•••	15,570	527	20	2,450	1		10	76	186			
Kasaram		•••	22,508	2,935	309	2,659	2	10		484	. 16			3
Dehri	***	•••	8,003	942	197	178	***			278	3			48
	Total	***	61,027	4,593	55B	5,948	8	14	10	840	666			46
BH <b>ABH</b>	ua subdivi	BION.												
lih <b>a bhua</b>	"	***	16,690	1,586	96	1.728	4	37	2	478	1,678			19
Moḥania	*** ***		13,050	1,144	40	1,501	2	28		453	1,644			22
	Totai	7**	29,740	2,730	136	3,329	A	68	3	929	3,322			41
4	irand Total	<b></b> ,	191,457	12,198	1,831	10,156	79	1,632	16	3,385	7,072			99
Jill villa Nos 881	ger in Rhabhu to 1037	a Thana	149	362	28	9	1			в	15	44-		

DIX D-concluded.

MENT.

bt.									GARIE, N	EDRAND PROFFOS					
попи		-			Miscel	LLANCOUS	ceors,	1	(INCL) PAN		d 56.				
Cinchena.	ledica henp.	Others.	Pudder exeps.	Kbaraul.	Garden produce other than unbgo groups.	Pirtatoes.	Nun-food,	Total.	Mango garden.	Othere.	Total of estumns 19, 97, 54, 55 and 56.	Ares crapped more than once.	Net also tropped.	Tar (palmytrec).	Kbajur (date tree).
<b>3</b> 63	47	48	49	59	61	62	84	54	55	<b>. 5</b> 0	57	58	5)	60	61
Acres.	Acres,	Acres.	Acres.	Acres.	Aeres.	Aercs.	Aeres.	Acres,	Aeres.	Aeres.	Aerrs.	Actes,	Acres.	Acres,	Acres.
					148	217	<b></b>	<b>126</b> ,009	2,816	1	219,962	64,129	155,835	2,925	312
					237	<b>4</b> 78	~8	116,512	7,724	8	207,295	41,201	163,581	7,519	558
					385	726	1	242,041	10,670	9	437,247	105,330	321,910	10,444	870
	.,		<b>:</b> .	1	21[	<b>6</b> 02	18	134,909	7,803	683	218,913	.37,012	161,931	45,567	13,246
					216 132	98 150		122,910 90,609	3,517 8,177	13	217,609 155,912	28,624	160,894	42,922 27,190	1,652
						150	सव	मेब ना			100,012	20,1124	127,231		6,792
				1	550	870	28	348,428	16,597	555	622,361	146,351	478 <sub>i</sub> 0 3	115,678	21,689
					274	101		160,590	4,010	+	271,071	73,297	192,774	23,90!	1,083
		430			87	19		125,408	(93	1	192,007	53,533	109,/71	:,-17	236
		158			364	204		110,563	1,000	45	193,362	45,211	148,15	26,772	50,938
					180 (	£0		45, 105	2,080	3	93,160	26,547	G <b>6,6</b> }:	15,490	<b>4,</b> 163
		553			905	423		437,976	7,862	53	750.200	263,588	516,612	(0,180	50,550
		5			171	47		169,232	750	32	274,991	67,023	207,970	13.020	17,510
		)			92	57		167,724	1,336	12	214,496	<b>61,</b> 201	193,295	3,1:1	2,731
					203	101	<u></u> -	930,955	2,0%;	 41	510,187	119,223	i		
	1	6	_						2,084		610,454	-	40!,*65	16,196	1
		555	-	1	2,112 — —	2,122	19	1,161,601 	27,125	63] —	2,(17,209	573,402	1.715,500	211,792	99,650
					2		200	5,970	13		18,707	2,043	13,665	13 [	2

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APPENDIX E.

LIST OF TENANTS' AGRICULTURAL STOCK.

Subdivision,	Thana.	Cows.	Buils and bullocks.	Male buffaloes.	Cow-buffalors.	House and powles.	Calves, including buffalo	Sheep,	Goals,	Mules and donkeys,	l'iong ha.	Carls.	Remarks.
1	2	3	4	5	6	7	8	9	10	11	12	13	14
Burar {	Вихаг —  —	15,554	27,142 20,341	271 280	8,02 <b>3</b> 8,728	1	15,077	5,674 4.682	2,086 2,282	243 234	12,440 14,510	463 404	
	Tolal	27,303	50,403	560	14,752	803	32,251	10,330	4,368	476	26,950	957	
Sudr }	Arcah  Piro  Shabpur	11,7 <b>7</b> 7 9,67 <b>4</b> 7,443	\$3,932 \$3,141 21,565	357 350 295	8,814 13,137 6,981	801 683 134	17,855 17,828 11,491	4,631 6,227 3,627	5,000 4,802 2,173	255 205 163	16,495 15,611 10,595	571 400 448	·
	Tetal	28 894	89,038	1,002	28,832	1,710	47,064	14,685	12,590	628	49,702	1,509	
Sasaram {	Dikramganj  Karghat  Nasaram  Dehri	14,303 12,716 25,015 8,550	37,440 26,868 39,271 17,751	423 7,231 590	12,947 209 17,220 6,314	750 364 527 321	20,07 k 14,397 25,938 10,334	4,713 2,005 9,5 ·5 9,552	4,659 3,015 7,906 5,108	278 146 292 194	17,517 13,145 13,187 A,151	413 213 501 596	
	Total	60,941	121,328	9,333	36,C; C	1,069	70,737	25,665	20,6]1	940	53,000	1,723	
Bhabhua {	Bhabhua Mohanea	38,173 26,149	48,504 39,106	1,242 368	17,031 7,521	611 453	31,229 22,198	3,195 9,558	4,742 3,106	278 307	18,268 15,641	218 202	
	Lotal	61,322	67,610	1,008	24,552	1,033	59,4.7	12,783	7,139	690	33,900	<b>3</b> 20	
	GBAND TOTAL	191,103	354,039	11,500	104,826	6,323	203,499	f3,600	41,097	2,622	150,501	4,009	
	Hill villages in Bhabhua Thawa Nes, 851 to 1017.	<b>6,428</b>	4,019	219	£,#81	113	5,60%	107	1,263	10	2,017	31	



APPEN

### Abstract of

		ا	Propr zi	ietors' rat.	proct	by pro- ors but zomn.	posses	tivating sion of holders.	Raig	yats at fi	ed rents or	rates.		ē	lettled or	оссирал
Subdivision,	Thana,		No. of holdings.	Total a:ca.	No. of holdings.	Total area,	No. of Loldings.	Total grea.	No, of heldings,	Total area.	Total of exieting reut.	Average rate jer acre of actal area.	No. of boldings.	Area on east-rent.	Area on produce-rout.	Total of existing rent.
1	2		8	4	5	6	7	Я	9	10	11	12	13	14	Б	18
				Acres.		Acres.		Acres.		Acres.	Rs.	182. a. p.		Acres.	Acres.	Re
<b>.</b>	Buxar	•••	93	783	3,025	23,281	602	0,039	10,211	59,107	1,28,537	3 4 6	31,651	79,286	15,332	2,91,594
Butar.	Dumrzon	m	11	519	1,402	8,214	978	5,802	18,179	60,565	2,12,436	383	38,397	00,518	5,569	3,51,88
	Total		104	1,302	4, 127	31,495	1,580	11,811	28,300	90,672	3,40,973	3 6 8	78,051	160,801	20,901	6,33,77
1	Arrah	411	47	497	339	14,463	773	2,344	49,677	81,091	4,18,792	4 14 6	54,607	84,643	15,346	3,07,54
	Piro		3	64	1,783	11,734	503	2,708	968	3,918 	19,621	502	68,709	133,411	17,319	0,86 <b>,7</b> 3
ļ	Shabpar		16 <b>t</b>	819	2.032	11,132	954	4,190	16,593	47,621	1,07,274	419	2 <b>9,</b> 580	65,075	2,830	3,10,29
	Total	· <b>,,</b>	211	1,410	4,204	37,329	2,230	9,239	07,138	136,520	6,35,600	4 10 H	152,896	205,029	35,495	13,04,56
							सर	मेव :	नयन							
	Bikramganj		1	15	1,974	12,429	752	5,514	373	3,258	11,027	3 5 0	<b>5</b> 0,850	151,340	23,015	6,00,02
	Karghar		-41	,	2,290	23,886	470	3,839	375	2,492	6,432	3 5 6	30,915	61,021	40,783	2,16,24
	Sasaram		1	10	2,111	22,870	970	8,870	51	212	474	239	42,882	73,791	48,612	2,62,43
į	Dehri	•••			1,190	0,267	475	2,295	138	717	3,653	4 15 3	22,110	49,814	6,200	2,08,77
	Total		•)	25	7,596	GH,461	2,682	20,627	937	6,099	21,486	3 8 3	126,757	312,496	111,173	13,17,48
í	Bhabhua		1	200	2,810	41,055	1,911	21,809	241	1,988	6,527	2 12 6	18,473	101,510	38,107	4,04,60
	Mohanea		2	70	3,602	<b>3</b> 3,813	1,189	18,552	8.2	<b>5</b> <sub>1</sub> 334	16,048	3 0 2	46,712	101,787	12,644	3,58,01
	netal		3	270	6,112	74,789	3,130	39,360	1,050	# 3331 6 1 2 2 2 2	21,576	2 15 <b>1</b>	02,015	200,240	80,771	7,30,61
	GRAND TOIAL		320	3,007	22,631	012,053	9,022	79,467	97,524	250,213	10,19,721	112	131.9:9	    	151,550	30.86,44
	Hill villages in El. Thana Nos. 56: to	ab <sup>1</sup> /u5 2 1037.			28	41	ът 67	1,258					3,527	11,5 %	2,190	14,310

 $\begin{array}{ll} \textbf{DIX} & \textbf{F.} \\ \textbf{Record-of-Rights.} \end{array}$ 

Raiyats.	Non-oc	ецрансу	Raiyats i Raiyats.	nelv <b>d</b> ng	; Diara	Heut-fre de		Unoque		Knisar- i-Hiud,		[The figt	ures belo	ndet-raig wither lind biogeny a		to under- ts.1
Average rate per acre of area on cash-rent.	Sumer of Boldings.	Area on cash rent.	Area on produce-rent.	Total of existing rent.	Average rate per acre of area on cash-runt.	Number of holdings.	Total area.	Nuc. ber of heldings,	Total area.	Total arta.	T. tal er.a.	Naraher of holdings.	Area on easter of.	Area on producescent.	Existing rent.	Arerage rate per acre of area on cash rent.
17	18	19	20	21	22	28	24	25	26	27	28	29	30	31	32	33
Re. s. j.		Acres,	Астев.	Rs.	Rs. a. p.		Астев.		Arres.	Acres,	Aeres,	!	Acres.	Acres.	Rs.	Rs. a. p.
3 8 1:	524	1,454	231	5,404	3 11 6	1,528	1,788	4,641	21,320	4,462	163,301	1,002	568	741	3,009	8 4 1
3 14 6	251	1,232	4	4,811	911 6	3,152	4,134	3,112	15,443	3,913	105,813	4,019	2 238	1 938	18,078 10	5 9 9
3 11 S	475	2,686	235	10,216	3 12 10	4,678	5,020	7,753	36,763	8,105	280,114	5,ne1 5	2,035	2.679	16,127 10	5 8 5
4 10 3	113	304	3	2,070	8 12 6	5,074	3,8 <u>1</u> 6	5,88 <b>1</b>	19,227	5,175	2:2,720	1,750	894	300	10,114	11 5 (
<b>5</b> 2 5	59	72	29	297	4 2 0	3,091	2,175	3,936	18,791	10,723	202,314	SAG	251	374	1,981	5 1 1
<b>4</b> 12 3	180	720	24	2,900	3 0 10	2,641	2,896	2,995	11,013	1,067	147,787	1,709		457	11,246	7 10
4 14 9	152	1,006	53	5,1:7	4 8 0	10,806	8,717	12,515	40,031	17,835	\$62,830	4,031	2,027 173	1,207	23,311	7 16 7 10
3 15 1	483	1,436	207	3,621	2 8 3	3,167	8,889	3,976	27,002	5,345	233,643	1,399	886 1	408	4,044	2 0
3 9 1	:84	835	178	2,089	2 8 0	1,698	2,079	3,586	23,399	3,002	160,563	892	<b>D</b> 18	185	3,126	3 6
3 5 10	1,013	1,615	539	3,442	2 2 0	2,141	2,530	4,881	207,934	11,442	487,424	1,147	565	E09	1,999	3 3
<b>4</b> 5 0	171	477	15	1,839	3 13 9	1,008	1,254	2,469	<b>2</b> 5,2.12	11,099	105,769	138	3	20a	1,691	1) 11
3 13 6	1,930	4,363	039	10,990	3 8 3	8,104	9,702	:6,215	842,007	31,848	939,899	3,786	2,607	2,194	10.260	8 14 9 2
3 15 9	1,198	2,839	1,305	11,281	3 15 7	5,580	6,449	6,773	363,208	1,170	582,590	1,511	1,248	617	4,533	4 0
3 3 2	712	2,381	430	5,836	2 7 2	3,338	3,687	5,0R1	39,530	3,508	246,743	1,969	1,162	1,15%	4 521	8 14
3 5 6	1,910	5,223	1,735	17,117	3 4 6	8,918	648,182	12,751	402,743	4,678	829,312	3,350	2,370	1,763	9,354	3 15 8 u
4 1 0	4,417	10,368	2,965	43,489	3 4 (	32,506	672.951	48,237	831,446	82,856	2,727,556	16,278	10,830	7,9:7	59,052 1,410	I —
0 15 8	96	295	38	240	0 13 (	192	1,135	473	300,058	113	320,031	385	322	17	258	1 1

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APPENDIX G.
SALE OF OCCUPANCY RIGHTS.

	3		cupancy raivade	atians of occu-	Nимпев о	P SALES.		Num	BEA OF	SALES	to-			d sold.		No. of vendo still hing under raiya	ors iold- as
Sabdivision.	THANA.	Total area in acres.	Total area held by occupancy relyade in acces.	Total nur ber of Khatians of occu- pancy raisats.	Whole holding.	Part holding.	Area sold in acres.	Landlords.	Lawyers.	Money-leaders.	Ralyats	Amount paid.		Bate per acre for land sold.		On cash-rent.	On produce-rent.
1	3	3	4	5	6	7	8	9	10	11	12	13		14		15	16
		Acres.	Acres.				Acres.					Rs.	Rs.	۵.	p.		
á	Boxar	191,584	93,351	81,330	230	630	1,830	4	8	150	608	2,04,459	111	11	\$		
Butar	Dumraon	191,510	92,104	37,201	880	1,802	3,304	29	15	209	1,630	6,30,084	190	11	5	3	3
	Total	887,094	185,455	71,531	610	2,432	5,134	33	28	449	2,537	8,34,623	169	8	9	3	1
	Arrah	210,674	80,021	56,011	506	1,157	1,614	98	52	254	1,259	4,85,138	295	3	0	18	•
Padr.	Piro	191,559	142,258	67,035	849	801	1,892	26	5	10	1,110	3,11,194	151	10	9		ъ,
Nu.	Shahpur	147,787	67,906	20,580	213	408	1,081	25	13	53	588	2,04,858	189	8	9		
	Total	550,020	290,181	150,626	1,068	2,424	4,117	1:8	70	317	2,957	9,01,185	218	14	8	16	
	Bikramganj	255,548	174,388	<b>5</b> 0,850	227	727	1,766	38	10	20	882	1,43,860	81	14	0	6	1.
ġ	Karghar	169,568	100,804	30,915	<b>5</b> 8	105	398	21		7	135	14,912	37	6	В		
Sakarato,	Sasaram	487,424	122,433	42,682	72	131	426	7	2	29	165	14,741	34	9	1		-#
	Debri	105,769	54,545	22,110	45	109	216	8	3	25	118	30,543	141	7	7		
	Total	946,299	461,169	146,757	402	1,072	2,795	69	15	90	1,300	2,03,850	72	14	11	6	1
ġ	Bhabhua	662,590	139,647	45,473	30	43	187	9		5	<b>6</b> 9	9,112	48	10	11		
Bhabbus.	Mohanea	244,743	144,431	46,742	132	291	841	25		36	362	38,070	45	4	8		
	rfotel	829,3 :2	264,078	92,215	162	334	1,028	34		41	421	47,182	45	14	4		
	GBAND 70744	2,708,765	1,220,858	<b>4</b> 61,129	2,242	6,202	13,674	284	109	807	7,215	10,86,746	151	15	4	25	7
	Hill villages in Pha- bhua Thans Nos. 8sl to 1037.	320,081	14,798	3,527	6	В	43			2	12	570	13	4	1		



APPEN

Transfer of Pro

Sah	division.			Thana.		Total area,	Total number of kbewat entries.	Numbor of transfers,	Area imosforred.	Percentage of columns 7 to 4.	Percentage of celumns 6 to 6.
	1			2		3	4	5	8	7	8
Buxar	,	{	Buxar Dumr <b>a</b> on			Acres. 8,540 19,276	147 260	53 18	Acres, 1,692 521	19:81 2:75	36·05 7·20
				Tot	ai 🔝	27,816	397	71	2,213	7:95	17:88
Sadr		: }	Piro	***		20,636 17,753 14,162	392 24H 293	48 G3	8,664 3,421 ),578	27:44 13:64 11:11	12·25 23·50 11·77
				Fot	al	52,571	953	. 145	10,881	20*17	15-71
Sasara m		**	Korghar	···•		12,627 15,618 20,436	232 371 267	43   84   107	1,495 1,770 2,000	11:84 11:34 0:79	18*55 22-70 40*08
		ا ا ز ا	Dehri		,,,	19,471	307	64	2,045	10· <b>50</b>	20 85
				<b>'f</b> ot	al	68,192	1,177	298	7,316	10.72	25.31
Bhabhua		{			 	76.416	731	179	21,957	23·73 20·13	24·49 14·79
				Tot		133,714	2,070	577	36,926	27:61	18:21
				Jrayo To	Pat ,	252,293 	4,51/7	861	57,118	20:28	19:36

DIX H.

prietary Rights.

N	umber of tr	ansfers to-	-	rapeer,		red.			
Landlords.	Lawyer class.	Money-lendors.	Bairata.	Share of land revenue transferred in rupees, if given.	Price paid,	Average rate per acre of land transferred.	Highest rate per acre.	Lowest rate per acre.	Bomarks,
9	10	11	19	13	16	15	16	17	18
36	в	8	9	Rs. 1,665 914	Rs. 48,424 45,448	Rs. a. p.	Rs. s. p. 822 9 8 573 6 4	Ra. a. p. 0 9 2	
81	5	4	11	2,579	93,872	42 6 8			
25 19		14	9 87	7,605 5,113	2,78,74 <b>2</b> 1,71,181	49 8 <b>4</b> 50 0 <b>3</b>	520 13 4 263 9 5	30 7 4 9 14 2	
24		6	•	1,401	1,38,338	87 13 0	403 4 4	7 15 11	
68	1	26	50	14,179	5,88,201	55 2 10			
24	3	40	6	899	1,28,191	85 12 2	378 2 5	4 0 6	
40		5	39	970	1,00,389	56 7 11	479 0 8 423 11 8	13 2 5	
97 81		6	27	1,616 1,232	1,29,509	73 7 8	423 11 8 1,084 15 6	4 12 7 11 0 6	
192	3	22	81	4,717	5,0B. 343	69 7 8	,,		
119	4	21	35	5,025	2,42,401	11 0 7	191 15 6	1 0 2	
125	15	19	39	51,021	3,83,828	25 10 3	660 0 0	\$ 8 11	-
244	19	40	74	58,046	6,26,229	16 15 5			_
555	28	92	216	; 77,521	18,16,646	31 12 10		,,,,,	

APPEN

Mortgages with

						<del></del>		
							Ares in acr	es held by
Subdivision,	Thana.		Total namber of Mortgages,	Total area of thaus, etc.	From propietor,	From tenure-holdor.	From raigat at fixed rent.	From settled raiyat.
_ ,			Total n	Total a	a	b	a	d
1	1		3	4		_		5
				Acres,			_	
Berur	Buss		7,547	191,584	1,339	на	4,936	5,603
	Dumraen	•••	18,164	191,510	1,007	209	8,918	10,356
	Total		25,711	383,094	2,916	267	13,854	15,959
	Arrah		10,908	210,674	895	70	8,814	4,629
Sida	{ : Ptro	V.	10,337	191,559	857	37	71	9,796
	Shahpur	H	18,793	147,767	1,116	234	8,156	7,953
	Totał	स्य स्थ	<b>4</b> ₽,036	<b>5</b> 50,020	2,568	341	17,041	<b>22,</b> 378
	Dikramgenj		4,629	233,543	630	C9	140	5,663
Sasare m	Karghar	•	1,035	160,563	881	17	81	1,057
	Баşагаш	<b>.</b> !	935	437,424	4,645	175	2	1,367
	Dehri	\	1,798	165,769	551	117	18	2,084
	Total	•	8,395	946,299	6,710	378	241	10,171
	Bhabbus		867	582,599	432	76	26	561
Bhaileus	: Mohanes		2,816	246,743	923	91	167	2,960
	Total	•••	3,513	829,342	1,355	107	213	3,541
	(trand total		86,655	2,708,755	13,879	1,153	31,849	52,040
	Hill villages in Bhabhna Nos. sel to 1037.	Thana	135	320,031	 			187

DIX I.

possession.

ortgagee.			Area bel	d by Morts class	arees of dice.	fferent			-
From occupancy raiyat.	From non-occupancy ratyat.	Total area (in acres) mortgaged.	Landford elass.	Lawyor cliss or class of those in service.	Money.ending class.	Rairat class.	Total amount advanced in rupees,	Rate per nere.	L'emarks.
	<i>f</i>	Total	a	ь	r	_	Total	Rate 1	
		8		7			8	9	10
							Rs.	Rs. a. p.	—·
91	8	12,095	466	84	1,307	10,177	14,57,910	121 3 3	
3	1	21,094	478	86 	2,386	18,147	43,92,958	208 4 1	
94	9	33,120	942	170	Zen, E	29,324	58,50,878	276 9 8	
2,856	1	17,265	745	239	4,016	12,264	41,05,124	241 7 7	
		10,761	389	40	218	10,104	13,13,869	122 1 7	
18	10	17,487	776	127	2,634	12,957	34,06,250	194 15 3	
2,871	11	45,513	1,910	409	2,853	24,081	63,83,245	195 3 7	
•	12	6,518	261	15	277	5,865	6,65,993	89 14 3	
		2,039	264	12	7B	1,680	99,986	49 0 9	
5		6,194	4,211	273	262	1,448	98,514	15 13 11	
5		2,775	144	20	603	1,909	2,89,791	104 7 0	
11	12	17,526	4,830	329	1.320	10,908	10,74,281	61 4 8	
126		1,220	246	•	160	808	39,072	31 15 9	
9		4,190	876	2	178	3,197	1,27,198	42 4 7	
134		5,410	1,122	8	338	3,945	2,16,270	39 15 7	
3,116	32	Jul,578	A,854	910	8,201	67,328	1,60,26,677	157 10 10	
		167	8		75	103	4,245	22 11 2	

APPENStatement of the

			ļ				Zi					Posse	ssion.				]	Mone dis	y Reni	
	Tha	ua.		Total	number of	01808.	Bakı	s.	t	ilord s. ilord.		dlord s. naut.	t	nant	1 1	nant	'	ndlord ps. nant.	1 ,	nant diord.
				Allowed.	Disallowed.	Total.	Allowed.	Disallowed.	Allowed.	Disallowed.	Allowed.	Disallowed.	Allowed.	Disallowed.	Allowed.	Disallowed,	Allowed.	Disallowed.	Allowed.	Disallowed.
	1		1		2		3	4	5	В	7	8	9	10	11	12	12	14	15	16
		····		<u> </u>		e	3	•	_			°		100					10	
Arrah	•••	***		2,927	11,194	14,121	9	116	227	796	289	1,066	306	1,823	111	48	453	1,011	148	785
Piro		•••		1,674	6,576	8,250	3	4	127	841	105	956	355	<b>495</b>	102	348	275	1,163	108	1,003
Shahpur		***		1,558	12,579	14,147	.2	29	95	307	178	876	135	838	40	267	158	550	<b>\$</b> 5	480
Buxar	**	***	]	2,951	10,350	13,301	31	199	123	278	267	1,390	360	759	163	462	269	640	73	251
Dumraon		***		4,076	19,691	23,767	2	26	116	419	292	1,097	474	2,206	134	478	776	1,423	120	275
Bhabhna	•••	***		655	4,379	5,034		7	41	312	69	872	53	319	53	258	121	1,296	72	109
Mohanes	•••	***		1,213	5,677	6,890	1		112	876	110	660	74	203	52	285	219	987	99	467
Basaram	•••	444	,	346	2,246	2,592			29	187	58	162	26	192	9	75	43	483	82	534
Bikramgar	nj	***		1,955	5,204	7,159		3	122	178	169	841	207	591	<b>\$</b> 8	217	249	951	108	223
Karghar		***	,	787	3,527	4,314	A		-81	810	92	524	105	245	52	189	100	913	68	237
Debri	***	***		227	2,687	2,884		7	-92	121	23	381	32	233	7	143	18	625	12	198
Arrah (Ber	vision e	L505)	•	1,417	10,961	13,398	2	यम	ৰ ভ্ৰহ	ले			•••							<b>;</b> .
		Total		19,796	95,061	114,857	37	400	1.098	3,626	1.597	9 R95	1,927	8,161	781	3.151	3,660	10,072	680	4,533

DIX K. results of section 103A objections.

	Cash i Produc	ent vs. e rent.		Bat	ai vs. ]	Danaba	ndi.	1	About s	hares lucc.	oſ		Status.				_				
Land P Ten		v	nant s. Hord.	Ìτ	llord s. ant.	i t	nant	_ t	dlord	11	nant s. ilord.		diord		nant es. dlord.	Ti	tle.	Tı			ella- Jus.
▲ '· we.2.	Disainwed.	Allowed.	Disallowed.	Allowed.	Disallowed.	Allowed.	Disallowed.	Allowed.	Disallowed.	Allowed.	Disallowed.	Allowed,	Disaltowed.	Allowed.	Disallowed.	A. Jowed.	Disallowed.	Allowed.	Disallowed.	Allowed.	Disa.Cowed.
17	 	19	20	21	22	28	24 	25	26	27	28	29	30	31	32	33	34	35	36	37	38
,83	105	21	100	7	10	2	32		33	7	7	583	3,165	598	832	45	368	93	208	<b>4</b> 3	220
3.1	15.0	15	34	1	6				<b>,.</b>	1	3	45	198	103	793	72	134	101	308	431	433
6	9.1		14						33		33	457	6,155	225	2,081	27	211	63	166	173	306
25	110	21	111	7	2		2	1	3		8	725	3,806	699	1,778	8 <b>7</b>	226	89	197	31	118
54	170	12	45				3		37	1	4	827	] 9 <b>,</b> 969	591	1,862	332	915	61	131	278	644
1.3	2:07	4	48					3	28	1	2	53	834	61	250	25	202	25	70	61	7.5
51	100	8	72	10	119		3	25	128	E	23	135	537	182	798	49	157	38	260   	45	276
1	21	7	33		14		23	1	22	1	17	3	27	7	28	48	177	31	62	50	182
\$0 k	101	51	45	4	1	1	6	•••	2	1	2	<b>3</b> 95	388	120	312	212	566	116	231	110	248
77	549	16	124	16	12		31	20	22		2	18	117	51	76	27	69	18	::5	28	42
	1%.	1	57		3			·· <b>·</b>	1			3	31	36	159	18	163	30 . 	258	22	152
												1,417	10,981			•••			•		
<b>3</b> 31	2.080	150	686	45	167	3	100	50	300	13	102	4,659	35,706	2,676	8,971	942	3,654	657	1,926	1,272	2,694

APPEN
Result of settlement of fair

					<del></del>	Anmber (	of <b>bol</b> d	lngs in s	which			Existing 1	ents of ho	ldings suc	d under	
		}						kabit	No rent	settled.						Du .
Serial number.	Name of The	ana.	Number of cases,	Number of holdings.	Existing rent settled.	Rent enhanced,	Rent reduced.	Rent seriled for entire logist holdings.	Application discillow- ed,	Application with-	soction 7.	Section 52A.	Section 30.	Sections 52A and 30.	Section 52B.	Any other section or specified section,
1	2		3	4	5	в	7	8	9	10	11	13	13	11	15	16
1	Arrah		458 450	6,497 8,307	2,454 1,479	2,461 5,809	47 12	238	551 406	740	163	10,071 6,970	1,963 623	63,007 139,817	797 612	451 2,955
3	Shahpur		1,048	8,355	1,809	5,093	36	574	479	364	3,973	14,392	1,992	98,992	12,080	٥
4	Buxar		1,118	B,260	1,168	2,840	73	5-19	179	459	3,410	14,743	4,581	21,083	105	
5	Dumraon		2,111	13,569	3,108	7,707	3	1,397	450	808	2,696	45,645	13,944	1/4,613	333	•••
6	Hhabhua	4.1	275	1,471	08	212		80	178	903		2,501	24	3,576	62	
7	Mohanca		440	2,613	134	<b>5</b> 76	188	82	32	1,789	511	27	1,183	10,478	15	
8	Sasaram		354	1,352	187	642		46	157	820		988	651	7,988	***	
9	Bikramganj		<b>9</b> 22	13,351	1,672	7,757	8	1,063	1,177	1,674	6,683	345	838	99,094	68	-
10	Karghar		163	1,209	268	518	8	27	52	308	428	127	<b>7</b> 70	15,815		
11	Dehri 1	•••	178	1,944	679	803	W.	15	237	159	415	113	2,568	27,015		2,109
,	Tatal		7,531	63,927	18,052	34,198	188	4,108	3,918	8,073	18,839	95,922	28,437	612,818	14,366	5,530

DIX L. rents under Section 105.

							Amount of	rent.						
				Enhanced	or increa	sed under						ion.		for entire s holdings.
	Section	n 63,			Ereti	ion <b>30.</b>		Any other	section (in	ichidin <b>g s</b> e	ection 7).	ıy Sect		·
Actor contests	On compromise.	Ex-parle,	Total.	After content.	On compromise.	Ex-parte.	Total.	After concest.	On compromise.	Ex-parte,	Total.	Reduced under any section.	Area.	Rent.
ıs i	18	19	20	21	22	23	24	25	26	27	28	29	80	21
2575 1988	136 296	22 13	694	2,808 7,517	125 743	146	3,169 8,107	4 83		***	0 \$3	87	191 31	520 137
1,:26	364	34	2,324	5.487	<b>36</b> 3	64	6,314	79	597	145	921	243	527	2,458
1,040 6,126	237 810	2 59	1,885 6,294	4,400 10.567	190 ( 481	84 139	4,874	362 242	150 103	12	512 357	23 53	1,129 2,486	2,679 9,410
134	70		204	308	***		307		,,,		.,,		210	674
164	7		171	531	213		747	22			29		100	415
49	12 (		170	372	269	000	641	W					28	79
915	1,393	10	2,348	6,116	1,386	126	7,628	195	123		418	9	1,809	7,114
17	91		108	<b>6</b> 01	162	7	780			6	6		29	7\$
533	8	7	108	1,316	107	51	1,471	14			14		18	59
11,657	3,538	147	15,937	40,114	3,979	765	44,958	1,001	1,078	163	2,243	462	6,585	24,117

APPENDIX

Classification and results of suit

		{		Zir	at				Possess	ion.			}	Моп	ey rent
	Name of Tha	na.	tion.	vs	1	Land vs Land	. 1	Landi vs Raiy	. }	Raiy es. Land	.	Raiy vs Raiy	r.	Land vs Ruiy	, }
Serial Number.			Number of objection	Allowed.	Disallowed.	Allowed.	Disallowed.	Allowed.	Disallowed.	Allowed.	Disallowed.	Allowed.	Disallowed.	Allowed.	Disallowed.
1	2		3	4	5	6	7	8	9	10	11	12	13	14	15
1	Arrah	***	583	1		8	27	36	31	18	13	21	9	90	40
2	Piro	•••	825	1		19	6	7	52	4	5	3	9	23	42
3	Shahpur	•••	504			2	2	6	22	12	10	7	12	140	210
4	Buxar	•••	594		1	13	16	8	102	4	17	3	11	61	61
ជ	Dumraon	•••	1,505		1		47	19	56	11	26	12	75	260	400
6	Bhabhua	•••	62	,,,	1	***	6	1331	2	•••	3	1	4	9	8
7	Mohan <b>es</b>	•••	272		***	L	1	10	13	2	3	1	10	24	84
8	Sasaram	•••	65		•••	8	5	2	3	1	1	2	8	4	30
8	Bikramganj	•••	398			🦓	9	13	42	1	3	21	9	126	80
10	Karghar	•••	59		•••	3	3		2	1	5	τ.		1	6
11	Dehri	•••	193		<b>.</b>	1			15	2		7	20	64	31
	Total	•••	4,560	2	3	47	122	101	340	56	86	79	167	802	1,032

M. under section 106.

Dispute.	.	Proc	luce rei	nt dispu	ite.		Sta	tus.							
Raig vs Land	. (	Land Rai		Rai ve Land	· •	*	ilord #. yat.	1 0	yat s. ilord.		tle.	Tr	e <b>es.</b>	Misce	lianeous.
Allowed.	Disallowed.	Allowed.	Disallowed.	Allowed.	Disallowed.	Allowed.	D.sallowed.	Allowed.	Disallowed	Allowed.	Disallowed.	Allowed.	Disallowed.	Allowed.	Disallowed.
:6	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
24	24	9			1	18	36	6	95	9	14	10	20		,.
5	46		2	•••		6	7	<b>3</b> 2	42		_		8		15
1	2	7		•••	1	15	3	}		 8	•••	2		1	3
15	5	1	•••	•••		56	48	2 13	15		•••	3	•••	3	26
43	15			***		9n 9	88	15	79	10	1	3	14	5	47
8	) }		24	***	88		l I		90	21	15	•••	9	26	65
3		2			•••		2	S) _	1	1	13	•••	•••	1	5
3	1	<i></i>		2	1	46	16	24	371	3	1	2	1		2
		•••	•••	•••	•••	1	31.1	7	35	•••		•••	2	•••	•••
2	2	•••	4	•••	•••	2	<b>3</b> 8	1	24	•••	2	3	2	9	6
	2	,	•••	•••	1	***	31	1	•••	•••		•••	2	•••	1
1	1	24		•••		5	LEL	747	16		2	1	2		•••
					 	R	UT./	200	8						
97	98	43	<b>3</b> 0	2	92	157	269	100	433	47	48	24	60	53	170

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APPENDIX N.

Statement of appeals in cases under section 105, Bengal Tenancy Act, up to August 1915.

Serial No.	Name of Thana.	Total number of appeals instituted.	Total number of appeals decided.	Upheld.	Modified.	Roversed.	Romanded
I	2	3	4	5	6	7	8
1 2 3 4 5 6 7 8 9 10	Arrah Piro Shahpur Buxar Dumraon Bhabhua Mohanca Sasaram Bikramganj Karghar Dehri	152 201 258 149 485 3 17 27 235 24 34	148 201 244 149 483 1 5 10 215 6 5	78 101 134 105 22 <b>7</b> 1 2 4 130	55 79 60 30 160  2 2 75 5	11 20 44 12 86  1 6	1 6 2 10 1 3 4
	Total	1,585	1,467	783	473	180	31



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APPENDIX O.

Statement of appeals in suits under section 106, Bengal Tenancy Act, up to August 1915.

Serial No.	Name of Thans.	Tetal number of appeals instituted	Total number of appeals decided.	Upheld.	Modified.	Reversed.	R manded.
1	2	 3	.1	5	6	7	8
1 2 3 4 5 6 7 8 9 10	Piro Shahpur Buxar Dumraon Bhabhua Mobanea Sasaram Bikranganj Karghar	116 105 195 92 319 2 45 2 74 7 12	$\begin{array}{c} 79 \\ 186 \end{array}$	84 49 171 46 163 1 2  53 	13 6 2 4 26  2  4	15 19 10 24 71  1  2	4 5 3 10 15   5
	Total .	 969	810	569	57	112	42



196
APPENDIX P.
Results of section 40 cases in the original courts.

			cascs in-	Tot	al numbe	r of ca	ses	colamn 4.	ar column	rent per	rent of	
Serial number.	Name	of Thaua.	Total namber of stituted.	Allowed.	Bejected.	Withdrawn.	Total.	Ares in scres for column	Rent commnted far column 4.	Average rate of acre.	Aversge rate of rent of oc::npancy Raiyat as per Goshwara,	Remarks.
1		2	3	4	5	6	7	8	9	10	11	12
				.		}			Нв.	Rs. a.,p.	Rs. s., p.	
1	Atrah	***	 319	280	23	7	319	904	5,956	5 15 10	<b>6</b> 10 a	l
2	Piro		 898	326	7		353	919	6,121	6 10 6	5 2 3	i
3	Shahpar	•••	 20	10	3	7	20	88	808	8 8 Q	4.12 3	
4	Buxar	•••	 266	171	89	6	266	728	3,086	4 3, 9	3 8 9	
5	Dumrson	•••	 20	18	2		20	70	238	<b>3 2</b> 1	3 11 6	
6	Bhabhua	***	 398	215	167	16	398	1,759	8,984	6 1 8	3 15 9	
7	Mohanca.		 666	418	2,60.	20	686	2,584	10,698	4 2 9	3 \$ 2	
8	Sasaram		 760	524	160	710	766	3,253	<b>14</b> ,1 <del>78</del> -	4-5-9	<b>3</b> - 8 10	
9	Bikramganj	•••	 623	474	145	3	622	2,909	11,073	3 12 9	3 15 4	
10	Karghar		 <b>9</b> 19	757	122	40	<b>9</b> 19	4,504	28,312	6 4 8	8 0 1	
11	Debri	•••	 274	211	63		27 1	479	8,007	6 8 8	4 5 0	
		Total	 4,613	3,411	1.031	171	4,618	18,273	91,966	5 0 6	4 1 0	

सन्यमेव जयत

# APPENDIX Q (i).

List of villages containing Government or Temporarily-settled estates in which fair rents were settled in the present operations.\*

Serial No.	Thana number of villages containing Govern- ment and Tem- porarily- settled estate.	Name of vi	llages.	Tauzi number of estates.	Total area in acres found during present survey.	Nature of present settlement.
1	2	3	. !	4.	5	ថ
		THANA AE	BRAH.			
1 2 3 4 5 6 7 8 9	11 24 24 102 102 103 104 105 110 183	Rampur Diara Do. Rambad Patila		992 349 11124 *\$15 8198 8198 8198 8198 8198	377.50 30.64 11.81 397.69 3.16 690.12 64.49 1,455.29 16.18 43.71	G. E. R. T. S. G. E. R. T. S. G. E. R. Do. Do. Do. Do. Do.
		THANA SH		200		
1 2 3 4 5 6 7 8 9 10	19 19 19 23 80 31 35 62 78 79 188	Hirkhi Pipra Salijauli Baharanpur Dakhi Karja Pararia Barod Parwa	nwar	873 10785 10786 1232 1233 192 1932 872 1992 872 1992 871	122·42 31·90 31·86 57·56 988·75 138·76 405·79 21·49 581·37 264·22 3·47	T. S. G. E. F. T. S. Do. G. E. R. Do. T. S. G. E. R. Do. T. S.
12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30	187 188 239 210 241 241 241 241 243 244 245 252 257 260 261 262 263 264 268	Baradparwa Utarwari Jungle Kanghusara Jagdishpur Do. Do. Bara Pokhar Sonbarsa (Rupa De		1101 876 983 1045 982 985 1203 874 1201 984 1204 1046 1102 875 877 878 983 1252 886	110·03 816·58 1,244·98 160·91 3,253·98 12·26 47·23 99·19 153·29 406·86 1,507·27 213·15 414·23 104·90 37·62 29·10 1,454·73 313·86 556·62	T. S. Do. Do. Do. Do. Do. Do. Do. Do. Do. Do

<sup>\*</sup>In column 6 of the statement G. E. R. means "Government Estate settled with raiyats", G. E. F., "Government Estate farmed", and T. S. "Temporarily settled estate".

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APPENDIX Q (i)—continued.

of of or or ar	Thana number f villages ntaining Govern- ment nd Tem- norarily- settled estate.	Name of	villages.		Tauzi number of estutes.	Total area in acres found during present survey.	Nature of present settloment.
	2		3		4	5	6
	159	THANA PIR	0.		4 <b>7</b> 26	970 89	G. E. F.
	176	Bhulkua			3748	371.72	G. E. R.
	248	Charpakhri	•••		3748	98.39	Do.
	344	Megharia	• • •	***	3748	19.14	Do.
	367	Ekwari		•	3748	159.81	Do.
	396	Garpa	•••		3718	57.47	<u> </u>
	4.1.4	Warsi Ma, Myani	 E'S VILLA	GES.	4627	736-60	$\mathbf{D}_{0}$ .
	12	Jamuaon		•••	4160	52:35	T. S.
	12	Do.	•••	***	4383	1,051.82	Do.
	13	Saneya		••	4709	175.90	$\mathcal{D}_{\mathbf{o}}$ .
	14	Bambur	•••	4000000000	4160	490.22	$\frac{\mathrm{Do.}}{\mathrm{Do.}}$
	15 16	Chowbeypur Marahi	1	wines.	$\begin{array}{r} 4234 \\ 4500 \end{array}$	$\begin{array}{c c} 153 04 \\ 150 04 \end{array}$	Do. Do.
	17	Chhourahi Jung	de la		983	1,849.91	Do.
	$\tilde{18}$	Keswa	7	,	4483	630.22	Do.
	19	Bisumbarpur			4163	33.53	Do
	20	Haswadehri	•••		4341	325.81	Do.
	22	Akarna		The factor	4133	956.68	Do.
	23	Kasair	• • •	141110	4484	300.70	Do.
	24	Baraon	🦼		4158	1,531.27	Do.
	25 96	Hatpokhar	Malan		4339 98 <b>3</b>	185·40 2,350·76	Do.
	26 27	Jitaura Jungle Rajea	Manai	The Course	4657	361.89	Do. Do.
	$\tilde{60}$	Mathi	•••	ग्रामोत न	4199	415.33	Do.
	61	Mothiwal Jung		선생님이 가	983	76.48	Do.
	62	Jagdishpur Pat			4382	234.78	Do.
	63	Bahari Mahade	υ <b></b>		4159	64.19	Do.
	64	Nack Tola Jung	zle	•••	983	1,536 98	$\mathbf{D}$ o.
	6 <b>5</b>	Barouli	***	***	4137	431.19	Do.
	66	Tiwaridik	.,. [1	•••	4340	164.88	Do.
	6 <b>7</b> 76	Ranglal Tola J Rasauli	ungie	***	983 4658	316·13 29 <b>7</b> ·76	Do. Do.
	77	Jamnipur		•••	438 <b>4</b>	253.68	Do. Do.
	86	Lahrabad	•••		4343	31.36	Do.
	86	Do.			4488	37.97	Do.
	87	Ibrahimpur			<b>4</b> 343	79.66	Do.
	88	Piro		•••	4235	16-95	Do.
	88	Do	• • •	•	4236	273.71	Do.
	88	Do	• • •	•••	4580	55.97	Do.
	88 88	Do Do	•••	•••	$\begin{array}{c} 4580 \\ 4625 \end{array}$	26.51 729.12	Do. Do.
	89	Gajradih	***	***	4330	96.90	Do.
	90	Deo Chanda	•••	•••	4255	417.50	Do.
	95	Piro Chak	•••	•••	4580	132.10	Do.
	<b>.</b>	THANA BIKRAN	GANJ.				
	2 <b>8</b> 8	Kharwath		•••	5075	814.81	G. E. R.
	538	Punaidi <b>h</b>	•••		<b>5</b> 676	75.73	Do.
	544	Jaisti Inglish	•••		5676	10.26	Do.
	$\frac{546}{548}$	Jaisri Atma		•••	5676 5676	120.92	Do. Do.
		i .		•••			Do.
			•••			ŧ .	Do.
	548 584 586	Atma Padumanpur Jaisri Inglish	••		· · · · ·	5676 5676	5676 29 56 5676 11.71

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APPENDIX Q (i)—continued.

Serial No.	Thana number of villages containing Government and Temporarily-settled estate.	number of villages containing Govern- ment and Tem- porarily- settled			Tanzi number of estates,	Total area in acres found during present survey.	Nature of present settlement.
1	2		3		4	5	6
		THANA DUMR	AON.				
1	64	Duma Taufir		•••	1298	22.66	T. S.
2	72	Gangauli			1298	104.79	Do.
3	73	Mohanpur	•••		1298	3.85	Do.
4,	74	Kharba Tanr	•••		1298	415.45	Do.
5	149	Chausalpur	***	•••	1334	4.45	G.E. F.
6	154	Bhoipur Kadin	١	• • • •	1334	37.22	Do.
<b>7</b> 8	161 164	Dhakaich Rampur	***	•••	1297 . 1297	8.72	G. E. R.
9	165	Rasulpur	•••	•••	1297	3·90 17·56	Do. Do.
		•	BUXAR.		2.50	1,00	20,
,			0	1321	0.070	000	<b>5</b> 77
1 2	3 3	Salarpu <del>r</del> Do.	(2.5)		2018	39·85	T. S.
3	3	Do.	900		803 <b>6</b> 803 <b>7</b>	9·00 11·12	Do. Do.
4	3	Do.	- 66	1.0	8038	7.91	1)o.
5	3	Do.	A		8039	10.67	Do.
6	3	Do.		D U 122	804 <b>0</b>	10.55	Do.
7	3	1)0.			8041	4.09	Do.
8	3	Do	11 /2		8042	6.49	Do.
9	3	Do.	(E)	HESSEL	8043	2.22	Do.
$\begin{array}{c} 10 \\ 11 \end{array}$	3 3	Do. Do.	-		$8044 \\ 8045$	15.69 15.89	1) <sub>0</sub> . Do.
12	3	Do.	2	त्यमेव जः	8046	35.60	Do. Do.
13	4	Chuni	• • •	***	1617	202 44	Do.
14	4	Do.	•••	•••	1618	512.87	G. E. R.
15	4	Do.		•••	1619	143-13	Do.
16	4	Do.	•••	•••	1627	150.55	Do.
$\begin{array}{c} 17 \\ 18 \end{array}$	4 4	Do,	•••	•••	1628	75.37	T. S.
19	4	Do.		•••	$\begin{array}{c} 1629 \\ 1630 \end{array}$	77·03 34·70	G. E. R. Do.
20	4	Do.	•••		10763	76.82	Do.
21	5	Kashipur	•••	•••	1783	65.79	T.S.
22	् ।	Do -	•••	•••	8432	39-80	Do.
23	5	Do.	•••	***	8433	38-10	Do.
24	5	Do.	•••		8434	15.66	Do.
25 26	5	$\mathbf{D_0}$ .	***	•••	8135	20.15	Do.
27	5 5	Do. Do.	•••	•••	8436 8437	17.57 66.12	Do.
28	8	Gehuana	• • •	•••	1688	23.21	Do. Do.
29	$ \tilde{s} $	Do.		•••	10171	15.26	Do.
30	8	Do.			10172	15.02	G. E. R.
31	8	$\mathbf{D_0}$ .		•••	10173	8.24	T. S.
32	10	Atrauna	•••	•••	1519	207.04	Do.
33	10	Do.	***	•••	1520	273:44	Do.
$\frac{34}{35}$	10	$egin{array}{c} egin{array}{c} \egin{array}{c} \egin{array}{c} \egin{array}{c} \egin{array}{c} \egin{array}{c} \egin{array}$	***	• • •	1521	117.95	Do.
36	10	Do. Do.	•••		1522 1523	68:41 140:28	Do. Do.
37	10	Do.	***		1524	117.55	Do.
38	10	Do.	• • •	•••	9155	82.00	G. E. R.
39	12	Sahipur	•••		2037	163.77	Do.
4()	12	Do.	•••	•••	10184	64.68	Do.
41	12	Do.			10185	81 43	T. S.

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APPENDIX Q (i)—continued.

Serial No.	Thana number of villages containing Govern- ment and Tem- porarily- settled estato.	Names	of villages.		Tauzi number of estates	Total area in acres found during present survey.	Nature of present settlement.
1	2		3		4	5	6
		Тнана В	UXAR—conto	<i>l</i> •			<b></b>
42	14	Gobindpur			1694	111.39	T. S.
43	15	Bhitihara			1599	271.58	Do.
44	15	Do.			9709	161.55	$\mathrm{Do}_{ullet}$
45	15	Do.			9710	134.91	$D_{0_{\bullet}}$
46	15	Do.		•••	9711	137-21	$\mathbf{D_{0.}}$
47	15	Do.		•••	9712	149.97	$\mathbf{p}_{0}$ .
48	16	Mitanpura	•••		9712	209-92	Do.
49	19	Murtazapur			1894	46.83	$D_0$ .
50	19	Do.		***	1895	28-29	Do.
51	19	Do.		•••	1896	11:80	Do.
52	19	Do.		emenen	1897	28.48	Do.
53	19	Do.	end?	160	1898	7.87	Do.
54	19	Do.	SIN		18 <b>9</b> 9	7.57	Do.
55	19	Do.	VONSTAGE OF		1900	8 58	Do.
56	19	Dσ.	633		1901	4.73	Do.
57	21	Khokrahi	66.55		1832	103.11	Do.
58	21	Do.	1	1111	6006	80 20	Do,
59	21	Do.	111 Y 27	9 V.U. V	600 <b>7</b>	21 09	Do.
60	21	Do.	11	d alle	6008	100.96	I)o.
61	27	Reka Khurd	# T. W.	· · · · ·	1989	79.03	D <sub>0</sub> .
62	28	Bechanpurwa	(Barrell		1577	348.45	Do. G. E. F.
63	28	Do.	4500		1578	124.62 193.52	Do.
64	28	Do.	··· zrai	वेत जगर	9581	82.13	Do. Do.
65	30	Mahadewa	dist	49 74	1885 7928	80.76	T. S.
66	30	Do.	•••	•••	7929	60.74	Do.
67	30	Do. Do.	•••	•••	7930	20.42	Do.
68	30 30	Do.	• • •	•••	<b>7</b> 931	18. <b>6</b> 9	G. E. R.
69 70	30	Do.	•••	•••	7932	19.09	$\mathcal{D}_{0}$ .
71	34	Kanak Narain	יינת מנומ	•••	1577	157.68	T. S.
72	34	Do.	[···	•••	1578	32.40	G. E. F.
<b>7</b> 3	3.4	Do.	•••		1810	92.27	Т. <u>S</u> .
74	36	Akhauripur	•••	•••	1578	137.67	G. E. F.
75	36	, <del>-</del>	***	,	9582	76.88	Do.
76	38	Khelafatpur	•••	• • • •	1577	24.15	T. S.
77	39	Konia	***	•••	9582	35.46	G. E. F.
<b>7</b> 8	40	Banarpur		•••	1577	375.39	T. S. G. E. F.
79	40	Do.	***	•••	1578	49.48 93.75	D <sub>0</sub> .
80	40	Do.	•••	•••	$\frac{9581}{9582}$	169.63	Do. Do.
81	40	Do.	•••	•••	1577	101.62	т. S.
82	43	Mahanpurwa	***	•••	9581	99.23	G. E. F.
83	43	Do. Jagdishpur	***	•••	1737	29.00	T. S.
84	45	Do.	•••	•••	1738	125:16	Do.
85 86	45	Do.	•••	•••	1739	66.85	Do.
S7	45	Do.	•••		9513	32.19	Do.
88	46	Sarainja	***		2020	116.83	Do.
89	46	Do.	•••		2021	494.17	Do.
90	46	Do.	•••		2022	259:0S	Do.
91	46	Do.	•••	•••	9713	128.46	Do.
92	17	Kusrupa	•••		1798	283.52	Po.
95	48	Tekaitpur	•••		1798	103.45	Do.
94	49	Babbani	•••		1573	97.82	Do.
	'					1	<u> </u>

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APPENDIX Q (i)—continued.

95 96 97 98 99 100 101 102 103 104 105 107 108 109 111 112 113 114 115 116 117 118 121 122 123 124 125 127 128 129 131 131 132 133 134 135 136 137 138 138 138 138 138 138 138 138	49 49 49 49 49 51 67 70 70 70 70 70	THANA BUY Babhani Do. Do. Do. Do. Masarhia Halizua Kathlar Do. Do. Do.			10050 10051 10052	53.61 42.87	T. S.
96 97 98 99 100 101 102 103 104 105 106 107 108 109 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135	49 49 49 51 67 70 70 70 70 70	Babhani Do. Do. Do. Masarhia Halizua Kathlar Do. Do. Do.		•••	10051	42.87	
96 97 98 99 100 101 102 103 104 105 106 107 108 109 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135	49 49 49 51 67 70 70 70 70 70	Do. Do. Do. Do. Masarhia Halizua Kathlar Do. Do. Do.		•••	10051	42.87	
96 97 98 99 100 101 102 103 104 105 106 107 108 109 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135	49 49 49 51 67 70 70 70 70 70	Do. Do. Do. Do. Masarhia Halizua Kathlar Do. Do. Do.		•••	1		
98 99 100 101 102 103 104 105 106 107 108 109 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135	49 49 51 67 70 70 70 70 70 70 70	Do. Do. Masarhia Halizua Kathlar Do. Do. Do.			10052		Do.
99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135	49   51   67   70   70   70   70   70   70   70	Do. Masarhia Halizua Kathlar Do. Do.		•••		46.28	Do.
100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 131 132 133 134 135	51   67   70   70   70   70   70   70   70	Masarhia Halizua Kathlar Do. Do. Do.	•••		10053	49.84	Do.
101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135	67 70 70 70 70 70 70 70	Halizua Kathlar Do. Do. Do.	•••		100.4	22.63	Do.
102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135	70 70 70 70 70 70 70	Kathlar Do. Do. Do.	•••	•••	1798	411.97	Do.
103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135	70 70 70 70 70 70	Do. Do. Do.		•••	1297 1786	117·56 248· <b>2</b> 5	G. E. Do.
104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135	70 70 70 70 70	Do. Do.		•••	1756	2 48 20 28 91	T. S.
105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135	70 70 70 70	Do.	•••	•••	10659	205 63	10.
106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135	70 70 70	_	***	•••	10460	123.69	Do.
107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135	70 70	Do.	Col	53	10661	58.51	Do.
108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135		Do.	SIN		10662	40.13	Do.
110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135		Do.	* OFFI		10663	26.20	Do
111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135	70	Do.	635	· · · · · ·	10661	17.77	Do.
112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135	70	<u>D</u> o.	111 /0/24		10665	81.41	Do.
113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135	70	Do.		B - (4)	10666	110.25	Do.
114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135	70	Do.	14	13.563	10667	69.12	Do. Do.
115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135	70 70	Do.	<i>(CA</i>	27 THY	$10668 \\ 10669$	24·24 13·22	Do.
116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135	70	Do.	16.15		106670	8 92	Do.
117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135	70	Do.			10070	23 52	Do.
115 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135	74	Isarpur			1949	129.45	Do.
119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135	79	Hingui	स्तृह	रमेव जय	1297	40.40	G. E. R.
121 122 123 124 125 126 127 128 129 130 131 132 133 134 135	81	Bhilampur	,		1671	276.97	T. S.
122 123 124 125 126 127 128 129 130 131 132 133 134 135	85	Alawalpur	•••		1526	207.50	
123 124 125 126 127 128 129 130 131 132 133 134 135	86	Balbhadarpur	•••	•••	1584	17.84	
124 125 126 127 128 129 130 131 132 133 134 135	86	Do.	***	•••	1585	20.15	Do.
125 126 127 128 129 130 131 132 133 134 135	86 86	Do. Do.	•••	•••	158 <b>6</b> 158 <b>7</b>	43:30 2:98	Do. Do.
126 127 128 129 130 131 132 133 134 135	86	Do.		•••	1588	63.06	Do.
127 128 129 130 131 132 133 134 135	87	Rampur Khurd		•••	1981	27.79	Do.
129 130 131 132 133 134 135	87	Do.	•••		10055	7 51	Do.
130 131 132 133 134 135	87	Do.	•••		10056	22.32	Do.
131 132 133 134 135	87	Do.			10057	17 92	Do.
132 133 134 135	8 <b>7</b>	1			10058	18:09	Do.
$egin{array}{c c} 133 & \\ 134 & \\ 135 & \\ \end{array}$	87	Do	•••		10059	17.64	Do.
134 135	87 87	Do.	***		10060	18·45 11·65	Do.
135	87	Do.	•••	•••	10061 10062	7.89	Do. Do.
	89	Bairampur		,,,	1580	127.12	Do.
	90		•••	•••	1858	25 54	Do.
137	90	Do.		•••	10547	13.56	Do.
138	91		•••	•••	10548	29.62	Do.
139	90			•••	10549	48.77	Do.
140	90		•••		10550	15.50	Do.
141		1	•••	•••	10551	15 66	D <sub>2</sub> .
142	90		•••	***	10552	25:16	Do.
1 1.5	90 90			•••	10553 $10554$	26·18 11·82	Do. Do.
1 +5	90 90		•••	•••	10555	11.41	Do.
146	90 90 90 90			•••	1670	38.11	Do.
147	90 90	Do.		•••	91:-9	6.59	Do.

202 APPENDIX Q(i)—continued.

Serial No.	Thana number of villages containing Govern- ment and Tempora- rily settled estate.	Names o	f villages.		Tauzi numbor of estates.	Total area in acros found during present survey.	Nature of sottler	
1	2		3		4	5		3
	[ }	THANA BUX	AR—contd.					
148	93	Dharampura			9160	25.56	T. S.	
149	93	Do.	•••		9161	2.00	$\mathrm{Do}_{ullet}$	
150	93	Do.	•••	•••	9162	20.31	Do.	
151	93	Do.		•••	9163	15.19	Do.	
152	95	Alawalpur	•••	•••	1527	48 33	Do.	
153	95	$\mathbf{p}_{\mathbf{o}}$ .	• • •	•••	10091	27 00	Do.	
154	95	Do.	•••	•••	10092	12.37	Do.	
155	95 95	Do.	• • •	•••	10093 100 <b>94</b>	13.93 13.49	Do.	
156 157	95	Do. Do.	•••	•••	10094	9.04	Do. Do.	
158	96	Gopalpur		THE STATE OF	1687	70.52	Do.	
159	99	Bhadua	II CONE	100	1601	16.47	$D_0$	
160	99	Do.	CZESE!	31.5	1602	16.61	Do.	
161	99	Do.			1603	50.37	Do.	
162	99 (	Do.	ESTER	~···	1604	3.21	Do.	
163	99	Do.	··· ///		1605	49.52	Do.	
164	111	Jairampur	0 1/4	144	1746	82.28	Do.	
165	115	Ismailpur	[4]		1717	113.04	Do.	
166	117	Sansarpar	45	7.6797	2041	79:06	Do.	
167	133	Lugra Sugra	11	-117	2031	92.90	Do.	
168	133 133	Do. Do.	Birth 18	C 941	2042 2043	60·03 20·17	Do.	
$\frac{169}{170}$	140	Jagopur	•••	•••	1748	66.24	Do.	
171	141	Saithu	सद्यम	नव जयः	2034	144.53	Do.	
172	141	Do.	•••	•••	2035	28.03	Do.	
173			•••	•••	6896	39.04	Do.	
174	141	Do.			6897	9.18	Do.	
175	141	11o.		,	9777	4.72	Do.	
176		Do.	***	•••	9778	27.30	Do.	
] 7 7		Do	•••	•••	9779	8.36	Do.	
178	147	Konhauli	•••	•••	1796	588.98	Do.	
179		Sirikantpur	• • •	***	1741	224.17	Do.	
180		Dharmagatpur	•••	•••	1672 9727	38.10	Do.	
181	$\begin{array}{c c} 155 \\ 155 \end{array}$	Do. Do.	• • •	•••	9725	16.72	Do.	
$\frac{182}{183}$		Sughar	***	•••	2014	80.61	Do.	
184		Kishanipur			1791	133.22	G. E. F.	<b>.</b>
185	164	Chaubepur	***		1626	48.62	T. S.	
186	165	Ahiapur		•••	1983	215.48	Do.	
187	167	Jalahra Talao	•••		1741	207.07	Do.	
188	169	N arainpur		•••	1917	59.32	Do.	
189		Tirkalpur	•••	•••	2059	129.23	Do.	
390	171	Tiara	***	•••	2059	697.50	Do.	
191	174	Dastepur	•••	•••	2059	75·10 42·79	Do.	
192	178	Chandpur	•••	•••	2059 1983	148.60	Do.	
198	181	Mahes Dihra Rasen Khurd	•••	•••	1983		Do.	
191	182	Do.	***	•••	1984		Do.	
$\frac{195}{196}$		Do.	***		9992	52.71	Do.	
197	183	Do.	•••	•••	9993		Do.	
198		Do.	•••	•••	9994		Do.	
199	182	Do.	411	•••	9995	31.29	Do.	
200		Chandpur			1613	214.03	Do.	

Serial No.	Thana number of villages ecutaining Government and Temporarily-settled estate.	Names o	of villages.	;	Tauzi number of estates.	Total area in acres found during present survey.	Nature of present settlement.
1	2		3		4	5	6
		THANA BU	XAR—con	td.			
201	184	Hinganpur Etg	harwa	•••	1712	44.84	т. s.
202	188	Khempur		•••	1834	89.63	Do.
203	188	Do.		***	9852	27.46	Do.
204	188	Do.		•••	9853	25.11	Do.
205	188	Do.			9854	15.93	Do.
206	188	Do.			9855	17.27	Do.
207	190	Panapur	•••	•••	1958	22.74	G. E. R.
$\begin{array}{c} 208 \\ 209 \end{array}$	194	Parbat Chak	***	•••	1954	22.32	T. S.
	194	Do.	***		7031	14.07	$D_0$ .
$\begin{array}{c} 210 \\ 211 \end{array}$	194 194	Do.	•••		7032	4.32	G. E. R.
212	194	Do.	111008	961	7033	6.08	Ţ. S.
213	194	D <sub>0</sub> .	1915	29/19/	7031	5.50	Do.
214	194	Do. Do.	(CESS)		7035	6.31	Do.
215	194	Do. Do.	***		<sup>7</sup> 036	9.79	Do.
216	194	Do. Do.	· · /C/32		7037	9.88	Do.
217	198	Chintamanpur	11	YATTA	7038 1616	17:32	Do.
218	198	Do.	47	9 V.U. V	6898	40.00	Do.
219	198	Do.	at le	d 890	6899	35·55 26·01	G. E. R. T. S.
220	198	Do.	450	A No.	6900	16.71	Do.
221	198	Do.	(Paris)	2714	6901	16.89	Do.
222	198	Do.	4		6902	13.49	Do.
223	198	Do.	TEI	मेव जय	6903	1.02	Do.
224	200	Ismailpur	***		1793	134.92	Do.
<b>2</b> 25	200	Do.			<b>7</b> 880	59.41	G. E. R.
226	200	$D_0$ .	• • •		7884	58.26	T. S.
227 228	201	Kanheri	• • •		1 <b>7</b> 93	191.20	Do.
229	201 201	Do.	•••		7879	133.43	G. E. R.
230	201	Do. Do.	•••		7850	191.94	Do.
231	201	Do.	***	•••	7881	99.55	Do.
232	201	Do.	•••	•••	7882 7883	78.43	T. S.
<b>2</b> 33	201	Do.		•••	7884	177:37 113:85	Do.
234	202	Manipur	•••		1880	18.14	Do. Do.
235	202	Do.	•••		1903	13.70	Do. Do.
236	203	Piprah	***		1946	187.25	G. E. R.
237	203	Ďо.			1918	638.51	Do.
238	203	Do.	•••		1963	16.43	Do.
239	204	Lodipur	•••		1839	178.09	T. S.
240	206	Khanpur	•••		1793	173.69	Do.
2+1	215	Mianpur			1598	106.33	Do.
212   243	$\begin{bmatrix} 217 \\ 219 \end{bmatrix}$	Katoria	• • •		1785	706.65	Do.
244	219	Kishunipur Sidhbandh	***		1809	53.55	Do.
245	227	Do.	•••		2033	177.56	Do.
246	227	Do. Do.	***		2046	27.82	Do.
247	227	Do. Do.	•••	•••	2017	27.21	Do.
248	227	Do.	• • •	•••	2048 2049	17.79	Do.
249	227	Do.	•••	***	2050	35·69 4·14	Do.
<b>2</b> 50	227	Do.	• • • •	•••	2051	28.11	])o.
251	227	Do.	•••	***	2052	7.95	Do. Do.
252	2 <b>2</b> 7	Do.	•••		2053	31.76	Do.
253	227	$\mathbf{Do}$ .			10225	19.52	

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APPENDIX Q(i)—continued.

Serial No.	Thana number of villages containing Government and Temporarily settled estate.	number villages ntaining kovern- ment Names of villages. nortrily- settled			Tauzi number of estates.	Total area in acres found during present survey.	Nature of present settlement.
1	2	3			4	5	6
		THANA BUX	AR—contd.				
254	227	Sidh <b>b</b> andh	***		10226	10.45	T. S.
255	227	Do.	•••		10227	9.14	Do.
256	227	Do.	•••	•••	10411	19·24 9·16	Do. Do.
257	227	$\mathbf{D_0}$ .	•••	••• [	$\frac{10112}{1784}$	72.04	Do. Do.
258	229 233	Kadirpur Khurd Kusahi			1797	127.45	G. E. R.
$\begin{array}{c} 259 \\ 260 \end{array}$	231	Baniapatpur	• • •	•••	1583	171.50	Do.
261	235	Ujiarpur			1925	249.68	Do.
262	237	Labandi	•••	•••	1840	138.26	T. S.
263	237	$D_0$ .		,	6242	13.83	$\overline{\mathrm{D}}^{\mathrm{o}}$ .
264	237	$\mathbf{D_{0}}$ .	and the same of		6213	16.84	Do.
265	237	Do.	- Mal	la.	6241	9:67	Do. Do.
266	237	Do.		•••	6245 6246	22·84 29·33	Do.
267	237	Dο. Do.	U.S.		6247	52.50	Do.
<b>2</b> 68 <b>26</b> 9	237 237	Do. Do.	STATE OF THE PARTY		6248	11.88	Do.
270	238	Jamuawan	100 H	999	8755	51.28	G. E. R.
271	245	Kharahua	\\\i\(\tau\)	4 J.	1747	13.28	Do.
272	245	Do.	1277 5		1831	141 30	T. S.
273	246	Gunj Shakri	ACCIONAL D		1691	118.04	G. E. R.
274	213	Kalyanpur			1792	504.58	G. E. F. T. S.
275	253	Chilhar Do.	US-II-3EX		$\begin{array}{c} 1620 \\ 1621 \end{array}$	113·13 115·27	Do.
276 277	253 253	Do. Do.	सरामेव	नयन	9366	120.80	Do.
278	253	Do.			9368	46 58	Do.
279	253	Do.	•••		9370	26.08	Do.
280	253	Do.	•••		9372	56 26	Do.
281	253	Do.			9517	45 89	Do.
282	253	Do.	•••	•••	$9518 \\ 9549$	31·41 14·05	Do.
283	253	Do. Do.	•••	' ' '	9550	49.19	Do.
$\begin{array}{c} 284 \\ 285 \end{array}$	<b>2</b> 53 253	Do.	•••		9552	64 15	Do.
286	251	Girdharpur			1914	206.87	GEF.
287	255	Unwas	•••	•••	1911	954.43	Do.
<b>2</b> 88	256	Parasi			1953	543.82	T. S.
289	259	Mahomadpur	•••	•••	1297	25.51	Do. G. E. F.
290	260	Bharchakia	•••	•••	1914	37·57 33·81	T. S.
291	263	Raghopur	•••	••••	1993 1993	7.76	Do.
292 293	263 263	Do. Do.	***	•••	1994	14.35	Do.
294	264	Koch	•••	•••	1795	160.03	Do.
295	264	Do.			10096	78 35	Do.
296	264	Do.	•••		10097	27 15	Do.
<b>297</b>	264	Do.	•••		10095	33 49	Do.
298	264	Do.		•••	10099	17·78 78·58	G. E. R.
299	265	Mustafapur	•••	•••	129 <b>7</b> 2026	206 57	T. S.
$\begin{array}{c} 300 \\ 301 \end{array}$	269 269	Siktouna Do.	•••	•••	2027	194.82	Do.
302	269	Do.	110	•••	2040	51.72	G. E F.
303	270	Johanpur	•••		1749	11.29	G. E. R.
304	270	Do.	•••	]	1750	53.56	T. S
305	270	Do.	•••	•••	1751	46 60	Do.
306	279	Pirtampur			1957	113.16	Do.

Scrial No.	Thana Lumber of villages con aning Govern- ment and Tem- porarily- settled cstate.	Names of villages.			Tauzi number of estates.	Total area in ac:e- lound during present survey.	Nature of present settlement.	
1	2	_ <del></del>	3		4	5	6	
		THANA BU	XARcon	td.				
307	279	Pirtampu <b>r</b>	•••		1961	62.21	т. s.	
308	279	Do.	•••		1962	42.62	G. E. R.	
309	283	Kudratipur	• • •	•••	1800	i 40 20	T. S.	
310	283	Do.	•••		1801	2:5.90	Do.	
311	283	Do.	••	•••	1802	33.29	Do.	
312	283	Do.	•••	•••	1803	10.21	Do.	
313	283	Do.	•••		1807	6.26	Do.	
314	287	Sharifpur	•••		2039	197:24	Do	
$\frac{315}{316}$	288	Nawagaon Mahamudana	• • •	¦	$\frac{1790}{1892}$	115.33	De.	
817	322	Mahamadpur Tharag <b>a</b> nj Baz		••••	2063	35. <b>7</b> 7 51.4 <b>6</b>	G. E. F.	
318	323	Bibiganj	ar	TELEST	1297	168.72	G. E. R. Do.	
319	342	Bhot sulia	A. 1963	CHILL	1335	1.66	G. E. F.	
320	313	Parsia	(Z) (3)		1335	7.02	Do.	
321	401	Khadra	40.00		1335	11.50	$\mathbf{D}_{0}$ .	
322	402	Baruna	REAL PROPERTY.		1335	29.31	Do.	
323	478	Ugarsonda	ANA CONTRACTOR	68969°	1914	56 38	Do.	
324	480	Harpur	V/N/i	THE	1710	53 68	Т. S.	
325	452	Fatehpur	11(19)	1 20 7	1674	129.41	Do.	
326	483	Indour		1 1111 70	1719	45:31	Do.	
327	483	Do.	100	68 CH	8582	24 35	Do.	
328	483	Do.	115111111111111111111111111111111111111		8583	70.03	1)0.	
329 33 <b>0</b>	483 483	Dэ. Də.	TEN	ान जगाने	8581	42.21	Do.	
331	453	Do.	116/24	19 990	8585	40.40 7.43	Do.	
332	483	To.	•••	•••	8586 858 <b>7</b>	119.72	Do. Do.	
333	486	Dascat Lal	•••	•••	1653	39.10	Do.	
334	457	Pithani			1951	93.13	Do.	
335	487	$D_0$ .	•••	•••	10174	89.45	Do.	
336	487	1) <b>o.</b>	•••		10175	24 85	Do.	
337	487	De.		•••	10176	17.98	G. E. R.	
338	4:7	Do.	***	***	10177	18.48	T. S.	
339	457	Do.	•••		10178	24 57	Do	
$\frac{340}{341}$	4: 8 495	Jamupur	•••	• • •	1743	249.84	Do.	
312	493	Ramvepu <b>r</b> Chilhili	• • •	•••	1995 1615	38 21	Do.	
343	493	Joh	***	,,,	1719	$egin{array}{cccccccccccccccccccccccccccccccccccc$	Do. Do.	
314	498	Do		• • •	8582	3.41	$D_0$ .	
345	498	Do		•••	8553	5 91	Do.	
346	498	Do	•••	•••	8584	5.75	Do.	
347	495	Do	,		85~7	5.70	Do.	
348	495	Do	•••		7259	28.10	Do.	
349	501	Khemrajpur	***		1835	109.75	Do.	
350	502	Alampur	•••	•••	1719	27.52	Do.	
351 352	502 502	Do.	•••	•••	8582	21.83	Do,	
353 353	502	Do. Do.	***	•••	8583 8584	31.51	Do.	
354	502	Do.	***	• • • •	8584 8585	16.80	Do.	
27.5	502	Do.	•••	•••	5989 8586	0 70 7 2 F	Do. Do.	
353	502	Do.		•••	8557	] 45	Do. Do.	
357	503	Indour	•••	•••	7259	ด์ วิธี	D <sub>0</sub> .	
$35 \times$	5 <b>2</b> 3	Koilakh	•••		1799	390-31	Do.	
359	528	$\mathbf{D}_{0}$ .			9827	74.23	Do.	

# APPENDIX Q(i)—continued.

360 361 362 363 364 365 366 367 368 369 371 372 373 374 375 376 377	528		Name of villages.				
361   362   363   364   365   366   367   372   373   375			3 	<u></u> ,	4	5	6
361   362   363   364   365   366   367   372   373   375		THANA BU	X A R-co	ntd.			
362   363   364   365   367   368   371   372   373   374   375		Koilakh	***	•••	9828	10.88	G. E. R.
363   365   365   365   367   378   375	528 528	Do		***	9529 9530	27·56 23·27	T S.
361   365   367   378   375	531	Do Mohanpur	•••	***	1854	203.34	Do.
365   367   368   369   371   372   373   374   375   376   377   378	532	Karaila	•••	•••	9428	146.03	Do.
367   368   369   370   371   372   373   374   375   376   377   378	533	Chakia	•••	***	9427	214.08	Do,
368   369   370   371   372   373   374   375   376   377   378	534	Ramdhanpur		•••	9429	112.36	Do.
369   370   371   372   373   374   375   376   377   378	535	Sisaundha	•••	•••	1623	37.06	Do.
370 371 372 373   374   375 376   377   378	530 53 <b>7</b>	Katharain Iololous	•••	• • •	$\begin{array}{ c c }\hline 1982\\ 1742\end{array}$	189.63 197.03	Do.
371   372   373   374   375   376   377   378	535	Jalalpur Gadaipur	•••	***	1690	74.48	G. E. F.
373   374   375   376   377   378	538	Do.	and	75 BL -	1692	60 26	T. S.
374   375   376   377   378	$\begin{bmatrix} 538 \end{bmatrix}$	Do.	2	1531E	1693	12 67	Do.
375   376   377   378	538	Do.	TO NEW		8427	5 46	G. E. R.
376   377   378	535       535	Do.			8428	2.14	T. S. G. E. R.
377   378	538   538	Do. Do.	111 800		8129 8430	5: <b>4</b> 9 2:85	G. E. F.
378	538	Do.	1/2		8181	12.15	Do.
	538	Do.	1.1	Mayr	10855	12.48	T.S.
379	511	Deokali Dharam	ipur		1651	282.20	Do.
<b>3</b> 80     <b>3</b> 81	511 511	Ю. Do.	Berry		9692 9693	122.05 116.01	G. E. <b>F.</b> T. S.
382	550	Dyalpur	***		1650	106.45	Do.
383	550	Do.	सह	रमव जयत	9617	71.54	Do.
384	550	Dο.	** 1	•••	9618	37.73	Do.
385 986	550	Do.	***	•••	9619 9620	20.88	Do.
-356 ± -357 ±			•••	•••	1623	15.67 36.75	Do.
385 ¦	¦ 557 <sup>†</sup>	Blagwanpur	•••		1600	118.23	Do.
389	559	Gagohi	•••	•••	1689	338.81	Do.
390 ;	569		•••	•••	1297	152.10	G. E. R.
391 j	562     533	Sarai Khans	***	• • •	2019 9997	99·73 21·42	T. S. Do.
392   393	562   562	Do. Do.	***	•••	9998	76:33	Do.
391	568	Atroulia		• • •	1518	251.63	T. S.
395	569	Itarhia	***		1716	833-92	G. E. R.
396	569	Do.	•••	•••	9857	215.53	T. S.
202	569	1)o.	•••	• • •	9558 9589	208•36     \$•47	Do. G, E. R.
398   399	569     570	Do. Karma	•••	• • •	1759	3°+1     405.03	G, E. F.
400	574	Indapur	***	•••	1715	151 8:	G. E. R.
401	576	Bansi Chak	•••	•••	1579	1.8.77	T. S.
402	577	Jagmanpur		***	1740	180.53	Do.
403	<b>5</b> 80	Khacharhia	•••	•••	1833	123006	Po. Do.
404	580	Do. Do.	• • •	•••	6440 644	43·12   17 : 27	Do.
405   406	580   580	Do.	•••	•••	6113	4.11	Do.
407	595 ·	Bawanbandh Ga	ıuri		1297	201-16	G. E. R.
408	602	Atroulia			9316	7:19	Do.
409	607	Dulpha	• • •	٠ أ	1618	442.39	T. S.
4]0	n no	Madan Chaura		1	1600	, 57.0°	110
411   412	608 609	Sankerpur	• • • •	··· ;	$\frac{1893}{2055}$	57.58 28.41	1)o. 1)o.

Serial No.	Thana number of villages centaining Government and Temporarily-settled estate.	Names of	villages.	Tauzi number of estates.	Total area in acres found during present survey.	Nature of present softlement.
1	2	3		4	5	8
		THANA BUX	AR—concld.			
413	611	Sujaitpur		2038	151.81	G. E. F.
414	611	J)o.	•••	6375	61.35	T. S.
415	611	Do.	•••	9422	124.09	Do.
416	611	Do.		9423	78.97	Do.
417	611	Do.	•••	9424	38.50	G. E. F.
418	6!1	Do.		9435	16.59	T. S.
419 420	611	Do. Do.	•••	9811 9812	39·78 42·90	G. E. F. T. S.
421	611	Do.	•••	9813	31.75	Do.
422	611	Do.	•••	9814	13.82	G. E. F.
423	613	Sigti		2023	221.13	T. S.
424	612	Do	533	2024	113.68	Do.
425	612	Do		2025	498-21	Do.
426	613	Do		2054	175.01	Do.
427	6/2	Do			80.84	Do.
<b>4</b> 28 <b>4</b> 29	$\begin{bmatrix} 612 \\ 612 \end{bmatrix}$	Do Do		9494 $9495$	20.68 89 63	Do. Do.
430	612	Do		0.100	8.65	Do.
431	612	Do		10419	86.05	Do.
		THANA S	ASARAM.	)		
1	2	Silari	111	5075	1,300.34	G. E. R.
2	4	Bankat	સવ્યમન નહ	1	149.51	Do.
3	45	Chamar <u>h</u> a Katra	•••	5075	432.57	Do.
4 5	159 185	Bhainsahi	•••	5075 5073	346·81 399·23	Do.
6	250	Sewahi	•••	4 ( 10	2.00.50	Do. Do.
7	27:3	Chemni Chak	•••	4220	77.22	Dο.
8	280	Bhadsa	•••	19.10	451.36	Do.
9	281	Pa <b>r</b> aria	***	4849	118:83	Do.
10	408	Chander Kaithi	•••	5075	398.63	Do.
11	614	Amra			300.14	Do.
12 13	650     664	Rehal Anandi Chak	•••	4849 4849	8,383·78 191·75	Do.
14	650	Rohtas	•••	1040	10,393.19	Do. Do.
_		THANA				20.
1	28	Taraon		5676	<b>7</b> 28- <b>2</b> 3	Do
2	54	Gamharia	•••	5676	147.54	Do. Do.
3	63	Nasrigunj	•••	5678	865.01	Do.
4	67	Amiawar	•••	5676	907-13	Do.
5	69	Sabadla		5676	422.52	Do.
6	99	Champ	•••	5118	413.17	Do.
7 8	151 154	Diaria Charmara	•••		701.88	Do.
0	194	опаннага	•••	5117	168.3	Do.
		Тпана	KARGHAR.			
1	7	Dharampura		1	192 28	Do.
2	! 28	Ekarni Bariarpatti			200.01	Do. Do.
3				5.75	76-10	

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# APPENDIX Q (i).—concluded.

Serial No.	Thana number of villages containing Govern- ment and Tem- porarily- settled estate.	Names of	villages.		Tanzi number of ostates.	Total area in acres found during present survey.	Nature of present settlement.
1	2		3		4	5	6
<del></del>		THANA KARGI	HAR—concl	<i>d</i> .			
4	130	Checharia			5075	152.28	G. E. R.
5	156	K harahana	***		5075	774.30	Do.
6	302	Damadar Dihra			5075	213.36	Do.
7	306	Nimia		•••	<b>5</b> 075	411.77	Do.
8	352	Pauni -	•••		5212	236.46	Do.
9	360	Chakardharpur	•••	•••	5111	98.59	Do.
10	376	Chanderbhanpur	***		5075	363.12	Do.
11	398	Babhani	•••	•••	5075	695.23	$\mathrm{Do}_{ullet}$
12	417	Chonka	•••		5110	212.80	Do.
13	<b>4</b> 33	Dudhar	•••		9776	282.59	T. S.
14	457	Ghardiha	•••		5306	557.78	Do.
15	460	Chhatauna	F	A	5119	297.66	Do.
16	485	Chauki	4 302	5/ Fa.a	5109	412.86	Do.
17	487	Karmahi		1111	₹109	26.23	Do.
		THANA M	oranea.				
1	276	Jarman Inglish	176	779	2707	69.32	G. E. R.
2	277	Sonbarsa	144	1.00	2707	326.05	Do.
3	283	Rampur	n 4:3		2707	189.72	Do.
4	303	Chatra Pachhim	wari	200	2707	450.60	Do.
5	313	Chatra Purubwar			2707	599-16	Do.
6	314	Kuchila			2707	1,527.88	Do.
7	406	Dhananterpur	सराभेव	जगने	2706	113.81	$D_0$ .
8	407	Lakharpati			2706	508.16	$\mathbf{p}_{\mathbf{o}}$ .
9	408	Barkakutra	•••	,	2706	513.54	$\mathbf{Do}_{ullet}$
10	533	Bhundi Tekari	•••	• • • •	2706	59.84	Do.
11	57š	Katra Irazi Ingli	sh		2708	283.30	Do.
12	576	Barhulia	•••		2706	515.20	Do.
13	577	Sagarpur	•••		2706	276.50	Do.
14	580	Pachra	•••	•••	2706	141.81	Do.
15	584	Turha	•••	•••	2706	7.32	Do.
16	585	Hassanpura	•••	•••	2706	163.66	Do.
17	630	Itali	•••	•••	2706	53.98	Do.
		THANA B	HABHUĄ.				
1	380	Nimia	•••		2706	28-67	G. E. R.
2	841	Bazidpur			2706	42.00	Do.
3	9:8	Pipra		- 1	2706	3,322.10	Do.

 ${\bf APPENDIX~Q}(ii).$  Enhancement in Section 104 cases in Government and Temporarily-settled Estates.

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					auder section	r ecetica		Enhai	iecmen	t —		38.	Kubi	res B d		Reverue	
Serial number.	Na	me of T	Fbana,		Irecuse of rent under 62(a).	Derress of rest under 5214).	Under scetion 30( 1).	Tule: section 30(5).	Under section 34(c).	Under section .92.	In case of Tenure-	Reduction inder sectio.	Fair mert Autiked for Liagan lands,	Pair roof petited for res-	Attented rent.	Fir rent settled by Officers.	Commuted produce reads.
1		2			3	4	5	6	7	8	9	16	ıı	12	13	14	1 <b>5</b>
	SADE	SUBD	IVISION.		Rs.	Rs.	Rs.	R<.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	R».	R 4.
1	Atrah				22	197	2,339	318 - i			51				9,-86	12,500	\
2	Shahpur		•••		429	185		224		··· !	4		106	37	9,143	10,121	156
3	Piro		***		126	75		y-;	أ	• 1			1 ;	1	6,170	6,325	35
:	Mr. Mylne's and P. ro Th	Estates mas.	lying in Sh	alipur	1,157	826		3,455		34	182	183		70	1,39,773	1,43,608	2
į			Total		1,734	1,236	2,339	4,427		38	187	183	<b>16</b> 9 (	108	1,64,378	1,72,561	194
	BUXAF	s subd	ivision.				25			3			 	- <del>-</del> ¦			
4	Dumraon	•••	***	<b></b> .	<b>4</b> 18	49		490				5	}		3,587	4,467	ļ
5	 	•••	***	<b></b> .	1,231	407	577	5,212	199	301	87		2,821	1,007	59,530	70,661	9,529
			Total		1,679	456	577	<b>6:6</b> 08		304	87	e	2,520	1,0.7	63, (17	75,128	9,528
	FASAR	am sui	BDIVISION				0			)	\						
6	Sasaram	•	***		233	55	257	650	46		20		16	•••	10,178	11,351	11
7	Dehri		***		94	77		1,274	195		290		1,385		10,752	13,718	
8	l'ikramganj	•••	•••	•••	34	10		150	···		11			•••	3, 41	3,226	
9	Karghar	•••	•••	•••	86	40	1,239	1,302	•		52		11	10	13,187	15,847	
			Total		417	183	1,198	3,385	46	,' 	273		1,412	10	37,164	44,145	11
	BILABil	ua sui	BDIVISION	i.		' 	·					i					
10	Rhabhi.a			•••	17	2		9					1		369	394	·
11	Mohania				35	53	36	392			562				0 579	10,571	
			Total		52	55	36	so1		: !	582	   	1		9,946	10,905	 
		Gra	nd Total		3,912	1,929	4,418	13,911	46	342	1,229	188	4,402	1,125	2,75,501	3,02,700	<u>-</u>

APPENDIX

## Assets and Revenue in Government

		<u></u>		during						Аввевие
er.	Name	of Than	<b>.</b>	Tel area in seres found during the present survey.	In occi ot tenure-		8rti	on of uagdi led y raiyats.	(	upation r ncy raiyats
Serial muniter.				Total area i	Area.	Assets.	Area.	Assets.	Arca.	Assets.
1		2		3	4	5	6	7	8	9
	Sadr S	Sučdivisi	on.							
1	Arrah	•••	•••	808			2,598	<b>12,3</b> 36	1	4
2	Shahpur	***	•••	2,648			2,377.	10,118	20	<b>3</b> 0%
3	Piro	•••	•••	2,409		•••	2.000	7,684	4	С
	Mr. Mylne in Shahi Thanas,	's Estate our sud	lying Piro	27,451	58	397	23,556 *351	143,373 <b>†</b> 147	11	See foot- nute to col. 7.
				•••		win	•••	•••	,,,	•••
		Total	•••	32,910	55	397	30, <b>5</b> 30	178,511	85	318
					194		351	147		
	Buxar	Subdivis	ion.		Lill	PAP.				
4	Dumraon	***	•••	619	A. 40		591	4,468	•••	•••
Б	Buxar	•••		36.854	233	941	21,842	77,621	501	1,789
		Totil	•	87,473	233	941	22,433	82,089	501	1,789
	Sasaram	Subdivis	sion.							
6	Bikramgur	ıj	•••	1,134	69	94	905	3,221		2
7	Sasaram	•••		23,147	106	248	8,445	11,341	2	6
8	Dehri			4,354	266	870	2,097	11,051	246	1,417
9	Karghar	•••		5,233	172	472	J	15,252	66	122
		Total		33,869	613	1,684	11,898	40,865	314	1,547
	Bhabhua	Subdivi.	sion.							
10	Mohanea	•••		<b>5,</b> 811	1,155	2,204	4,641	8,298	89	69
11	Bhabhua			3,393			72	231	39	162
		Total	••.	9,204	1,155	2,2)	4,713	8,519	77	231
	Grand '	Total		113,356	2,060	5,226	69,574	304,994	928	3,885
	l		- 1		***	•••	351	147		***

<sup>\*</sup> Fixed Raiya\_i

Q (iii).
and Temporarily-settled Estates.

ren.							į	пои	Ì	last
In occu of ra on produ	iyats	In the pof the portion	ossession proprietors rmors.	, sed ares,			ač .	nt revenue as	Assets of last settlement.	t revenue of
Arca.	Assets.	Ares.	Assets.	Total assessed ares.	Suir.	Others.	Тога! авэегь.	Government determine t	Assets of la	Gave nment settlement.
10	11 — —	12	13	14	15	16	17	18	19	20
		12	85	<b>2,</b> 610			12,425	11,218	10,715	9,65
•••		26	50	2,423	4	16	10,496	9,976	10,219	8,87
	•••	121	623	2,125	55	12	8,380	7,691	7,209	6,16
54	<b>3</b> 02	472	2,180	24,52 '	5,925	2,143	154,141	77,070	141,528	55,19
	Jagir land.	11	70		egral	 D			•••	
54	302	631	2,938	81,678	5,984	2,171	1,85,402	1,05,955	169,671	79,89
	Jagir land,	11	70	•••	d'h					
 3,812	 18,727	10 6,437	61 34,670	601 <b>32,</b> 825	618	100 112	<b>4,52</b> 9 13 <b>4,</b> 478	3,197 79,565	6,128 117,974	<b>4,2</b> 6 81 <b>,66</b>
3,812	18,727	6,447	34,731	38,426	618	112	139,007	82,762	124,102	85,83
	•••			974	2	744	<b>3</b> ,319	<b>3,3</b> 19	3,001	<b>8,</b> 0u
	***		,	3,553	70	***	11,665	11,665	9,992	9,99
	•••	113	45	3,621	3:0	2,728	16,421	16,375	10,988	10,79
13	70			<b>4,</b> 801	94	62	16,072	15,489	12,773	12,46
13	70	113	45	12,950	476	2,790	47,477	46,848	36,754	36,19
	•••			5,835	21	•••	10,592	10,592	9,824	9,82
•••	•••	•••		110	•••	•••	393	<b>293</b>	361	36
***	•••			5,945	21	•••	10,985	10,985	10,185	10,18
3,878	19,699	7,191	37,714	84,000	7,099	5,073	<b>3</b> 72,901	246,550	340,712	212,10
	Jagir land,	11	70	•••	•••		•••			***

ares and rent.

paid by non-occupancy raigata.

#### APPENDIX R.

NOTE ON THE CULTIVATION OF SUGARCANE IN PIRO THANA BY BABU

## B. B. MUKHARJI, ASSISTANT SETTLEMENT OFFICER.

Sugarcane though valued is not liked by tenants; first, because it requires a good deal of labour, the weeding has to be done frequently, land will have to be irrigated, the crop has to be watched against jackals and insect-pests. It is very trying to keep the crop in good condition in the hot summer months. Secondly, it is deemed exhausing for the soil and destroys three crops the rali of the year in which the twigs are planted, the bhadai or aghani of the next season and again the rabi of the season in which sugarcane is harvested. Thirdly, they urge that they don't get sufficient profit chiefly because the domand for "gur" has decreased :- (this is likely due to the larger imports of foreign sugar since I believe 1890 from Germany); next because they allege that for sugarcane grown in lands irrigated with canal water the yield of "gur" is less than when well water used to irrigate the tracts (this is possibly due to the absorption of moisture from the over moist soil due to over supply of canal water rendering the juice watery and hence for the same quantity poorer in saccharine properties as we ordinarily find that the more watery juice of sugarcane pressed in Pons yields less "gur" than the juice pressed in Fagun when it is rendered thicker by longer exposure in the approaching summer sun). But as yet the area under sugarcane has not actually undergone any appreciable change. On the other hand though people don't now take to it to have a large profit by trade in "gur," etc., a larger number of people now grow it only for household uses. In some of the villages I could get exact figures showing areas under sugarcane 20 years ago (as measurements for reasons noted below used to be made) to make the comparison, and I found that there was not much appreciable decrease in the total area; e.g., in village Narayanpur the average area under sugarcane for three years 1888 to 1890 was 28 acres while in 1910 it was 24 78 acres.

Higher rates for land yielding sugarcane.—In some of the villages held specially by the Dumraon Raj in my circle a higher rate of rent is realised for any land growing sugarcane in any particular year. There are two classes of such land, viz., (a) lands held on produce rent, (b) lands held on money rent. In Sitt for example the lands pay cash rent at a very high rate when sugarcane is grown in them, while for all other crops produce-rent is payable. In villages Hatpokhar, Narayanpur and Sondhi, where cash rent is paid rent for lands growing sugarcane in any particular year had to be paid at rates which are nearly double of those payable ordinarily for the very same lands when all other crops are grown in them:-thus lands growing sugarcane had to be measured annually to be assessed at the extra rate for sugarcane. About 20 years ago a compromise was effected to avoid the vexatious measurements, by which the average of the amount paid at the extra rate for sugarcane for the last three years was permanently added to the total jama with liberty to tenants to grow all crops. The tenants who did not agree to this still pay extra rate for sugarcane assessed after measurement annually. One can understand the reason for the high rate of cash rent payable for lands ordinarily paying produce rest when sugarcane is grown. The rate is high partly because the value of the proportionate share of the commodity of the rent had it been paid in kind would have been high, and partly because as stated above the sugarcane lasts nearly a year on the land and destroys 3 to 4 crops, and thus the laudlord when he has to be paid in eash takes this as well into consideration. But for lands held on cash rent the extra rate of rent realised over and above the ordinary rate for any particular land when growing sugarcane is rather peculiar. Even the old papers however prove the existence of the custom and the oldest tenant cannot say as to the origin of the system.

It seems however probable that this system of asking for increased rate orginated in the increased demand for sugarcane for exports out of India in about 1792, when the zamindars did in fact levy high rates of rent for lands

growing sugarcane. This is apparent from a letter addressed by the Government to the Board of Revenue in that year which runs thus:--

"Being desirous of extending the cultivation of the sugarcane, not only with a view to contribute to the supply of the present demand for sugar in England, but also to increase the general export trade of Bangal we direct that you order the Collectors to make it an object of their particular attention to promote the cultivation of sugarcane and to acquaint the cultivators and dealers in sugar in their respective districts that there is every ground to believe that in future the demand for this commodity will be such as to yield to them an ample profit on any quantity that may be brought to market.

It is to be apprehended that many of the landholders who are unacquainted with their real interests may be tempted by the higher price of sugar to endeavour to derive an advantage by raising the rates of the pattus of the sugarcane lands instead of looking to the extension of the sugarcane plantations for an increase of the rents of the estates. Such exactions would not only be unjust as well as repugnant to establish usage and existing regulations but will entirely counteract the effects which a rise in the prices of sugar must infallibly produce."

However unjust and repugnant the exaction might have been pointed out to be, it is apparent, that it would be levied and Shahabad as one of the few d'tricts given to the cultivation of sugarcane was subjected to it. It was the which seems to me to have been the origin of the practice which has come down to the present day.

I have enquired minutely into the approximate profit which the cultivation of sugarcane on a piece of land of average quality yields to the cultivator and I have found that the profit yet is not less than double the amount which a "Dofasli" land yielding two crops can fetch to him. I note below the details of expenditure incurred in and value realised by the cultivation of one katha of land with sugarcane.

- (I) Expenditure incurred in growing sugarcane: -
  - (a) Requires ploughing about 6 times before the twigs are planted, cost per katha as per details below annas 2.

One man with a pair of bullocks can plough up a bigha of land per day, the ordinary wages for a labourer are annas 2-3 per day—a bullock, if it is to be brought on hire, generally costs a labourer's wages—

```
0-2-3 \times 3 = as. 6-9 per day.
0-6-9 \times 6 = Rs. 2-8-6 for six times.
Hence for 1 katha the cost is—\frac{1}{20} of Rs. 2-8-0 = annas 2.
```

- (b) Twigs............(cost per katha) annas 3-2, the number required for planting a katha of land is 400; the average price of twigs is 2,000 per rupce, hence the price for 400 = \frac{1}{5} of one rupce.

  = 0-3-2.
- \* (c) Irrigation.......(cost per katha) 0-6-3. Requires to be irrigated on average about 4 times. Taking the case of irrigation with well water we find that at least 4 bullocks with 3 men can irrigate 10 kathas of land per day.

The cost thus is:-

 $7 \times \text{annas } 2\text{-}3 = \text{annas } 15\text{-}9 \text{ per day.}$ 

 $4 \times \text{annas } 15.9 = \text{Rs. } 3.15.0 \text{ for irrigating for } 4 \text{ days.}$ 

Cost per katha is-

 $=\frac{1}{10}$  of Rs. 3-15-0, = annas. 6-3,

<sup>\*</sup> The cost, if the hind were under "Satsche" Cinclinitigation, would not be much more than half this figure, even allowing as much again as the canal rate for labour in bringing the water to the fields.

(d) Cost for weeding per katha, requires weeding for not less than 6 times, one man can do the weeding for 4 kathas per day. Hence the cost is—

 $6 \times \text{as. } 2-3 = \text{as. } 13-6 \text{ for six days.}$ 

Cost per katha  $= \frac{1}{4}$  of as. 13-6.

$$=$$
 as. 3-4.

(e) Rent ......(per katha) as. 3-3.

From enquiries it appears that the average rate for land growing sugarcane may be taken at Rs. 4 per bigha, hence the rent per katha is  $\frac{1}{2^0}$  of Rs. 4 = as. 3-3.

Total Re. 1-2-0.

- II. Cost of converting sugarcane to gur (molasses).
- N. B.—In these parts it costs almost nothing to cut the sugarcane and carry it to where the mill is erected. The green twigs called "angri" are used as folder for cattle, a large number of boys and females come up to cue and carry the sugarcane to be rewarded only with the green twigs.
  - 1 katha of sugarcane yields on average—
    - 4 taos or pans of gur,
    - 1 katha yields 4 taos of gur,

$$=4\times3$$
 passeris.

$$= 12 \times 6$$
 seers.

$$= 72 \text{ scers.} (1)$$

The average price of "gur" is 15 seers to a rupeo (2) hence the price realised = Rs-4-12-9.

Three men are employed—one to drive the bullock another to press the sugarcane into the mill and the third to boil the juice. The average wages thus come up to as.  $2-3 \times 3 = as$ . 6-9.

A pair of bullocks will be required to obtain juice sufficient for 4 taos, hence the cost is  $2 \times as$ . 2-3 = as. 4-6.

(b) Hire of mill and pan = as. 5

The mill and a pan can be had on hire at the rate of as. 1-3 per tao of juice pressed and boiled, hence for  $4 ag{taos} = 4 imes as. 1-3$ .

#### Total Re. 1-0-3

Total of I and II (cost per katha) Re. 1-2-0 + Re. 1-0-3 = Rs. 2-2-3. Value realised as shown above by sale of "gur" obtained from 1 katha of average land - Rs. 4-12-9. Hence the net profit is -

(Rs. 4·12·9 — Rs. 2·2·3) = Rs. 2·10·6. If from this we leave aside a margin of as. 6·9 as price for fuel used for boiling, deterioration in value of ploughs and other instruments and the little manuring that is done, etc., the net profit comes up to—

Rs. 2-4-0 per cottah.

or Rs. 45 per bigha.

The average value realised by sale of crops from *Dofasli* land of similar class hardly exceeds Rs. 20 per bigha.

<sup>(1)</sup> Another office in Mohanea than a states that the yield of "gur" will be from 22 to 44 pakka maunds per acre, valued at Rs 92 to Rs. 184. In Sasaram thana, I find an estimate that the average yield is work Rs. 100 to 150 per bigha, or Rs. 160 to Rs. 240 per acre. In Dehri thana the yield is only estimated at Rs. 32 to Rs. 128 per acre. Close to Sasaram the estimate of Rs. 64 to Rs. 160 is

<sup>(\*)</sup> i.e. kacha seers. 15 kacha seers are equal to  $\frac{21}{88}$  pakka maunds.

The question naturally arises as to why should not the cultivation of sugarcane increase. To me it seems that it is not so much to the importation of foreign sugar or diminution in profit that this is due but to the nature of the cultivators primarily. The cultivators are ordinarily very conservative in their habits and ideas, undoubtedly the cultivation of sugarcane is attended with some risks. A hot sun for a number of days, or an insect-pest may destroy the labour of months. The tenants in consequence prefer to grow less tender crops on the successful outturn of which they can place greater reliance than sugarcane. By nature they are contented with a certain prospect of a steady crop rather than take to the cultivation of an uncertain one. Secondly, I believe that mostly indolence is at the root of much of their conservativeness. As sugarcane puts a great strain on their industry they prefer to give it up for other crops the cultivation of which taxes them less. Canal irrigation moscover by a steady supply of water has rendered the prospects of other crops more certain and cultivation far easier than when they had to trust to rainwater.



### APPENDIX S.

NOTE BY MR. E. L. TANNER ON THE EFFECT OF RISE IN PRICES AND CONSEQUENT RENT ENHANCEMENT ON THE TENANT'S REAL SURPLUS.

In the 15 years' period 1901-1915 suppose that a tenant pays a rent R and that his average gross produce is P in value.

There are f members of his family including himself, each requiring during the years 1901-15 an annual sum of m for bare necessities. Suppose the cost of cultivation is  $\frac{1}{n}$ th gross produce.

Annual surplus for luxuries and investment

$$= P \stackrel{n-1}{=} -R - fm.$$

Now in 15 years 1901-1915 suppose prices have altered in the proportion of 1:  $p_1$  compared to the prices of preceding 15 years and again alter in 1916—1930 in the proportion of 1:  $p_2$  compared to the prices of 1901—1915. If rent is settled in 1915 the rent for 1916-1930 will be  $R \times \frac{2p_1+1}{3}$  the cost of cultivation will be  $p_2/n$  of the gross produce and price of necessities for each member of the family will be  $p_2/n$  and value of gross produce will be  $p_2/n$  annual surplus for luxuries, etc.

= 
$$P_{\Gamma_2} (n-p_2)/n$$
  $(1 + 2 p_4) R/3$   $f_2 p_2 m$ .

Assuming that price of luxuries has altered in the same rates as the price of staple crops the actual value of this in terms of 1901-15 prices will be—

$$P(n-p_2)/n-(1+2p_1)R/3p_2-fm.$$

The increase will therefore be-

$$P (1-p_2)/n-R(1 + 2p_1-3p_2)/3p_2$$
.

Pursuing this into a 3rd period of 15 years with an alteration in prices of 1: p<sub>3</sub> compared to 1916-30 we get annual surplus for luxuries—

P  $p_2$   $p_3$  (n- $p_2$   $p_3$ )/n-R(2 $p_1$  + 1) (2 $p_2$  + 1)/9-f $p_2$   $p_3$ m or reducing it to the 1901-15 standard on the same assumption as above.

$$P(n-p_2 p_3)/n-R(2p_1+1)(2 p_2+1)/9 p_2 p_3-fm.$$

The excess will be over 1901-15—

P 
$$(1-p_2 p_3)/n-R[(1+2p_1)(1+2p_2)-9p_2 p_3]/9p_2 p_3$$
.

The general formula after r periods of 15 years is easily seen to be-

$$P \ (I - \prod_{2}^{r+1} p_r)/n - R[ \ \prod_{1}^{r} \ (1 + 2 \ p_r) - 3^r \ \prod_{2}^{r+1} p_r]/\beta^r \ \prod_{2}^{r+1} p_r.$$

- 8. There are two matters in which the local officers should see that the Kharwars are not injured by the legal form of the entries in the record:—
  - (i) the status of the headmen, who have been recorded as tenure-holders and not as raiyats. In Chota Nagpur they would be recorded as raiyats in respect of their own land;
  - (ii) the record of upland as Kabil lagan (liable to assessment), which is liable to mislead any judicial officers who are uninformed as to the true position of such land with reference to the raiyat's holding. It is by custom complementary to the rice land which alone is assessed to rent. In this however, as in many other questions that may arise, the present report will be of the greatest assistance to officers engaged in the administration of the district.
- 9. In part II, of the report Mr. Hubback has given an uncommonly full and careful history of the Land Revenue Administration. The question whether it was the intention of Lord Cornwallis' Government, when permanently settling the revenue, to fix raiyats' rents also for ever, is of considerable, though purely academic interest. Mr Hubback's view finds support in settlement rubakars of the Resumption period elsewhere as well as in Shahabad, and in a curious item of evidence from a Mughal source. About 34 years after the Company acquired its first Zamindari in the "Three Towns" (Calcutta, Sutanuti, Govindpur) from the Subahdar of Bengal, the Subahdar peremptorily forbade the raising of rents in the Zamin dari of Calcutta which the Governor and Council were considering. "The Soubah told them that they were presuming to do a thing which he had not power to do; and that if they persisted they would by the laws of the Empire, forseit their lands." (Page lxix, Firminger's Introduction to the Fifth Rep Volume I).

It must be admitted, however, that Justice Field's arguments on the other side have force as well as ingenuity, and it is probable that the question will never be definitely settled.

10. A question of practical importance is the mapping and identification of diara areas.

The Board is in complete agreement with Mr. Hubback's opinion (paragraph 97 of the report), that the units of administration both in diaras and elsewhere ought to be as far as possible perfectly definite geographical areas, preferably demarcated by permanent marks, but at any rate capable of being demarcated at any time as required, and not dependant on the rights or power of the owner of the unit to encroach on the land surrounding it.

- 11. It is unnecessary here to discuss the law of alluvion and diluvion, now sub judice in the Turkballia case, which is certain to go to the Privy Council.
- 12. In Shahabad however as elsewhere the administration of the diara area, the adjustment of claims and the maintenance of law and order in the riparian area, have always been extremely difficult, and it reems as if no solution to these administrative difficulties will be found until the heroic measures recommended by the late Major Jack are adopted. In the North Bihar Revision it has been found that the maintenance of exact geographical identity with the last settlement villages in the Gandak diara has saved an infinity of trouble.
- 13. The suggestion in paragraph 161 about further demarcation near the diara area will be considered in connection with the utility of the existing marks.
- 14. Inquiries will be made as to whether any further progress has been made in the settlement of the disputed question of Pakrohi jagirs (paragraph 160).
- 15. The Board accepts the recommendation made in paragraph 161 that in view of the primitive arrangements prevailing among the aboriginals in the Kaimur hills for the support of chaukidars, it is not desirable to resume and transfer the Chakran land in that area.

- 16. The evils resulting from magisterial orders under section 145, Criminal Procedure Code, upsetting settlement decisions during the operations, are too well known to need comment. The cases treated in this report resulted in the issue of definite instructions as to how Magistrates should proceed in such cases (vide Government Resolution on Report on Survey and Settlement operations for the year ending 30th September 1912).
- 17. The Board agrees that proprietors in Bihar have probably lost a considerable area of zirat by neglecting to keep accounts and by confusing other lands with 'proprietor's private land'. On the other hand, the definition in section 120 of the Bengal Tenancy Act is not free from difficulty and it is doubtful whether clause (1) (b) of that section has ever been either interpreted or applied in settlement proceedings. From pages 789 and 210 of the "Selections from the papers relating to the Bengal Tenancy Act" it appears clear that the intention was to limit zirat for ever to the area so held in 1885. The question however has been set at rest by the settlement record, and disputes on this score are no longer probable.
- 18. The most important question dealt with in the Shahabad settlement is the status of the so-called *gujashtodars* in the north of the district. The whole subject and its treatment are exhaustively set forth in paragraphs 216 to 217.

The Director in paragraph 5 of his letter has discussed the procedure adopted in deciding these claims.

- 19. The record has placed it beyond doubt (a that here is a very large percentage of gujashta tenancies in this area and b) that the term gujashta here connotes fixity of rent. Whatever objections may have been raised as to the technical location of the onus of proof, it is sufficiently clear that in actual practice the fullest inquiries were made, and that the result which was established by clear evidence, is equitable and correct.
  - 20. The Board agrees with the Settlement Officer-
    - (i) that enhancements in Wards estates should be subjected to most careful scruting (paragraph 188) to ensure that they are in accordance with the provisions of the Bengal Tenancy Act;
    - (ii) that some finality should be given to the record of rents, which, under the present system, is liable to be undermined in Civil Court cases without proper investigation. This is the subject of comment in the proposals submitted for amending the Bengal Tenancy Act, paragraph 195;
    - (iii) that the Subordinate Civil Courts are not altogether a suitable agency for the decision of most suits under the Bengal Tenancy Act (paragraph 195). The Settlement training of Munsifs however has effected an improvement already, and will doubtless make them more conversant with the facts of rural economy and the practical working of the rent law.
- 21. Paragraphs 257 to 286 on the case work contain discussions of considerable importance. In the opinion of the Board so long as a Revenue officer is a fair rent' Court, and not a mere machine for calculating and applying enhancements, some comparison between rent incidence and gross produce, and some working limit to enhancements, are essential to the fixation of rents.
- 22. There are difficulties in adopting the Settlement Officer's view (paragraph 262), that in proceedings under section 105 the applicant should not be allowed to contest the record under section 105-A, but should be compelled to file a suit at the same time under section 106. For reasons more fully stated in connection with the amendment of the Bengal Tenancy Act it would appear very desirable that so long as the proper court-fees for such 'issues' are taken all matters relevant to the settlement of a fair rent should be considered in the same case or proceeding.
- 23. Paragrphs 265 to 268.—The Special Judge's comments on the case work should be helpful in future proceedings. The necessity for frequent local inquiries in rent settlement and the employment of capable officers only in such cases scarcely needs affirmation, as these perations affect rural commony in a very vita manner.

The powers of Revenue officers, specially with regard to the reduction of rents are the subject of definite proposals with reference to the amendment of the law.

24. Paragraphs 283 to 286.—The whole subject of produce-rents and commutation is elaborately discussed in the Gaya Report, which the Board now awaits.

The features of the produce-rent system in Shahabad are that the present incidence of such rents is comparatively lenient, that there has been an enormous decrease in the produce-rented area since the Permanent Settlement, that the area still so held is considerable (20 per cent of the area held by occupancy raiyats, 18 per cent of the area held by non-occupancy raiyats and 42 per cent of the area held by under-raiyats).

- 25. Part V of the report gives a careful analysis of the material condition of the people. It is satisfactory that on the average the agricultural population has a margin of income above the standard of comfortable existence (paragraph 376), and that the district is practically immune from famine on a considerable scale (paragraph 307).
- 26. In paragraphs 377 to 469 the operations in the temporarily settled and Government estates have been exhaustively described. The general result of the rent settlements though it resulted in the considerable increase of 9.9 per cent (paragraph 429), must be accepted as equitable when the produce of the lands and the rent incidence in the permanently-settled area are considered.
- 27. The suggestion in paragraph 435 that when a Collector is not inclined to accept the Settlement Officer's proposal for revenue settlement he should, before a final decision, give the latter officer an opportunity of further developing his views, is accepted and steps will be taken to amplify the existing rule in the Settlement Manual.
- 28. The chapter on revenue settlements contains useful discussions on the valuing of landlords khas land, and on the question of the legality of special rent rates for special crops. With regard to the latter there would not appear to be anything illegal in such rents, if they are specifically contracted for at the origin of the tenancy (paragraph 445)
- 29. In paragraph 449 the Settlement Officer makes a proposal for decentral zing the control of fixing the proportion of assets to be adopted in Revenue Settlements, but the subject is so important that very strong reasons would have to be shown for altering the safe procedure prescribed in rule 667 of the Settlement Manual.
- 30. The net result of the revenue settlement is an increase of Rs. 34,000 or 16 per cent.
- 31. Mr. Hubback has suggested in paragraph 486 the final abolition of patwaris as quasi-Government servants. The whole question of the repeal of the Patwaris Regulation was claborately considered in 1914, when it was definitely decided that it would be inopportune to move the Government of India for the repeal of the Regulation before they have arrived at a final decision on the question of the policy to be followed in the maintenance of the land-records of the province.
- 32. The Board fully agrees with the Director of Land Records as to the excellence of the work done by Mr. Hubback, both in the Settlement, and in the very valuable and interesting Report, and would bring it to the special notice of Government: and endorses the Director of Land Records' remarks as to the loss which the service has sustained by the death of Messrs. Cullis, Shettle, and Duncan. The Board also endorses Mr. Hubback's remarks in paragraph 490 of the Report regarding the work done by the officers therein mentioned.

I have the honour to be,
SIR,
Your most obedient Servant,
J. A. SWFENEY,
Offg. Secretary.

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Of technical and vernacular terms used in this report, which have not been in variably explained in the text.

[I have borrowed freely from the Glossary in Mr. James' Patna Final Report, to whom I make my acknowledg ments.]

Abkari.--Excise Revenue.

Abwab.—Literally " Heads of account " cesses levied in addition to the rent, declared illegal by Regulation VII of 1793 and numerous subsequent

Aghani.—The winter harvest.

Ahar .- A reservoir for storing water for irrigation.

Ail .- A small ridge between fields to mark boundaries or to retain water in the field.

Asal.—As an early Revenue settlement term used to denote the gross assets of an Estate or number of Estates.

Also used from early times onwards to denote the actual rent payable in contradistinction to abwab.

Baharsi .- Exterior. A term applied in particular to the villages of Mr. Mylne's Estate, which lie outside the tract covered with jungle at the time of the mutiny.

Baiga.—The village priest of the Kharwars in the Kaimur Hill tract.

Bakasht.—In the record-of-rights the term bakasht malik (mukarridar, etc) is used for land in cultivating possession of a landlord, which is not the proprietor's private land, as defined in Chapter XI of the Bengal Tenancy Act (see zirat).

- Banskati mahal.—Incorporeal rights to certain spontaneous products, fuel, grass, minerals and the like held by Government in a large part of the Kaimur Hill tract.
- Batal.—The system of produce-rent under which the actual crop is divided between landlord and tenant.
- Belagan.—Used technically in the record-of-rights to mean that certain land is held, as a matter of fact, without payment of rent. It does not necessarily connote a valid title to hold rent-free, and is in fact used in combination with kabil lagan q. v.
- Bhadal .- The autumn harvest.
- Bhsoil.—Used technically in the record-of-rights to denote land held on produce-rent, where neither of the alternative customs of balai or danabandi is exclusively established. Commonly used to denote any system of produce-rent.
- Bhit.—Land cropped with crops other than rice.
- Chakbanddar.—The holder of a tenancy found in South Monghyr. For full details see Appendix Y of the Final Report of South Monghyr.
- Chakaran. Service tenancies of all kinds.
- Char .- A sand bank formed in a river or which has accreted to its bank.
- Dakhilkar.—Used technically in the record-of-rights to denote an occupancy raiyat.
- Danabandi.—The system of produce-rent under which the crop is appraised before harvest.
- Dhanhar .- Jand cropped with rice.
- Fasti.—The Hindu Era prevalent in Bihar, 1917 A.-D. = 1324-5 Fasli.
- Gair Mazrua Am .- Public waste land.
- Gair Mazrua Malik,---Waste land in possession of the landlord.
- Gair Mustakil Topo.—Land surveyed topographically only, for which no record-of-rights is prepared.
- Gang Baramad.—The technical word in early Revenue Settlements for alluviou.
- Gang Shikast.—The technical word in early Revenue Settlements for diluvion.
- Gilandazi.—The general term for work done for private irrigation.
- Gorabandi.—A tenancy on fixed rent or rate of rent found in Bhagalpur and Monghyr Districts. For its relation to Guzashta see paragraph 242.
- Puzashta.—A tenancy on fixed rent or rate of rent found very generally in Northern Shahabad. In Southern Shahabad the term is often used to denote a tenancy with a right of occupancy, but without fixity of rent. In the record-of-rights the true guzashta tenancy has been described by the technical true shara musiyan used throughout Bihar record-of-rights for a raiyat at fixed rent or rate of rent.
- Hastobudi.—The system under which fields, which ordinarily pay producerents, are assessed to cash-rents when certain crops, particularly sugarcane, are grown on them. In Patna the word is used in a number of senses to denote systems of rent, which are intermediate between cash; and produce rents, but it is not, I believe, so used in Shahabad.
- Hawalgi lagan.—Cross references in the record-of-rights regarding entries of rent, see paragraph 215.
- Jagir.—The technical term in Moghal times for land assigned for the upkeep of the local administration, as opposed to khalso, the land set spart for contribution to the Imperial Treasury. Now used generally for rent-free lands.
- Jiwan.—The description of area in use in the Kaimur Hill tract. It is not an exact measure at all.
- Kabil lagan.—Used technically in the record-of-rights to denote liability to assessment to rent of land actually held rent-free.

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## GOVERNMENT OF BIHAR AND ORISSA.

#### REVENUE DEPARTMENT.

FROM

W. H. LEWIS, Esq., I.C.S.,
UNDER-SECRETARY TO GOVERNMENT,

To

THE SECRETARY TO THE GOVERNMENT OF INDIA,
DEPARTMENT OF REVENUE AND AGRICULTURE. :

Ranchi, the 24th June 1919.

SIR,

I AM directed to forward, for the information of the Government of India, a copy of the final report on the survey and settlement operations in the Shahabad District prepared by Mr. J. A. Hubback, I.C.S., late Settlement Officer, Bihar, together with copies of the covering letters of the Director of Land Records and Surveys and the Board of Revenue, Bihar and Orissa.

- 2. The report has been very fully reviewed both by the Director of Land Records and Surveys, who was for some time himself in direct charge of the operations as Settlement Officer, and by the Board of Revenue; and it is not necessary to do more than touch very briefly on one or two of the more prominent points in the report. Under the rules of the Settlement Manual the final report of settlement operations is ordinarily limited to 120 pages excluding the appendices. The present report has, with the permission of the Board of Revenue, been allowed to exceed that limit.
- 3. The report deals with operations in the whole of the district of Shahabad; and maps and records were prepared for 4,232 sq. miles, statistics for an additional area of 28 sq. miles, of which records were already available being incorporated with the figures of the report. The net cost of the operations worked out to Rs. 318 a square mile which compares favourably with other Bihar districts, but the fallacy of basing comparisons of cost on a simple computation of area has frequently been recognised. The actual attestation costs in Shahabad were particularly low, owing partly to the character of the work in the Kaimur Hills and to the absence of illegal enhancement or complicated rent disputes.
- 4. One of the most important and most interesting issues in Shahabad was the position of the large body of raiyats known as guzashtadars who are congregated in a well defined area in the north of the district and remarkable for the fact that they have hitherto successfully resisted any attempt on the part of the landlords to increase their rents. It was without doubt a cherished hope of the landlords in that area that one result of the settlement operations would be to eliminate the existing distinction between guzashtadars and ordinary occupancy raiyats whose holdings are liable to enhancement. The treatment of these guzashta tenancies was given the most careful consideration and the steps finally taken in dealing with them are narrated in paragraphs 216-247 of the report. The principles applied were approved by Government with the result that the distinction between the genuine guzashtadar and the ordinary occupancy raiyat has been maintained. The report and its covering letters contain an interesting discussion on the belief which is held as strongly by some as it is contested by others that the authors of the permanent settlement contemplated permanency of rent when

they abolished payments of abwab and fixed in perpetuity the revenue payable by the landlords. It is, however, an indisputable fact that at the time of the permanent settlement rents were for the most part paid in produce, and that this system is obviously incompatible with the fixation of rents, since the landlord automatically receive his share of the increased value due to rise in the price of agricultural produce. It has not been possible to trace with certainty the genesis of the firmoner rents in north Shahabad. The common explanation is that the lands being of exceptional quality were usurped by a truculent class of tenent who simply refused enhancement and was strong enough to maintain his position. The explanation is not altogether convincing. But it is worth noting that in the whole of South Bihar claims to hold at fixed rents were more prevalent in the river side area than elsewhere.

- 5. The report contains a number of criticisms on the working of the Bengal Tenancy Act. Proposals for the amendment of that Act are at present under the consideration of the Local Government who have already consulted and received the opinious of their local officers and these criticisms will be dealt with in that connection.
- 6. The Shahabad operations were concluded in 1916 and the Lie Governor in Council regrets to notice the inordinate delay which has occurred in the publication of the Final Report. The attention of the Board of Revenue has again been drawn to the importance of publishing final reports as soon as possible after the conclusion of the operations.
- 7. The present report is not merely a valuable contribution to the agrarian history of the Shahabad District but contains matter of general revenue interest which will be of great use in the elucidation of agrarian problems arising in other parts of the province. The Lieutenant-Governer in Council has much pleasure in acknowledging the services of Mr. J. A. Hubback, I.C.S., and of those officers who were associated with him in the course of the operations, and in recognizing the high quality of their work and the successful results which have been obtained.

सन्धर्मन जयते

I have the henour to be,

SIR,

Your most obedient servant,

W. H. LEWIS:

Under-Secretary to Government.

## DEPARTMENT OF LAND RECORDS AND SURVEYS, BIHAR AND ORISSA.

FROM

P. W. MURPHY, Esq., I.C.S.,
DIRECTOR OF LAND RECORDS AND SURVEYS,
BIHAR AND ORI SA.

To

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

Dated Paina, the 21st January, 1919.

SIR,

I have the honour to submit the report on the Survey and Settlement operations in the Shahabad District written by Mr. J. A. Hubback, i.c.s. The northern boundary of the criminal jurisdiction of the district is the deep stream of the Ganges and the area lying south of this line measures 4,353 square miles. The revenue and criminal jurisdictions do not, however, agree, and an area measuring 7.8 square miles lying to the north of the deep stream was in consequence included in the survey. Records-of-right and statistics were prepared during the recent operations for 4,232 square miles, and the statistics given in the report include those relating to an additional area of 28 square miles for which records were previously in existence. The tracts for which no statistics are available, including certain previously surveyed areas, town sites and diara lands topographically surveyed, cover 101 square miles.

The operations began in than Arrah in 1907 and finished in 1916.

2. The district is naturally divided into five distinctive tracts which are described in paragraphs 6 to 9 of the report. These tracts differ from each other so much in such features as fertility of soil, density and character of population, as to reduce considerably the value of any deductions based on a consideration of the averages obtained by totalling the statistics for the whole district. The population per square mile varies from 650 in the north to 200 in the south, the average being 427 as against 758 in Patna. As in Patna, there has been a considerable decrease of population since 1891, which is partly attributed to plague, and, in the area served by the Sone canals, to malaria.

Of the 4,260 square miles for which statistics are given in the report 61 per cent are cultivated, 8 per cent uncultivated but culturable, and 26 per cent unculturable. Were it not for the large area of unculturable land in thanas Sasaram, Dehri and Mohania, the proportion of cultivated area to total area would be much higher, the percentage in the remaining thanas being, as in Patna, over 80. The twice cropped area is 33 per cent of the net cropped area as against 31 per cent in Patna. This figure, however, gives an incorrect idea of the fertility of the soil, for a large proportion of the lands classed as twice cropped are merely sown with khesari after the aghani rice has been reaped. The popularity of this comparatively unimportant crop also explains the high percentage, 78, borne by the area under rabi to the net cropped area. The principal crops are, as in Patna, rice, makai, gram, wheat and barley. Wheat is grown on 15 per cent of the net cropped area, the only district comparable with Shahabad in this respect being North Monghyr where the percentage is 15.

- 3. From a comparison with some figures collected for three of the northern thanas by Buchanan in 1812, Mr. Hubback estimates that the cultivated area in these thanas has since increased by about 33½ per cent. From an examination of other figures, also collected by Buchanan, showing the value at that time of the total crops annually grown in the district, he estimates that the annual crop has increased by 50 per cent, the increase of population during the same period being about 25 per cent. This result is principally attributable to the extension of cultivation and the increase of productivity caused by the Sone canals. Taking into account the rise in prices, the value of the annual crop has grown from 121 lakhs of rupees to 467 lakhs, an increase of nearly 300 per cent. Over 730,000 acres or about 42 per cent of the net cropped area are artificially irrigated, half from the Sone canals and half from private canals, tanks, ahars and wells. Compared to Patna where 62 per cent of the cropped area is irrigated, private canals and ahars are comparatively unimportant.
- 4. In part V of the report Mr. Hubback has given in detail the results of his investigations into the question of average outturn and has compared his estimates with those made by Sir D. J. Macpherson in 1881 and by canal officers in recent years. The question is one which, in the absence of a detailed classification of fields and of experiments repeated year after year in the same field or in similar fields, is always likely to evoke marked differences of opinion. Mr. Hubback's long experience of Bihar and the attention which he has evidently given to the subject in Shahabad entitle his views to considerable weight. Recent discussions on the commutation of produce rents in South Bihar and on the fairness or unfairness of the cash rents prevalent in Palamau district have focussed attention on the subject of outturn of crops. Mr. Hubback believes, and his belief is shared by most of the officers who have personally supervised large numbers of crop-cutting experiments, that the officers usually employed to make these experiments are inclined, in selecting individual fields typical of a large area, to choose plots representative only of the lands on which the crop under experiment has been grown with a certain amount of success, and to leave out of account the area, not inconsiderable even in normal years, on which the crop has been a complete or almost com-His estimates of an average outturn of 11.5 maunds of paddy and nine maunds of rabi per acre are therefore considerably below the estimates made in Saran and Muzaffarpur, and below those made by canal officers in Shahabad and Gaya. It must be remembered, however, that these figures are an average for all the lands of the district, for irrigated and unirrigated rice lands, for the rich rabi land in the area bordering on the Ganges, and for the poor lands in Chausa and Chainpur. On the basis of these figures he calculates. the average annual value of the agricultural produce of the district and the surplus left for distribution after providing seed and feeding and replacing plough cattle. The gross annual value of the crops comes to 467 lakks of rupees and the surplus to 352 lakhs. Of the gross annual value 100 lakhs are appropriated by landlords, 65 lakhs by way of rent and 35 lakhs as the produce of lands in their own cultivation. The 367 lakks left to the cultivators together with the wages paid to labourers cultivating the landlord's bakasht lands (estimated at 22 lakhs of rupees), go to support the tenants themselves, their agricultural labourers, under-tenants and village artizans. After providing for seed, for the maintenance and replacement of plough cattle, and for the payment of cess and canal rates, this gives an average share of Rs. 22 per head of the population, a figure which after providing each individual with a subsistence allowance of Rs. 19 per year leaves a surplus of over 40 lakhs of rupees to be divided among the well-to-do agriculturists.
- 5. In part II of his report Mr. Hubback gives a history of the revenue administration of the district. His account of the assessments made by the Muhammadan rulers and of the difficulties experienced by the early British administrators in making a permanent settlement of the revenue is particularly interesting.

In this chapter he discusses at some length the intentions of the authors of the Permanent Settlement on the subject of future enhancements of the rates of rent then paid by raiyats. After reading the extracts from the notes

of Shore and Lord Cornwallis quoted in paragraphs 70 and 71 of the report it is impossible to avoid sharing Mr. Hubback's conclusion that the enactment which forbade the imposition of new abwabs was meant to operate as an absolute bar to the enhancement of the existing rates of rent. Shore in his controversy with Lord Cornwallis pointed out that the possession of rights of occupancy in their lands by the tenants in many parts of Bengal, was incompatible with the theory that the zamindars were absolute proprietors. Lord Cornwallis answered that the existence of occupancy rights did not affect the proprietary right of the zamindars since the latter, no matter who might cultivate the land, were entitled to receive no more than the established rent. He pointed out that the samindars could obtain an increase of income by encouraging the raivats to cultivate the more valuable crops and to clear the waste lands of their estates. The suggestion that the cultivation of more valuable crops would increase the landlord's income is an obvious reference to the prevalence of produce-rents and of the hastobudi system of rent. Under the latter system which was then common in many districts the rate of rent paid for any field varied with the crop grown, the highest rates being paid for the most valuable crops. Nowhere throughout the discussion is there any indication that the enhancement of the existing rent or asal was ever contemplated as a possibility, and the omission definitely to forbid such enhancement in 1795 was undoubtedly due to this cause. The consequences of this omission are well known, and it is clear that even twenty years later attempts made to enhance rents in Shahabad and Gaya had led to disputes in which contradictory decisions were given by the courts. The feeling that enhancement of the established rates of rent is an inequitable proceeding has not yet been completely eradicated in spite of the encouragement to landlords to violate the tradition, given by legislation, by the practice of the courts and by the omission for over a hundred years to ascertain or record the established rents. The disinclination of landlords, even of those who might be expected to be aware of their legal rights, to admit when confronted with their raiyats, having ever enhanced the rate of rent, was noticeable during the settlement proceedings in all the Bihar districts of which I have been Settlement Officer. Such admissions were usually only made with reluctance after every attempt to explain the increase of the rent-roll as due to other causes, such as assessment of new cultivation, had failed.

The question whether the zamindars of the province were entitled under the provisions of the Permanent Settlement to enhance their raiyats' rents is now of academic interest as regards most districts, although the recent discussions on the fairness of imposing fresh taxation on land to defray the expenditure nccessitated by modern demands for education and sanitation have once more drawn attention to the subject. In Shahabad, however, a practical interest attaches to the question. In that district alone there has long been known to exist a large body of raiyats, known as guzashtadars, inhabiting a fairly well defined area in the north of the district, of sturdy and independent character, who have consistently and, so far as is known, successfully resisted all attempts to enhance their rents. Very few of these were in possession of the twenty years' receipts showing payment of rent at a uniform rate, the production of which is sufficient to entitle any raiset to the benefit of the presumption of fixity of rent conferred by section 50(2) of the Bengal Tenancy Act. It was nevertheless felt that it could fairly be presumed that the rents of guzashta raiyats in certain areas had not been enhanced, and that the burden of proving in any particular case that the rent had been enhanced and is therefore enhancible, ought to be placed on the landlord. The decision to adopt this course aroused great opposition. The principle, however, received the approval of Government, and its application, subject to the limitations mentioned in paragraphs 216 to 248 of the report, has resulted in 29 per cent of the raiyats of Buxar Subdivision and 27 per cent of those of Arrah being recorded as entitled to hold their lands on fixed rents.

Although the propriety, from a legal point of view, of the procedure followed has been questioned, it cannot be seriously contended that the result has been other than equitable. Had the landlords' view of the law been adopted

the grat majority of the guzashtadars would have been recorded as occupancy raiyats holding on rents liable to enhancement. The settlement operations would then have effected what the landlords have so long worked for without success, viz., the obliteration of all distinction between guzashtadars and ordinary raiyats, and the enhancement of the rents of the former.

Of the land cultivated by raiyats 17 per cent is now held by raiyats at fixed rates of rent, 82 per cent by settled and occupancy raiyats, and less than one per cent by raiyats without rights of occupancy. The average rate of rent paid by each of the two former is Rs. 4-1-0 per acre and by the latter (non-occupancy raiyats) Rs. 3-4-0 per acre. The equality of the rates paid by the raiyats holding at fixed rates of rent with those paid by occupancy raiyats is due to the fact that the former undoubtedly hold the best lands in the district, viz., the fertile tract lying between the Ganges and the East Indian Railway, the average rate of rent in which was estimated by Buchanan in 1812 to be as high as Rs. 5 per acre. In the case of the settled and occupancy raiyats Mr. Hubback calculates that the average cash-rent paid represents 16 per cent of the gross produce.

In no districts except Patna and Saran does the average incidence of rent exceed that of Shahabad. In Saran the incidence is Rs. 4-5-0 per acre and in Patna Rs. 7-8-0. A comparison of the average incidence of rent per acre between districts in which there is no recognized system of classifying lands, and in which the existing rentals are merely lump rentals conveys little information. It is clear, however, that in Shahabad the tradition of the permanence of the established rates of rent, fostered by the action of the early Collectors Brooke and Deane in enforcing the prohibition against the imposition of abwabs, and perpetuated by the successful resistance to enhancement offered by the guzashtadars in the north of the district, has acted to some extent as a check on enhancements. These moderating influences have been altogether wanting in Patna where the predominance of produce-rents swollen to an inordinate extent by the unchecked inclusion of abwabs has created a standard towards which cash-rents inevitably tend to approximate.

6. In accordance with the principles laid down by the Government of Bengal in 1896, no records-of-rights under the Tenancy Act were prepared for diara lands in Shahabad. The Collector suggested that advantage should be taken of the settlement operations to make a revenue survey of the Ganges diara tract with a view to a readjustment under Act IX of 1817 of the revenue of those estates in which changes of area had taken place since the last diara survey. As it was apparent that the readjustment would probably effect no increase in the total revenue of the tract this suggestion was not adopted. Few people will be disposed to question the wisdom of the decision not to prepare a detailed record of tenants' rights or to settle fair rents under the Bengal Tenancy Act in villages where the area under cultivation is liable to yearly fluctuations. On the other hand it is clearly desirable that an attempt should be made to put an end to the present condition of uncertainty which exists both as to title and possession in regard to diara lands. The rights of riparian proprietors to the newly-formed lands created by the frequent changes in the course of the river are generally supposed to be regulated by the system popularly known as the dhardhura system, the main principles of which have been expanded and incorporated in the Alluvion and Diluvion Acts. This system, while it provides a simple method of settling boundary disputes between estates situated on opposite sides of a small river whose course is liable to a moderate degree of fluctuation, is ill-suited to the conditions prevailing in the Ganges diara, where the complexity of the river channels, the frequency of their variation, and the extent of the area affected render its application to specific instances a matter of extreme difficulty. The decision of the Privy Council in the case of Lopez versus Madan Mohan Thakur, which declares that the principle of the Act applies only to lands gained from the public domain and does not govern cases in which the newly-formed lands occupy a site identifiable as having been at some previous period the property of a private individual, considerably limits its application. The fixity of estate boundaries which this decision apparently substitutes for the old system of fluctuating boundaries is, however, altogether illusory, for the difficulties of identification of sites arising from the want of landmarks in the area are such as to render the settlement of claims almost as difficult under the new system as under the old. In these circumstances it is not surprising that rival claimants to rich lands awaiting cultivation should ordinarily settle their disputes by the rough and ready method of force in preference to submitting their claims to the arbitration of the Civil Courts, whose decisions are usually delayed and are not infrequently given after the land in dispute has again been swallowed up by the river. The result is that the title to newly-formed diara lands is usually decided, not in accordance with the statute law or the interpretation put on it by the Privy Council but by the law of the lathi.

The provisions of Act IX of 1847 were designed to enable Collectors to make the adjustments of revenue necessitated by the frequent changes in the areas of diara estates. The only general attempt made to apply these provisions took place after the Ganges diara survey of 1863 when the areas of estates as ascertained by that survey were compared with their areas at the time of the Revenue Survey. The revenue of those estates which had gained in area either from the river or by encroachment on neighbouring estates, was raised, the enhancement being proportional to the increase in area. The proprietors of the equally numerous estates which had diminished in area from similar causes were left to apply for reduction of revenue. Very few did so, the great majority preferring to pay revenue for areas not in their possession rather than prejudice their chances in future scrambles for land by admitting any diminution of title. The adjustment of revenue made on that occasion was therefore of a partial and, as it left a considerable area of land doubly assessed to revenue, of an unsatisfactory nature. The changes which have taken place under the policy of land grabbing which has since gone on unchecked for nearly fifty years have further complicated matters, with the result that the areas now in possession of proprietors bear, in many cases, no relation to the areas for which they pay revenue. The maps of the Revenue and Diara surveys are, in consequence, of little value to the Courts in ascertaining present possession. The question is what steps should be taken to put a stop to the present condition of affairs, approaching anarchy, which prevails in the diaras? The difficulties of the problem are enormous. The first necessity is an adjustment of revenue in accordance with present possession, any attempt to ascertain and record which will inevitably bring to a head all existing and dormant disputes, and may lead to increased disorder. If it be decided to face this prospect in the hope that the measures taken will ultimately produce the desired effect of reducing disputes, I submit that it will be necessary, after allowing a reasonable time for appeals and title suits, to give some measure of finality to any maps and records that may be prepared, and to provide a speedy and summary method of settling future disputes by reference to them. The difficulties experienced by the courts in dealing with disputes have been aggravated by the fact that the maps of the Ganges diara Survey, although prepared at a later date than those of the Revenue Survey, and used, in the manner already described, for the purpose of adjusting the revenue demand, have never been declared to supersede the latter. In consequence, when a dispute comes before a court, each party, besides producing a mass of evidence, generally unreliable, as to recent possession, is usually able to support his claim by one or other of these maps, and the courts when electing to decide in accordance with one of them have sometimes chosen one and sometimes the other. Whatever course be adopted to secure that rival claims to newly-formed lands which are submitted to the courts are in future dealt with by reference to the latest map, it is hopeless to expect that all claims will be so submitted, and that the boundaries of diara estates will cease altogether to undergo alteration. Revisions of the maps at moderate intervals are therefore indicated as necessary.

7. The ordinary difficulties of record-writing were such as have been experienced in every district of Bihar, and were chiefly connected with disputes between landlord and tenant as to the areas of holdings and the rents

payable for them. As usual, the Settlement staff, in deciding these disputes rarely obtained any holp from entries in rent-receipts granted before the dispute arose, or from decisions on the points at issue given by the Civil Courts. The case of village Chakwath referred to in paragraph 187 shows how a dispute between landlords and tenants about matters which ought not, and in other provinces, are not allowed, to remain long in dispute can, under the system hitherto prevalent in this province, continue for half a century to embitter the lives of both parties and to dissipate their savings in a course of fruitless. litigation. Incredible as it may appear, such a state of affairs is by no means uncommon, and every Settlement Officer can call to mind numerous instances of the same nature. The failure of the Civil Courts in dealing with agrarian disputes is indeed lamentable. It has in the past compelled the criminal courts to devote a considerable portion of their time to the investigation of charges of murder, assault and crop-stealing, the permanent causes of which they were incompetent to deal with. The decrease in criminal suits arising out of such disputes which followed the completion of the settlement operations, added to the increase in rent suits and the testimony of the Munsifs (vide Part VII of the report) to the ease with which, thanks to the assistance of the record-ofrights, the latter are now dealt with, is evidence of the revolution effected by the settlement proceedings. In regard to rent suits, however, a word of warning is necessary. Of those which are now being instituted a large number have been brought to compel payment of the rents ascertained by the settlement courts. Many of the landlords who instituted these were previously in possession of no reliable evidence of the rents payable by their raiyats and were in consequence unable to have recourse to the Civil Courts for their realization. In many cases, however, rent suits are now being instituted with the object of procuring decrees for rentals exceeding those shown in the settlement records. The fitness of the Civil Courts for revising the record of rents is prima facie open to doubt. The doubt is strengthened by the facts brought to light by Mr. G. J. Monahan, I.C.S., District Judge of Shahabad, in his Annual Administration Réports for 1911 and 1912. His remarks, which are quoted in paragraph 194 of the present report, indicate the small regard paid by some Munsifs to the settlement record, and the extent to which advantage is being taken of this fact to procure, without sufficient investigation, the alteration of entries of rent made after careful inquiry. Despite the improvement in this respect which may be effected by the continuance of the present system of training annually in settlement work a number of Munsifs, I am convinced that the adoption of the proposal to give finality to the entries of rent in the record-of-rights, which was made by Mr. Reid when forwarding the report on the Patna Settlement operations, is the only effective remedy.

- 8. As regards the failure to give rent-receipts it would appear that these are not so generally withheld from raiyats as in Patna where, as Mr. James reports, proper receipts are practically unknown outside the Government and Wards' Estates. The trouble which the want of them causes to revenue officers preparing a record-of-rights and to Civil Courts trying rent suits is such as to justify a rigorous enforcement of the provisions of the Tenancy Act on the subject in order to compel universal compliance with the law, particularly on the part of those who now withhold them from dishonest motives.
- 9. The area held on produce-rents by occupancy raiyats is 255,850 acres or over 20 per cent of the total area held by such raiyats. In Patna the corresponding percentage is 44 per cent. The difference is doubtless chiefly due to the circumstance that in the greater part of Shahabad the facilities for irrigation are supplied, not by the landlords as they are in Patna, but by Government. The fact that half the area held on produce-rents lies in thanas where irrigation is almost exclusively carried out from the Sone canals shows, however, that produce-rents still survive after the chief justification for their continuance has ceased to exist. The share of the produce nominally taken by the landlords is less oppressive than in Patna. It rarely exceeds one-half, and not infrequently is as low as two-fifths or even one-third. The question of the difference between the share nominally due to the landlord and the share

actually received by him has recently assumed a special importance in consequence of the allegations made by some landlords in Gaya that commutations of produce-rents under the Bengal Tenancy. Act are seriously reducing their incomes, allegations which have not been supported by reliable accounts of the amount of produce received by them in the past. Mr. Hubback's investigations in Shahabad have led him to the conclusion that even where the landlord's nominal share is one-half he receives, on the average, not more than one-fourth of the gross produce. Mr. Tanner's enquiries in Gaya, where commutation of produce-rents has been carried out on a much more extended scale-than in Shahabad, confirm this conclusion. In Shahabad the lands held on produce-rent are on the whole markedly inferior to those held on cash-rent. The average rate fixed in commutation cases, Rs. 5-1-7 per acre, exceeds by 25 per cent the average rate paid for lands held on cash-rent. This fact alone is sufficient to show that the landlords have not been unfairly treated, and a comparison of the rate fixed with Mr. Hubback's estimate of the actual average value of the produce-rents hitherto collected, viz., Rs. 5-11-0 per acre, indicates that making allowance for the increased ease and cheapness of collection the commutation proceedings have not seriously affected the landlords' net incomes.

10. Fair rent settlement was carried out on an extensive scale. Rents were settled under section 105 on applications, mostly received from landlords, for 51,906 holdings situated in permanently-settled estates. In addition rents were settled under section 104, with a view to a re-settlement of revenue, in nearly all of the Government and temporarily-settled estates. These estates which number 580 pay a revenue of Rs. 2,75,474, or over one-sixth of the total land revenue of the district. The account of the fair rent settlement under section 105 is given in paragraphs 257 to 287 and that of the rent settlement in the Government and temporarily-settled estates in Part VI of the report which contains an interesting account of the estates themselves. For these estates Government accepted beforehand the suggestion of the Settlement Officer that the standard of one-fifth of the gross produce should be regarded as a maximum beyond which existing rents ought not ordinarily to be enhanced either on the ground of the rise in prices or on any other ground. The same principle was applied in settling fair rents under section 105 in the permanently-settled estates and was accepted by the Special Judges Messrs. Macpherson, Monahan and James who tried the appeals from orders under that section. Shahabad is the first district in Bihar in which by the application of such a standard the settlement of a fair rent under section 105 on the application of the landlord was definitely differentiated from the trial of an enhancement suit. The validity of this distinction has been upheld in Gaya by the Special Judge, Mr. Foster, and to some extent by Mr. Sheepshanks in Champaran. Opinions however, are divided as to its legality. In Champaran an unsuccessful attempt was made by the Bettiah estate to procure an expression of opinion on the subject from the High Court. The proviso that a Revenue Officer settling a fair rent under section 105 "shall presume that the existing rent is fair and equitable, and shall have regard to the rules laid down in the Act for the guidance of the Civil Court in increasing or reducing rents" is interpreted by some authorities as meaning that he is in the same position as a Civil Court dealing with an application for enhancement or reduction of rent. If this be so the Act altogether fails to provide any means of lowering such rents as are and always have been too high, and a Revenue Officer is bound not only to refrain from reducing such rents but even to enhance them on proof of the existence of a ground for enhancement, e.g., on proof that prices have risen since the rents were fixed. The Legal Remembrancer when consulted was of opinion that even when settling fair rents by the application of a table of rates under section 104 a Revenue Officer cannot reduce existing rents. It is hardly conceivable that the framers of the Bengal Tenancy Act, an Act designed to limit the rents which inevitably result from a system of competition for land between tenants without rights of occupancy, contemplated that a settlement of fair rents should bring no relief to those who most need it. Mr. T. S. Macpherson in trying appeals against orders fixing fair rents in Shahabad expressed very strong opinions (vide paragraph 269 of the report) as to

the power of reducing rents or of refusing enhancement of existing rent possessed by a Revenue Officer. It appears unlikely judging from the Bettiah case that the views of the High Court on this interpretation of the section will ever be obtained, and I therefore recommend that when the Tenancy Act is being revised section 105 should be amended so as to leave no room for doubt on the subject.

- 11. In paragraph 278 Mr. Hubback suggests that section 32 of the Tenancy Act should be amended as to provide that the percentage by which rent shall be increased on the ground of a rise in prices shall be one-half instead of, as at present, two-thirds of the percentage by which prices have increased. As enhancement of the rates of rent on the ground of rise in prices has now become such a common feature of settlement operations—most of the enhancements in the permanently-settled estates and nearly all of those in the Government and temporarily-settled estates in Shahabad were granted on this account—the question is one of vital importance. If, however, a rent was fair at the time it was fixed its enhancement in accordance with the existing provisions of section 32 would not I think be inequitable, and I am of opinion that the prevention of hardship in individual cases will be ensured by making it clear that in applying those provisions an officer settling fair rents has power to scrutinize the incidence of rents and to refuse the full enhancement or even to reduce rents if he finds it equitable to do so.
- 12. In paragraphs 273 to 276 Mr. Hubback has discussed the question of "non-economic" holdings. It is difficult to justify special treatment for these in the matter of rent so long as they constitute only a small fraction of the tenancies of district. In areas where a large proportion of the raiyats' holdings are "non-economic" it is probable that competition for land has reached such a pitch that the operation of the ordinary tenancy law is powerless to limit the rents which landlords may obtain.
- 13. The Settlement Department in Shahabad was fortunate in having most of the appeals against orders under section 105 tried by Special Judges who had themselves been Settlement Officers, viz., Messrs. Macpherson, Monahan and James. The general sympathy of these officers with the views of the Settlement Officer prevented any serious difference of opinion, while their experience of settlement work enabled them to offer valuable advice and made them, as the results of the appeals show, more than ordinarily critical of the work of the Revenue Officers. As I have already stated no authoritative expression of opinion is likely to be obtained from the High Court on the most important questions, whether of general or local interest, which arise during fair rent settlement, and under ordinary circumstances there is no guarantee that the Special Judge, in an appeal heard at a comparatively late stage of the operations, will not take a totally different view, on a question of law or equity, to that adopted by the Settlement Officer. The inconvenience caused by having to revise, in accordance with such a decision, judgments previously delivered and not appealed against, and the uncertainty as to the attitude which a particular Special Julgo may take up on any point, are serious defects of the present system which have recently made themselves felt in the Champarau Settlement. These defects can be lessened, if not removed, by amending the law so as to give Government an extended power of regulating by rules under the Act, the exercise in each district of the powers of discretion which are possessed, or ought to be possessed, by officers settling fair rents. To attempt to regulate this in the Act itself, without reference to the conditions prevailing in particular areas, is impracticable, and to leave its regulation to Special Judges many of whom have no experience of fair rent settlement is equally unsatisfactory.
- 14. The settlement of land revenue made in the temporarily-settled estates and in the Government estates leased to farmers was based on a calculation of the assets in which the fair rents settled for raivats were naturally the chief ingredient. In Chausa pargana, however, which contains a large number of temporarily-settled estates owned by petty landowners who cultivate a large proportion of their own lands, the valuation to be assigned to the lands cultivated

by proprietors was an important question. It has been suggested that the valuation placed on them by the Settlement Officer, viz., one-third of the gross value of the average annual produce, was too lenient. Calculated at 55 per cent of the valuation the Government revenue assessed on these lands comes to nearly one-fifth of the gross produce. Seeing that the latter figure was adopted as a maximum standard for raiyats' rents, and that the average cashrent paid by raiyats in the estates under discussion is considerably lower, it would be difficult to justify a higher assessment. As Mr. Hubback justly remarks it is scarcely equitable to treat these proprietors, who are in fact little more than ordinary cultivators, more harshly than Government Estate raiyats.

The proportion of the assets fixed as Government revenue varied from 50 to 70 per cent. Each case was dealt with on its merits, the sanction of the Board being obtained in accordance with rule 667 of the Settlement Manual, to every proposal to fix a lower proportion than 70 per cent. I recommend for favourable consideration the suggestion made in paragraph 449 of the report that, subject to certain restrictions, the power of sanctioning settlements of revenue should be given to the Commissioner and Collector.

- 15. The financial results of the resettlement of revenue are given in Appendix Q (iii) and are referred to in paragraphs 454 and 455 of the report. Its real effect is disguised by the fact that the proprietors of a large number of estates in Pargana Chausa who had refused settlement in 1907, accepted the revenue now proposed and have been put in possession of their estates. As Government now receives on an average only 55 per cent of the assets of these estates, the revenue, although the assets have considerably increased, is less than was received when the estates were under direct Government management. A further apparent reduction of revenue is due to the farming out of Government estates in this pargana previously managed by Government. Making allowance for future savings in the cost of collection the effective revenue of the Chausa estates has undergone little change. In Mr. Mylne's temporarily-settled estate, the largest in the district, the revenue has been increased by nearly 50 per cent, an increase which, however, only brings the revenue up to half the assets.
- 16. The net cost rate of the operations comes to Rs. 318 per square mile, a rate which compares satisfactorily with the cost in districts like South Bhagalpur and South Monghyr, where the factors which chiefly affect it, viz., the number of plots, holdings and disputes to the square mile are similar to those in Shahabad. It is practically the same as the cost rates of Purnea and North Bhagalpur and, as might be expected, is less by 40 per cent than that of Patna. The total net cost of the operations came to slightly under 14 lakhs of rupees. The share recoverable from private landlords and tenants, added to the charges for the copies of the village maps distributed to them, and the estimated cost of maintenance of boundary marks came to Rs. 10,49,504. The sum actually recovered from them as a result of the application of the rates sanctioned by Government was Rs. 10,80,444.
- 17. In paragraph 486 of the report Mr. Hubback recommends that the Patwari Regulations be repealed. Even in Shahabad the Regulations are for all useful purposes obsolete, and the Patwari, though in theory a Government efficial, is usually in practice the landlord's private servant. The applications occasionally made to the Collector for enforcement of its provisions are invariably due to private squabbles between the parties concerned, an adjudication on which furthers in no way the objects for which the Regulation was originally enacted. Its retention, in these circumstances, serves no useful purpose.
- 18. I recommend to the notice of the Board the appreciation by Mr. Hubback, in paragraph 400 of the report, of the services rendered by the efficers who worked under him during the settlement operations, an appreciation which my personal acquaintance with most of those referred to ables me thoroughly to endorse. By the death of Messis. Cullis, Shettle and Duncan, Government has lost three efficers of exceptional ability and character. Since

the report was written another officer named in it, viz., Maulavi Abul Khair Muhammad Ishaq, Deputy Collector, whose work in fair rent settlement was specially commended by the Judges of the Patra High Court, has died. The Board is already aware of the excellence of the work done by Mr. Hubback himself not only in Shahabad but in other districts during the time he was connected with the Bihar Settlement and further testimony from me is unnecessary. The present report contains an exceptionally full and interesting account of Shahabad district and of its agrarian problems past and present, and must, in consequence, be of permanent value, as a work of reference, to all connected with the district administration.

I have the honour to be,

SIR,

Your most obedient Servant,

P. W. MURPHY,

Director of Land Records and Surveys,

Bihar and Orissa.



FROM

J. A. SWEENEY, E.Q., I.C.S.,
OFFG. SECRETARY TO THE BOARD OF REVENUE,
BIHAR AND ORISSA.

Tó

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

Dated Bankipur, the 22nd April 19.

Sir,

Under rule 615, Part II, Chapter XVI, page 162 of the Settlement Manual, 1908, I am directed to forward for the information and orders of Government the final report on the Survey and Settlement operations in the Shahabad District prepared by Mr. J. A. Hubback, I.c.s., late Settlement Officer, Bihar, together with a copy of a covering letter No. 219, dated the 21st January 1919, from the Director of Land Records and Surveys, Bihar and Orissa, reviewing the report.

- 2. The report has, with the Board's permission, exceeded the prescribed length, but in view of the great care with which it has been compiled, and the interest and usefulness of the matter recorded, it cannot be said that this is a disadvantage.
- 3. The Director of Land Records and Surveys who was himself in charge of the operations for a period and whose knowledge of agrarian conditions in Bihar is probably unique has contributed an able review and it is not, therefore necessary for the Board to do more than comment on salient features.
- 4. The operations extended from 1907 to 1916, and maps and records were prepared for 4,232 square miles, statistics for an additional area of 28 square miles of which records were already in existence being incorporated with the statistics of the area now settled for the first time.
- 5. The area now dealt with for the first time yielded 683,586 holdings comprising 3,718,423 plots. The check (in survey 3.52 linear miles per square mile, and in record-writing 16.53 per cent of the plots) was more than adequate.
- 6 The not cost incidence, Rs. 318 per square mile, compares favourably with the costs in other Bihar districts. As Mr. Hubback has rightly observed, it is not area alone that must be considered in a just estimate of cost incidence, the numbers of plots and holdings and of disputes per square mile being factors of equal importance. In revision operations where payments are made for plots and not for areas it is only these latter factors that can be considered and this fact should be borne in mind in the framing of future estimates. In the result some Rs. 30,000 were recovered from landlords and tenants in excess of the sum recoverable.
- 7. Paragraphs 22 to 31 give an interesting account of the aboriginal Kharwars who inhabit the Kaimur hills. Their racial affinity with the Mundas of Chota Nagpur may be accepted. It appears from a later portion of the report (paragraphs 475—481) that the Bengal Tenancy Act does not furnish a suitable medium for the preparation of a record-of-rights of such communities, as their land system, especially in regard to headmen, no less than their social polity, is evidently akin to the Mundari system.