

FINAL REPORT

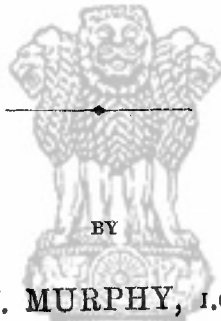
ON THE

SURVEY AND SETTLEMENT OPERATIONS

IN THE

BHAGALPUR DISTRICT,

1902-1910.



BY

P. W. MURPHY, I.C.S.,

Settlement Officer, Bihar.



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DEPARTMENT OF LAND RECORDS, BENGAL.

No. 4677.

FROM THE HON'BLE MR. H. McPHERSON, I.C.S.,

Director of the Department of Land Records, Bengal,

TO THE SECRETARY TO THE BOARD OF REVENUE, L. P.,

LAND REVENUE DEPARTMENT.

Dated, Calcutta, the 15th December 1911.

SIR,

I HAVE the honour to submit for the information of the Board and the orders of Government, the final report on the survey and settlement operations in the district of Bhagalpur, compiled by Mr. P. W. Murphy, I.C.S., who was employed for over seven years in the district, first as an Assistant Settlement Officer and later as Settlement Officer.

2. As the district is divided into two portions by the river Ganges, it was not taken up in one continuous sequence. The operations in the northern half were undertaken in continuation of North Monghyr. The Purnea district, situated wholly to the north of the river, was taken up in succession to North Bhagalpur, and work was resumed in South Bhagalpur after Purnea had been dealt with. As, however, the work of survey and settlement, beginning from traverse survey and ending with the recovery of costs, usually extends over four years, the Department was occupied with one portion or another of the district from the autumn of 1901 when traverse survey was started north of the Ganges till autumn of the present year, 1911, when recovery operations were completed in the south of the district.

3. The first 25 pages of the final report deal with the physical characteristics and the revenue history of the district: the rest of its pages give an account of the survey and settlement operations and explain the statistical information which was compiled in their course.

4. The total area of the district is 4,158 square miles, of which 2,374 are comprised in North Bhagalpur and 1,784 in South Bhagalpur. Out of the 4,158 square miles, 3,512 only were cadastrally surveyed and had a record-of-rights prepared. Of the remaining 646 square miles, 404 were diara areas which were topographically surveyed only, while 246 square miles which appertained to the Srinagar-Banaili estate and had been surveyed and settled in 1887-89, were excluded from the present operations. The 3,512 square miles which were fully dealt with are situated, 1,881 square miles in North Bhagalpur and 1,631 square miles in South Bhagalpur.

5. The northern half of the district has widely different characteristics, physical, fiscal and agrarian, from the southern portion. The north is the playground of rivers, the Kosi, Tiljuga and Dhimra, which descend from the Nepal Hills and make their way by frequently changing channels to the Ganges. Its formation is new alluvium, and the face of the country is liable to constant flood and fluctuation. The south is much more stable; its soil is old alluvium rising through the laterite uplands of Banka and Katoria to the hill country on the borders of the Sonthal Parganas and South Monghyr. It is not subject to flood, except in the north-east corner where the lower levels are sometimes overwhelmed by the sudden excesses of two hill streams, the Chir and the Chandan, which come down from the Sonthal Parganas.

South Bhagalpur is healthier than North Bhagalpur. Malarial fever is rife in some of the flooded thanas of the north. On the other hand the north has been singularly free from plague.

Both areas are well served by railways and roads, but the south has a monopoly of metalled roads, and communications in the north are always liable to interruption from flood.

6. The population of the district was 2,089,000 in 1901 and has risen to 2,140,000 during the last ten years. The density of the population according to the 1901 census varied from 226 in Katoria thana to 1,085 in the Bhagalpur sadar thana. Hindus and Muhammadans are in the proportion of nine to one. 70 per cent. of the population was returned in 1901 as agricultural, but the proportion dependent on agriculture must have been higher than 70 per cent., as non-agricultural labourers accounted for 12 per cent., and it is probable that at least one-half of these were mainly dependent on agriculture.

7. Mr. Murphy has given an account of the revenue history of the district in Chapter III of the report. The permanent settlement was made under extraordinary difficulties. Large areas in the north had fallen out of cultivation, possibly on account of the great famine of 1770, while the south was in an extremely unsettled condition on account of the disorder and anarchy prevailing in the *ghatwali* areas. The assessments made of some of the northern parganas and of the Kharagpur estate, which comprised these *ghatwalis*, were lower than existed in the days of Akbar. It has thus come to pass that the disproportion between assets and revenue is greater in Bhagalpur than in any other district of Bihar. The incidence of land revenue is only 3 annas 4 pies per acre, and Mr. Murphy has calculated that, of the total assets of the district, proprietors now absorb 91 per cent. while only 9 per cent. goes into the public purse. The relative proportions taken by zamindars and the State have thus been reversed during the last hundred years.

8. In the end of 1895 Sir Charles Elliott, before leaving the country, recorded his opinion that the survey-settlement should be extended, after the completion of Champaran, Saran, Muzaffarpur and Darbhanga, to the districts of South Bihar and the Bhagalpur Division. A vigorous discussion of this proposal ensued and occupied the three years from 1896 to 1898. In the light of the disclosures which the settlement operations in Monghyr and Bhagalpur have yielded regarding the relations of landlord and tenant in these two districts, it is almost amusing to read the protest against their initiation which was made by the Bhagalpur Landholders' Association in their letter of 14th March 1896.

"The said operations are not at all required in the interest of the people, and there does not seem to be any necessity for them, from an administrative point of view. The extension of the operations has not been applied for by the landlords or tenants. On the contrary, they are, one and all, as my Association believes, opposed to the extension, and they have very good grounds for their not being favourably disposed towards it. There is no such friction between landlord and tenant in this district or division as would justify the extension of the operations to it. Happily, the relations between the two classes generally are of a satisfactory kind. The landlords are not in need of the survey-settlement for information as to the holdings, rental and other matters. Generally, the management of the estates in this district and division is conducted on a sound basis. Proper records are kept, printed receipts are granted, and periodical measurements are made. Tenants know the extent of their holdings and the rental payable for them; and if, in any particular case, any tenant is wronged by his landlord, the law, without the aid of a survey and settlement, is powerful enough to protect him. My Association fails to see the necessity of introducing the gigantic operations of survey and settlement for remedying wrongs in a few particular cases, if there be any, more specially when, notwithstanding the said operations, such wrongs will not completely cease to take place."

It was fortunate for the cultivating community that the Local Government brushed aside the objections of the land holders as being "similar to those that were made to the introduction of the cadastral survey into Bihar" and "of a declamatory and indefinite nature;" and in their letter No. 287, dated the 21st January 1899, to the Government of India, recommended the extension of the settlement operations to North Monghyr and North Bhagalpur. The fullest evidence that this decision was wise will be found in Part II of Mr. Murphy's report in which the operations are described.

9. The main difficulties of the work in North Bhagalpur were caused by the suppression of raiyats in petty estates and the illegal enhancement of rents in the bigger zamindaris. Small proprietors claimed as their *kamat* or

private land fields which were actually cultivated by tenants. The cultivators were intimidated by threats, and were too cowed in many cases even to put forward their claims. It was the duty of the kharapuri officer to ascertain the facts on the ground, and this duty was well performed by many of the officers employed on field work.

Harder still was the task of the attestation officer who had to deal with the rent problem and unravel the tangled skein caused by 20 years' neglect of the limits imposed by the law on the enhancement of raiyati rents. The provisions of section 29 of the Bengal Tenancy Act had been generally ignored in North Bhagalpur, and illegal enhancements were found in forty per cent. of the villages. Appended to Mr. Murphy's report is a useful note on illegal enhancements prepared by an Assistant Settlement Officer, Babu Charu Chandra Kumar, who is now my Personal Assistant. It describes fourteen different methods of effecting rent enhancements outside the provisions of the law. Most of these have been illustrated by actual instances in paragraphs 78 to 92 of the report.

10. Suppression of raiyats was less common in South Bhagalpur than in North Bhagalpur, but the rent problem was even more difficult in the south than in the north, because the enhancements in violation of section 29, Bengal Tenancy Act, were defended on the grounds of increased area and landlords' improvements, and there was also much dispute regarding the local standard of measure. The difficulties of attestation in South Bhagalpur and the manner in which they were overcome are described in paragraphs 127 to 142 of the report. Before the attestation of South Bhagalpur was completed, the Amending Act of 1907 had been passed, and use was made of the provisions of the new section 109C to distinguish between illegal enhancements which were of a technical and pardonable nature and those which were material and could not be overlooked.

11. A distinguishing feature of South Bhagalpur is the extent to which the headman system obtains, or has left traces of its former existence. It marches on the south with the Sonthal Parganas, and has the same physical characteristics. The account which Mr. Murphy has given in paragraph 124 of the history of the Sonthals in Tappa Madhuban may be studied with profit by all who are interested in the protection of the aboriginal races of Bengal. The Tappa was reclaimed chiefly by the exertions of Sonthals, but during the last 20 years large numbers have been dispossessed by Babhans and Rajputs attached as peons to the Colgong Indigo Concern. "As peons," Mr. Murphy writes, "they were paid only 2 or 3 rupees per month, but they were soon able to begin lending money to the Sonthals. Once this began, the Santals were doomed. A man borrowed 20 rupees, paid back 30 in the course of a couple of years in small sums of 1 or 2 rupees at a time, and was then informed that he still owed 25. Being unable to check the simplest calculation, the aborigines were absolutely at the mercy of the money-lenders. In a few years they had executed deeds of sale transferring their holdings to the latter in order to extinguish the debt. These sale-deeds were registered in hundreds at Colgong, and there is little doubt that many of them were obtained by fraud, the Sonthals being led to believe that the documents which they were executing were merely acknowledgments of the amount of their debt." When the question of legislation to limit usury and check land alienation amongst the aboriginal races of Bengal comes up for consideration in connection with the pending Rampur Hat settlement, this portion of the Bhagalpur report should not be forgotten.

12. Nor should Government overlook Mr. Murphy's description of the *mustagiri* or *thikadari* system in paragraph 141 of his report, which shows how essential it is that the Legislature should step in to support the headman system, wherever it has not been broken down by hostile influences. It is the backbone of tribal organization amongst the aboriginal peoples. The *chakbanddars* were the village headmen of South Bhagalpur. Their rents were enhanced from time to time and they were gradually converted into ordinary *thikadars* or farmers. "So long as further extension of cultivation was possible, the Santals agreed to the enhancements of rent demanded from them. As soon as all the land which liberally repaid the labour bestowed on it had been brought under cultivation and nothing was left except the *tax* lands

which can only be made to yield a crop of *kulthi* once in two or three years, they began to object to having their rents raised. Their headmen were then replaced by outsiders, who willingly undertook to collect these rents which could not be collected through the headmen. Many of these outsiders are employees of the landlord. In Lachmipur, for instance, the dewan of the proprietor holds *thika* leases of a large number of *tolas*. Others are money-lenders and well-to-do Hindu cultivators, but the business of all is to pay to the landlord the rent agreed on and to make as much profit as possible for themselves. The village headmen whom they succeeded rarely made any money profits from their position, and paid rent for the lands in their own cultivation at the same rate as their fellow-raiyats. The Santals as a rule do not remain long in the village after it is handed over to these *thikadars*. The latter take their best lands, and settle them with outsiders, and demand high rents for the remaining lands. The Santal differs from the low-caste Hindu in the fact that he will not endure such treatment for long, and, when it reaches a certain pitch, the whole community often abandon their lands and set out for some other place to begin again their work of reclaiming the jungle." Common justice demands that those through whose labours the wild forest tracts of Bengal have been converted into smiling cultivation should be protected in the enjoyment of the fruits of their toil and not left to be exploited by stronger and wilier races.

13. I desire to draw the attention of the Board to the remarks made by Mr. Murphy in paragraphs 148 and 149 of the report on the subject of the Collector's land registers. There has been much discussion of recent years regarding the reconciliation of the land registers and the settlement records, and the whole question is at present under examination on a reference of the Board to Commissioners. In my opinion there is an overwhelming case for the adoption of settlement areas in the Land Registers for those estates that have been completely covered by the survey-settlement operations in place of the areas which now appear against them. The difficulty presented by *diara* estates may be overcome later, should it be found possible to lay down fixed boundaries for them, as has been done in the Punjab riverain survey, on the basis of the comparative maps now in process of compilation by the Director of Surveys, Bengal. A fixed and stable distribution of estate areas will then have been made for the whole district, and the fluctuations which now occur to a small extent in inland estates, but are the rule rather than the exception in *diara* areas, will be altogether avoided.

14. An interesting portion of the report is that which deals with the settlement of fair rents. Applications were filed in respect of 12 per cent. of the total number of holdings in the district, and fair rents were settled for 10 per cent. of the holdings. The average enhancement allowed was 10 per cent. and the result was to raise the total raiyati assets of the district by 1.78 per cent. the two chief grounds of enhancements were excess area and rise in prices. Much difficulty was experienced in the application of the former ground on account of the complicated system of local measurement, known as *kamar-band*, which prevails in South Bhagalpur. This has been fully discussed in an important decision by the Special Judge of Bhagalpur, Mr. J. C. Twidell, I.C.S., which is referred to in paragraph 154. The local standard of measure has been discarded from the settlement records, and it is to be hoped that we shall hear nothing more of it by the next revision settlement. The enhancement allowed on the ground of rise in prices varied from 1 anna to 2 annas in the rupee, and must be considered moderate.

15. Section 106 suits affected only 70 per cent. of the total number of holdings in the district, and the explanation of the small resort to this section is simply that landlords who were dissatisfied with the record knew that they would fare better and find a more easy remedy in the civil court than in the settlement court. I desire to call the special attention of Government to the strong remarks of the Settlement Officer on this subject, which is discussed in paragraph 162 of the report.

Two of the estates, in which illegal enhancements are most prevalent and in which the legally payable rents were ascertained with much labour and recorded by the Settlement Department, have, since the operations, come under the Court of Wards, and it appears that much of the good work of the

Department has been undone by the civil court. "The zamindari papers of these estates, which are now in the possession of the Court of Wards, indicate the means employed to subdue refractory tenants. If a raiyat refused to agree to the rent claimed by the proprietor he was sued in the civil court for arrears of rent which he had already paid, but for which no receipt had been given to him. Numerous cases have come to the notice of Settlement Officers in which there is grave reason to suspect that documents produced in evidence before them are forged, where the want of positive evidence of their falsity, along with the respectability of the person on whose behalf they are produced, renders it impossible to institute a criminal prosecution. If access could be had to the zamindari offices in which the genuine accounts are kept, many sensational revelations would probably follow. In both the estates referred to above it seems as though all the labour of the attestation officers has been completely wasted, and that the record-of-rights prepared by them has not been of the slightest protection to the raiyats. In the case of the Maharaja of Sonbarsa the evidence which showed that his rents were illegal was obtained from the zamindari papers which he himself produced, and had any attempt been made in the civil court to investigate the legality of his rents, the court must inevitably have come to the conclusion that the rent entered in the record-of-rights was the rent legally recoverable. I have no information as to what extent the other landlords of the district have followed the example of the Maharaja of Sonbarsa; but there is little reason to doubt that all those who had like him ignored the provisions of section 29 of the Tenancy Act and had received similar treatment during settlement look with confidence to the civil courts to restore their old rents provided they can induce their raiyats not to object."

It is peculiarly galling to officers of settlement to find that the record of rents prepared with so much care on evidence, laboriously collected at first hand from landlords and tenants, is frequently set aside by the civil courts on compromises wrung from intimidated raiyats on forged papers and perjured evidence. The evil has possibly been reduced by the addition of sections 147 A and 147 B to the Bengal Tenancy Act; but in my opinion the question will not be placed on a satisfactory footing till the rents entered in the settlement records have been given that finality which attaches to rents recorded under the Chota Nagpur Tenancy Act or the Sonthal Parganas Settlement Regulation.

16. The working of the commutation section of the Bengal Tenancy Act is explained in paragraphs 165 to 174 of the report. South Bhagalpur is the first Bihar area in which section 40 has been applied on a large scale, and the results of the work have therefore a special interest. The total number of applications dealt with was 4,414, and of these only 129 came from North Bhagalpur. With the rise in prices that has occurred during the past 10 years the gap between produce rents and cash rents has gradually widened; and although the rents settled under section 40 were as a rule something midway between the estimated value of the produce and the prevailing cash rents of the neighbourhood, they work out to an average of Rs. 6-1-7 per acre, as against a cash rent average of Rs. 2-10-6 per acre. This result shows that landlords have not been treated unfairly, while on the other hand the raiyats have secured all the benefits that arise from fixity of rents. The persons who most dislike commutation and are injured by the process are neither the landlords nor the tenants, but the intermediary agents, who intercept a large proportion of the produce rent.

17. Mr. Murphy has given an account of the cost of settlement in paragraphs 175 to 181 of his report. Separate accounts were maintained for the two portions of the district, and separate apportionment orders were passed. The net cost in both areas was below the normal standard of Rs. 400 per square mile. It was Rs. 308 in North Bhagalpur where the apportionment rate was only 6 annas per acre, and Rs. 374 in South Bhagalpur where a rate of 7 annas was declared. The causes of the variation have been satisfactorily explained. According to Mr. Murphy's account an excess of more than Rs. 50,000 has been recovered in North Bhagalpur, but the Bihar accounts are at present under examination in consultation with the Accountant-General, Bengal; and I do not expect that up to the end of the

Patna operations, at which point the accounts of the Bihar settlement will be finally closed, there will be any excess recovery. Possibly there may be a deficit. There has been no adjustment of settlement accounts by districts in the Accountant-General's office since the Bihar Settlement began in 1892, and until a final adjustment has been made for the whole period of 20 years, it can not be said with certainty whether the Local Government has incurred any liability towards the Supreme Government.

18. I refrain from discussing the statistical portion of the report, all of which should prove of great use to the Collector both in his ordinary administrative work and in exceptional years of scarcity or famine, but I should like to draw special attention to paragraphs 206 to 209, which are devoted to irrigation and explain the pains that were taken in South Bhagalpur to make the irrigation portion of the settlement record as complete as possible. They will doubtless be read with interest by the officials and non-officials who have been asked to confer regarding the Private Works Irrigation Bill.

19. Mr. Murphy has acknowledged the help which he received in Bhagalpur from his predecessor in office, Messrs. Kerr, Coupland and Cumming, but the brunt of the Bhagalpur work has fallen on his own shoulders, and he is entitled to much credit for the energy and success with which he has discharged the heavy duties of the Settlement Officer of Bihar for the last five and a half years. His connection with the Department dates back to November 1902, and as it will probably be severed at the end of the present field season, I desire to place on record my appreciation of his services. The Bhagalpur report is an excellent piece of work, which should be valuable alike to the local officers of the district and to officers of the Settlement Department engaged on similar work elsewhere.

I endorse the commendation which Mr. Murphy has bestowed on the covenanted officers, Messrs. Monahan, Hubback and Philip, who have held subordinate charges in these operations. Amongst the Deputy Collectors who have been specially mentioned, I have seen the work of Maulvi Mohiuddin Ahmad, Babu Nilmani De, Babu Hem Chandra Chatterji and Babu Charu Chandra Kumar, and can testify personally to its excellence. I am glad to say that out of 5 junior officers specially mentioned, 4 have during the last two years received the promotion which they have earned by their services in the Department.

I desire also to second Mr. Murphy in acknowledging cordially the important part played in the survey-settlement of the district by Colonel Crichton and Major Hirst, who carried out the traverse and cadastral surveys of North Bhagalpur and the traverse survey of South Bhagalpur, and also the co-operation and assistance placed at the Settlement Officer's disposal by Mr. Lyall, who was Collector of the district for much of the period covered by the operations.

I have the honour to be,

SIR,

Your most obedient servant,

H. McPHERSON

Director of the Department of Land Records, Bengal.

FINAL REPORT
ON THE
SURVEY AND SETTLEMENT OPERATIONS
IN THE
DISTRICT OF BHAGALPUR.

PART I.

GENERAL.

CHAPTER I.

GENERAL DESCRIPTION.

1. Bhagalpur district consists of a long irregularly-shaped strip about 140 miles in length from north to south, varying in width from 14 miles at its centre, where it is narrowest, to about 45 miles at its widest part. It is bounded on the north by Nepal, on the east by Purnea and the Sonthal Parganas, on the west by Darbhanga and Monghyr, and on the south by the Sonthal Parganas. With the exception of Monghyr it is the only Bihar district which is divided into two portions by the Ganges. The portion lying to the north of the Ganges is 2,374 square miles in area, and the portion to the south 1,784 square miles, making the total area of the district 4,158 square miles.

2. It is divided into four subdivisions—Bhagalpur, Banka, Madhipura and Supaul. The whole of the Madhipura and Supaul subdivisions lie on the north of the Ganges and the whole of Banka subdivision on the south. Bhagalpur subdivision consists of four thanas, of which one, Bihpur, lies on the north of the river; two, Sultanganj and Bhagalpur, on the south; the fourth, Colgong, lying partly on the north and partly on the south.

3. The two portions into which the Ganges divides the district differ widely in their physical characteristics, the difference between them being similar to that which exists between north and south Monghyr. The northern portion of the district is an alluvial plain resembling in general features the adjoining districts of Monghyr and Darbhanga, and to some extent, Purnea. The most fertile parts of this tract are the western portions of thanas Supaul and Madhipura and the whole of thana Bangaon,

North Bhagalpur. This is largely a rice-growing tract and resembles the adjacent part of Darbhanga. Being so much dependent on the winter rice crop, which is liable to suffer from drought in years of scanty rainfall, and from floods from the Tiljuga and Dhinra rivers when the rainfall is heavy, it is also the part of the district most often affected by famine.

The eastern parts of Supaul and Madhipura thanas bordering on the Kosi resemble in some respects the adjoining thanas of Purnea district. Partabganj and the north of Supaul bordering on Nepal are on the whole less fertile than the remainder of the district. The soil contains a greater proportion of sand and is in some places covered by sand deposits which render it absolutely unfit for cultivation.

Thana Kishanganj and the south of Madhipura form an area the characteristics of which have varied very much at different periods. At the time of the permanent settlement it appears to have been a comparatively populous and fertile tract. At the time of the Revenue Survey a considerable part of the area near the banks of the Kosi was covered with high grass jungle, but the remainder was said by the Revenue Surveyor to be "in a decidedly prosperous state and well cultivated."

Changes in Kishanganj thana. "The climate," he added, "is salubrious although a little damper than of pargana Nisankhpur Kurha."

These remarks would certainly not apply to the state of the area ten or twelve years ago. By that time the river Kosi had thrown off numerous off-shoots which traversed the whole of Kishanganj thana and flowed into the Tiljuga which itself flows into the Kosi at a point on the boundary between Purnea and Bhagalpur. These branches of Kosi were continually changing in number and position, and the annual floods to which they gave rise rendered the greater part of the area almost uninhabitable. Many villages were deserted by their inhabitants and the area under cultivation decreased. Formerly there was a good road from Lattipur Factory to Kishanganj. This was breached in so many places by the river that it became practically useless, and all attempts to keep it in repair were given up. The area covered with *jhaui* and grass jungle increased, and large tracts remained under water throughout the year. The jungles were full of deer and wild pig and even tigers, leopards and buffaloes were to be found occasionally. The swampy portions were covered in the cold weather with innumerable flocks of wild duck, so that the place became an ideal one for sport of all kinds.

During the last ten years or so, the area has been gradually returning to its former state. Off-shoots from the Kosi still flow through it, but not in such numbers as formerly. The annual floods are of less extent, and the greater part of the tract now dries up in the cold weather. The deposits left by the Kosi floods have rendered the lands extraordinarily fertile and raiyats have been attracted from long distances to come and cultivate them. The area is still flooded and very unhealthy in the rains and is infested by a most ravenous species of mosquito so that very few of the new raiyats have as yet settled in it.

They come merely to sow their fields and return to their homes until it is time to cut the crops. The floods are becoming less year by year, and if the present rate of improvement is maintained, there is no doubt that new villages will be built, and the former prosperity of the tract will return. This, however, is contingent on the behaviour of the Kosi river, and there is every reason to believe that what happened to Kishanganj during the last twenty-five years has happened before, and will happen again. Throughout north Bhagalpur and western Purnea every deposit of sand, no matter at what distance from the present course of the Kosi, is popularly attributed to that river, and there is little doubt that its influence has extended over the greater part of these districts which have been built up to their present level by deposits of sand and silt from the Kosi floods. The area which is being flooded at any period is having its level raised, and will after a time be free from the floods while some other area in turn undergoes the same process.

The area lying between the Tiljuga and the Ganges, consisting of thana Bihpur and northern Colgong. Bihpur and outpost Gopalpur of thana Colgong, is subject to floods both from the Kosi, the Tiljuga, and the Ganges. The floods of the latter river have to some extent been restricted by the construction of the Bengal and North-Western Railway line to the area south of the embankment, but on the other hand the flood water of the Tiljuga and the Kosi is prevented by the railway *bandh* from finding its way to the Ganges as quickly as it otherwise would. Opinions are divided as to the benefit or harm caused to the cultivators of the tract by the construction of the railway.

Mango groves, which are so common in Darbhanga district, are much less frequent in north Bhagalpur. They are practically confined to the western half, viz., Bangaon, the south and west of Supaul and the west of Madhipura. The groves which one meets towards the north and east bear obvious signs of

having been planted in recent years and do not thrive on account of the sandy nature of the soil. The eastern part of Supaul and Madhipura appear to have been covered in comparatively recent times with *sāl* jungle, of which patches of considerable extent are yet in existence near Latona and Shankarpur. Where the jungle has been cut and the land brought under cultivation, many isolated *sāl* trees are even still to be found in the fields.

South Bhagalpur.

4. The characteristics of the south of the district differ entirely from those of the north. In the north there is no hill of any sort. In the south the level of the land is higher than in the north. The soil is to a large extent alluvial, but of an older formation than that north of the Ganges and the surface of the country is undulating. The extreme south is hilly, the hills being a continuation of the Gidhaur hills in south Monghyr, which extend into thana Katoria in Bhagalpur, and are connected with the Rajmahal hills by an elevated tract of country passing through thana Banka. The land near the southern bank of the Ganges is of a higher level than the belt immediately to the south of it, which is usually flooded during the rains. This lowlying tract is three or four miles wide, and south of it again is a wide belt of land of slightly higher level. This belt comprises the whole of Amarapur and north Banka and most of Sultanganj, Bhagalpur and Colgong thanas, and includes the most fertile lands in the south of the district. Further south, the level of the country gradually rises. Isolated hills are met with in Sultanganj, Amarapur and Colgong, but it is only in Katoria and the south of Banka that the country becomes undulating. The hills and valleys of this portion were formerly covered with *sāl* jungles which have within the last fifty years been considerably lessened in area by the extension of cultivation. In Katoria thana, however, 25 per cent. of the area is still covered by these jungles. In the south of the district, particularly in the neighbourhood of Bhagalpur town itself, mango *gachhis* are more common than in the north. In the hill area to the south the *makua* and the *palas* are next to the *sāl* the most common trees. The mango, jack and pipul trees, which are met with in this part, are of a much greater size than those found north of the Ganges.

The following statement shows the areas of the different thanas and subdivisions and the number of villages in each—

Subdivisions.	Thanas.	Area in square miles.	Number of villages.
Supaul	{ Partabganj ...	... 322	234
	{ Supaul ...	... 588	321
	Area of subdivision	... 910	555
Madhipura	{ Madhipura ...	... 538	336
	{ Bangaon ...	... 261	222
	{ Kishanganj ...	... 350	245
	Area of subdivision	... 1,149	803
Sadar	{ Bihpur ...	... 215	137
	{ Bhagalpur ...	... 175	343
	{ Sultanganj ...	... 160	508
	{ Colgong ...	... 383	528
	Area of subdivision	... 933	1,516
Banka	{ Amarapur ...	... 240	604
	{ Banka ...	... 402	555
	{ Katoria ...	... 524	202
	Area of subdivision	... 1,166	1,361
Total area of district		... 4,158	4,235

5. The Ganges flows through the district for about fifty miles. Its course has at various times undergone many changes. The southern high bank or at least the portion which lies between Sultanganj and Patharghat appears to have always remained in nearly the same position. This is attributed to the nature of the soil for a distance of a few miles to the south which consists of a nodular lime-stone through which the river finds difficult to cut its way. The appearance of the country on the south of the southern high bank indicates that it has not for a very long time been subject to the action of the river. The northern bank on the other hand is continually changing, and the course of the deep stream in front of the civil station has in recent times oscillated between Bhagalpur and Lattipur—a distance of eight miles. At one time the main stream appears to have been identical with what is now the Jamunia river and to have flowed right under the houses situated on the south bank.

6. The river Kosi lies for the most part in Purnea district and joins the Ganges near Patharghat. The changes in its course, however, have considerably affected north Bhagalpur, the whole of the eastern portion of which is liable to inundations, the usual effect of which is to increase the fertility of the soil. The whole of the north of the district bears signs of having been subject to the action of this river at some time or another. Its action in the process of soil formation has already been alluded to in describing the characteristics of Kishanganj thana. The deposit of silt which it leaves is particularly suited for growing rice. The positions of former channels or '*dhars*' as they are called are generally marked by deposits of sand. East of Partabganj are to be seen the remains of villages which have been suddenly flooded by the Kosi and abandoned by their inhabitants. They are now covered to a depth of several feet with sand, rendering the houses uninhabitable and the lands unfit for cultivation.

7. The other rivers of north Bhagalpur may be divided into two classes:—

- (1) those which, like the Kosi, take their rise in the Nepal hills;
- (2) those which have their origin in swamps or *jhils* in the district itself, and which serve to carry off the flood waters of the Kosi.

Of the first class of rivers there are only two—the Tiljuga and the Dhimra. The chief of these is the Tiljuga. It rises in Nepal and flows for some distance along the boundary of Nepal and Bhagalpur. It then flows through Supaul and Bangaon thanas. The next part of its course lies in Monghyr district, but after turning to the east it again enters Bhagalpur and flows due east separating thanas Bihpur and Kishanganj. It ultimately flows into the Kosi. In the latter part of its course it is known as the Ghaghri river.

The Dhimra, except when in flood, is an insignificant stream. It flows from Nepal through thanas Partabganj, Supaul and Bangaon, and joins the Tiljuga near the trijunction of Bhagalpur, Monghyr and Darbhanga. Both these rivers are occasionally the cause of destructive floods in Supaul and Bangaon thanas.

8. The streams of the second class vary in number at different periods.

What is an important river at one time may become almost dried up a few years later. Even the names of these rivers alter, and the same river is known by different names at different parts of its course. The chief of these streams are the Parwan, the Loran, the Tilawe, and the Dandesari. These all have their origin in swamps in Supaul and Madhipura and all flow into the Tiljuga before it joins the Kosi. To attempt to describe or name the various off-shoots from the Kosi which have been formed in recent times would be useless. The streams just named are the most important of the older streams. Some of them, like the Tilawe, the greater part of whose bed has been brought under cultivation have practically ceased to carry any water.

9. The rivers in the south of the district all take their rise in the Sonthal Pargana hills. The slope of the country being steeper than in the north, the character of these streams is different from that of the rivers which flow into the Kosi. They

carry little water at ordinary times, but are subject to sudden and dangerous floods when heavy rainfall occurs in the area from which they are fed. The

The Chandan.

chief of these is the Chandan which is important on account of the part it plays in the irrigation system of the district.

The Chir, which flows along the east of the district, has been the cause of

The Chir.

several floods, the last and most destructive of which took place in 1899 and was accompanied by considerable loss of life. These floods by depositing sand have caused the soil of the area affected to deteriorate in quality, and rendered it less fertile than that of any other portion of the south of the district with the exception of the *tanr* lands in Banka and Katoria.

10. Generally speaking the soil of the north of the district is new

Classes of soil.

alluvium, and that of the south old alluvium. The old alluvium is a stiffer and more clayey soil than the other, and contains in many places nodules of *kankar* or carbonate of lime. In the neighbourhood of the bases of the hills in Katoria, and of the isolated hills in Colgong, Amarpur and Banka the soil is constantly receiving new constituents formed from the gradual disintegration of the rocks of which these hills are composed.

Sandy deposits are less common on the south than on the north of the Ganges, but are found in some places where they have been left by the floods of the Chandan and other hill streams. The strip of country a few miles wide extending due south from Ghogha station on the East Indian Railway is particularly subject to floods from the river Chir, the last and most destructive of which occurred in 1899. With the exception of the *tanr* lands found in Katoria and south Banka and some poor soils in Colgong, this area is the least fertile in south Bhagalpur. *Tanr* lands are the high lands of a very inferior quality covered in places with stony patches, and quite incapable of growing any crop except *kulthi*, which is sown once in two or three years.

There are many local names which are used to denote different classes of soil, but these are not always used in the same sense in different localities. The distinction which is everywhere recognised is that between soils on which winter rice can be grown and those on which it cannot be grown. Throughout north Bihar the popular names for these two soils are *dhanhar* and *bhit*, and these names have been adhered to in the settlement records but *dhanhar* is generally known in south Bhagalpur as *kiyari* or *ghoghar*, and *bhit* as *bari*. In Colgong poor upland soil is called *bhindi*. The following local names for special classes of soil are used fairly generally throughout the south of the district:—

- (1) *Karar*.—A stiff black loam or clay that cracks while drying. Very fertile.
- (2) *Pasrot or Balsundar*.—A lighter soil than *karar* containing more sand. Is less fertile than *karar*.
- (3) *Kharwa*.—A poor alkaline soil impregnated with sodium salts. Incapable of cultivation.
- (4) *Lalmatia*.—A brown soil resembling decomposed laterite and containing a high proportion of iron. This is also a poor soil. It is found in Colgong and Pirpainti.

11. North of the Ganges there are no rocks and the soil is generally

Soils in North Bhagalpur.

looser and lighter than that to the south. In Madhipura and Kishanganj thanas the soil is even yet in course of formation by the shifting beds of the branches of the Kosi. These rivers bring down silt and sand in suspension. The sand being heavier is first deposited in and near the actual bed on which the river flows. When the river overflows its banks, on account of the bed being raised above the level of the adjacent country by this deposit of sand, it takes with it the silt, which is held in suspension so long as it remains in the current, but is deposited over the flooded country. By continually receiving deposits of silt the level of the land is gradually raised. The river channels also are continually changing, and thus an area which at one period is covered with water throughout the year is found a few years later to be dry enough to cultivate, being comparatively free from floods, and to have become exceedingly fertile.

The silt deposited by the Kosi produces magnificent rice crops. North of the Tiljuga *makai* and *mung* are sown early in April and are reaped before the rains have broken. A second crop of winter rice is then raised from the same lands.

The country lying on the banks of the Ganges to a distance of about eight or ten miles to the north of the river and three or four to the south is also subject to floods. No rice crop is sown on these lands, but the Ganges silt renders them particularly suitable for growing *rabi* crops. *Makai* is also sown on them, but is very liable to damage from floods.

Some of the sandy diara soils on which melons are grown are exceedingly valuable, and are let at a yearly rate of rent of from Rs. 8 to Rs. 12 per bigha.

12. The average annual rainfall at the Sadar station is 50·13 inches and at Banka 48·69 inches. The north of the district is slightly damper than the south, the average rainfall at Supaul being 45·86 and at Madhipura 53·86 inches. Besides being damper north Bhagalpur is also cooler, there being usually a difference of temperature of about four degrees between the north and south banks of the river.

13. The south of the district is on the whole healthy. The slightly elevated and comparatively well-wooded belt of land on the south bank of the Ganges, which includes the town of Bhagalpur itself, is the healthiest portion. The thanas Partabganj, Madhipura, Kishanganj and the eastern half of Supaul, being subject to floods from the Kosi, are the most unhealthy parts of the district. Thana Kishanganj has a reputation for malaria which is almost as bad as that of Purnea. Plague is practically confined to the south of the Ganges, and the district has suffered less from this scourge than any other Bihar district. The immunity from it which north Bhagalpur enjoys is very remarkable, seeing that there is ample opportunity for the infection to spread from the neighbouring district of Darbhanga which has at times suffered severely. The fact that the village sites—as in Purnea, are as a rule less crowded and insanitary than in the other Bihar districts—may account for it to some extent.

14. The southern part of the district is provided with an efficient system of irrigation from private canals which secures it against failure of crops which might otherwise be caused by a short or unseasonable rainfall.

It is only in case of a very considerable failure of the monsoon in the hills from which the rivers which feed the canals derive their water, that any widespread failure of crops is likely to take place. Such an event actually happened in 1908 when the rainfall at Bhagalpur was only 18 inches. In that season the winter rice crop was almost a total failure.

15. In north Bhagalpur, floods from the Kosi and the Tiljuga are perhaps as great a source of damage as drought.

The Kosi floods, however, have this compensating advantage that the deposit of silt which they leave behind ensures an abundant *rabi* crop in the next cold weather. As the area subject to floods from the Dhimra and Tiljuga, viz., Bangaon and western Supaul, is largely dependent on winter rice, floods caused by them are usually more serious in their effects. In 1908, the year in which the rainfall was very much in defect throughout the district, this area suffered first from floods and afterwards from drought. In that year advances amounting in all to about Rs. 9,01,292 were made to the raiyats both in the north and south of the district. Being, as it was, the last of a series of lean years, it is surprising that more acute distress was not felt. The advances made to the raiyats, however, enabled them to tide over the period of waiting until the *rabi* crop of 1909 was harvested.

16. The Barauni-Katihar section of the Bengal and North-Western Railway enters the district near Pasraha, and leaves it at the Kosi bridge a little to the east of Kursela station. The length of the line within the district is 24 miles. Its course is parallel to that of the Ganges at a distance of about ten miles to the north. From thana Bihpur station a branch line runs to Mahadeopur Ghat on the Ganges which is connected

by steamer with Barari Ghat on the southern bank. Barari Ghat is itself connected by railway with Bhagalpur. In addition to the passenger ferry, there is a goods ferry at this ghat. Trucks containing goods are taken bodily over the river and replaced on the rails on the other side.

Another branch of the Bengal and North-Western Railway—the Samastipur-Partabganj branch—enters the district at Nirmali and runs due east to Partabganj, a distance of 24 miles. Previous to the year 1904 this line ran on to Kanwa Ghat on the Kosi river, from which place passengers were ferried in country boats belonging to the railway company, to Anchara Ghat on the opposite side of the river in Purnea. Anchara Ghat in turn was connected by rail with the Debiganj-Katihar branch of the Eastern Bengal State Railway. But the portion of the line between Debiganj and Anchara Ghat was so often breached by the Kosi floods that all attempts to keep it in repair were given up in 1904, and since then the portion of the line between Partabganj and Kanwa Ghat has also been abandoned. The line now ends at

Mansi-Bhaptiahi Railway.

Partabganj. In 1905 a railway was constructed from Mansi, a station on the Barauni-Katihar branch of the Bengal and North-Western Railway, to Bhaptiahi on the Samastipur-Partabganj branch of the same line—a distance of 60 miles, of which 40 lie in Bhagalpur. The portion of Monghyr district through which this passes is a marshy tract, and a large expenditure on bridges and high embankments was necessary to secure the safety of the line. It passes through the centre of the rice-growing tract of north Bhagalpur, viz., thanas Bangaon and Supaul. A large export trade in rice is carried on from this tract, and formerly all the grain had to be carted by road to Bhaptiahi and other stations. The construction of the new line has provided greatly increased facilities for this trade.

A branch line has been constructed from Siharsa station on this line to Bodhama Ghat *via* Madhipura—a distance of 18 miles.

The Loop line branch of the East Indian Railway enters the district near Mirza Chauki and following the southern bank of the Ganges leaves it beyond Sultanganj—a distance of 60 miles.

East Indian Railway.

A railway from Bhagalpur to Bausi, a distance of about 10 miles due south, is at present under construction. This line was begun in 1906, but the work was abandoned

Bhagalpur-Bausi Railway.

for a year and was resumed in 1908. When completed, it will be of great utility to the south of the district.

The total length of railway line in the district (excluding that under construction) is 166 miles.

17. The district contains 1,799 miles of roads, the classification of which

Roads.		is shown in the following statement:—	
Class of road.	Description.	Length in miles.	
Metalled roads ... {	I A—Bridged and drained throughout	...	24
	I B—Partially bridged and drained	..	42
	II A—Bridged and drained throughout	...	165
	II B—Partially bridged and drained	...	392
Unmetalled roads {	III—Banked and surfaced but not drained	...	<i>Nil.</i>
	IV—Banked but not surfaced, partially bridged and drained	...	344
	V—Cleared, partially bridged and drained	...	371
	VI—Cleared only	...	461
	Total mileage	...	1,799

There are two miles of road to every five square miles of area.

18. All the metalled roads of the district are in the portion south of the Ganges. The most important is that which runs south from the Civil Station to the Sonthal Parganas *via* Puraini and Bausi. This road is 42 miles long. Another metalled road runs from Champanala to Ghorghat, 17 miles, and a third from Bhagalpur to Pirpanti, 28 miles. The other metalled roads are short stretches, nearly all

Roads in South Bhagalpur.

inside Bhagalpur Municipality or in the neighbourhood of a few of the railway stations. The other important roads in the south of the district are those from Ghogha railway station to Bausi, 32 miles, Sultanganj *viâ* Bhagalpur and Colgong to Pirpanti, 57 miles, Banka *viâ* Jandaha and Katoria to Bakrar Factory in Monghyr, 39 miles, Banka to Jeypur, 25 miles, Bhagalpur to Banka *viâ* Amarpur, 27 miles, Barahat *viâ* Banka and Katoria to Simultala in Monghyr, 34 miles. Many of the unmetalled roads, particularly those in Sultanganj, are absolutely impassable in the rains and in some years remain so until late in the cold weather.

19. North of the Ganges a road runs from Lattipur Factory to Madhipura *viâ* Kishanganj, a distance of 50 miles. But this road has been so cut up by the Kosi floods that there are now 21 gaps between Phulaut and Madhipura. The other important roads in the north are those from Madhipura to Supaul, 21 miles, Madhipura to Sonbarsa, 17 miles, Supaul *viâ* Partabganj to Birpur on the Nepal frontier, 37 miles, Gopalpur Ghat on the Monghyr boundary west of Supaul to Keotgaon on Purnea boundary *viâ* Parsarma and Singheswar, 36 miles, Nirmali to Partabganj, 25 miles, Supaul *viâ* Pipra and Partabganj to Balua, 37 miles, Mahesi *viâ* Supaul and Bhaptiahi to Kobauli, 49 miles. In recent years many new bridges have been constructed over the rivers in the north of the district at the points where they are crossed by the principal roads. In Kishanganj and Bihpur thanas there are practically no roads and in Colgong the beds of the *nalas* which are streams in the rainy season, are used as roads in the cold weather. Many of the roads in the district were constructed during the famine of 1872-73 at the expenses of the Darbhanga estate, which was then under the management of the Court of Wards. In the south the great number of private irrigation channels is an obstacle to the construction of village roads, as these would have to be bridged to make the roads passable for carts.

The district contains sixteen sub-post offices and fifty one branch post offices in addition to the head office at Bhagalpur.

All the railway lines have telegraph systems attached. There is also a wire from Bhagalpur to Godda. Madhipura, Supaul, Partabganj and Sonbarsa and Nirmali are also connected by wire. There is no direct telegraphic communication between the north of the district and the south. Telegrams from Bhagalpur to Madhipura travel *viâ* Bankipur and Muzaffarpur.

CHAPTER II.

POPULATION.

20. Owing to the frequent and extensive changes which have taken place in the district boundary prior to 1874 it is impossible to ascertain what was the population before that date of the area which is now included in the district.

Dr. Buchanan Hamilton in 1811 estimated the population per square mile of thana Painti, corresponding to the present thana Colgong, to be 143, and that of Lokmanpur, corresponding to Bihpur, to be 204 to the square mile.

Population in 1811.

Either this was an under-estimate or the population of these thanas must have doubled between 1811 and 1872 when the first regular census was effected. Dr. Buchanan Hamilton estimated the density of population in the Sadar thana (Kotwali) as 1,076 per square mile. This, if correct, shows that the population has remained nearly stationary since 1811, but it is improbable that this is the case.

In 1853 the Revenue Surveyor, Mr. Pemberton, made an estimate of the population of the four parganas which then constituted north Bhagalpur, viz., Naredigar, Malhani Gopsl, Nisankhpur Kurha and Chhai. He estimated the number of houses in these parganas covering an area of 1,699 square miles at 90,460. Allowing five persons to each house this brought the total population to 452,300 or 266

Population in 1853.

per square mile. As at that time pargana Chhai was at least as thickly populated as at present and possibly more, so this was certainly an under estimate.

In 1872 the first regular census was taken. The population was found to be 1,826,038, and the number of houses 329,372.

First regular census in 1872. The area of the district was 4,327 square miles and the number of persons per square mile 422.

In 1891 the population had increased to 1,967,635. At that time the area of the district was put down as 4,232 square miles and the population per square mile 465.

The last census took place in 1901. The population was then found to be 2,088,953. The following statement shows the details for each thana and the variations in density

Population in 1901. of population since 1891:—

Subdivision and thana.			Area in square miles.	Total population.	Population per square mile.	Percentage of variation in density of population between 1891 and 1901.
Sadar subdivision	...	...	933	585,244	627	+5.97
Bhagalpur	...	...	175	189,980	1,085	+8.54
Colgong	...	...	383	204,088	532	+6.59
Sultanganj	...	...	160	95,116	594	+3.08
Bihpur	...	...	215	96,060	447	+2.73
Banka subdivision	...	...	1,166	433,499	372	+2.40
Banka	...	...	402	161,602	402	-1.14
Amarpur	...	...	240	152,953	637	+5.46
Katoria	...	...	524	118,944	226	+3.56
Madhipura subdivision	...	...	1,149	559,310	487	-2.81
Madhipura	✓	...	538	276,452	512	-3.78
Kishanganj	✓	...	261	116,547	333	-6.89
Bangaon	...	...	350	163,311	606	+2.03
Supaul subdivision	✓	...	910	510,900	557	+6.09
Supaul	...	...	588	359,535	611	+3.65
Partabganj	...	...	322	151,365	461	+12.37
District total	...	...	4,158	2,088,953	502	+2.77

Variation in population between 1891 and 1901. 21. The large increase in Partabganj thana is attributed to the construction of the railway line from Nirmali to Partabganj.

Kishanganj and Madhipura thanas suffered between 1891 and 1901 from the incursions of the river Kosi, a fact which accounts for their decrease in population.

Bhagalpur is the most densely populated of all the thanas. If the area of Bhagalpur town, ten square miles, and its population, 75,760, be excluded, the density of the population in the remainder of the thana is found to be 692 per square mile. This is higher than that of Amarpur, which is the next most thickly populated thana. Katoria, which is the most hilly and jungly thana, is, as might be expected, the least populous, the number of persons per square mile being only 226. Kishanganj is the next lowest with 333 persons per square mile.

The greatest increase in population between 1881 and 1891 took place in the Sadar and Supaul subdivisions. To foretell in what thanas the population is most likely to increase in future is not easy. It is probable that the opening of the recently constructed Mansi-Bhaptiahi Railway line will attract population to Bangaon, Madhipura and Supaul thanas, and that the

line which is now in course of construction from Bhagalpur to Bausi will do the same for Banka and Amarpur. The room for extension in Banka is certainly considerable, but unless increased facilities for irrigation are given by the construction of new water channels and embankments it is likely that the population of this thana will remain stationary, as it did between 1881 and 1891.

In Kishanganj and Bihpur also the pressure of population on the soil is very light, but both these thanas are so liable to floods from the Kosi and Ganges that settlers who have been attracted to newly-formed lands will always be liable to be driven away again by fresh changes in the river courses.

22. As in other Bihar districts the females outnumber the males. For the district as a whole there are 1,033 females to each 1,000 males. The excess of females is greatest in Sultanganj, Bihpur and Banka. This is probably due to the yearly emigration of labourers from these tracts. In Kishanganj and Partabganj the males are slightly in excess of the females. I know of no explanation so far as Partabganj is concerned. In Kishanganj there are large areas which contain no *bastis* but are cultivated by raiyats from Monghyr who visit their lands only at the time of sowing and reaping. These people do not as a rule take their families with them when they leave their houses, and the excess of males may be due to this.

23. Hindus outnumber Muhammadans in the proportion of nine to one. The proportion of Hindus is highest in Bhagalpur thana and lowest in Katoria. While the Hindu population increased by 3·5 per cent. between 1891 and 1901 the number of Muhammadans increased by 7 per cent. in the same time. In 1854 Mr. Pemberton estimated the Muhammadan population of north Bhagalpur to be one-tenth of the Hindu, which is about the proportion that exists between the numbers of the two communities at the present day.

24. At the last census the population was distributed as shown in the following statement:—

Ocupation.	Number.	Percentage to total population.
Agricultural and pastoral	1,456,493	70
Other occupation ...	632,460	30
Total	2,088,953	100
Engaged in other occupations, but partly dependent on agriculture.	12,000	·5

The agricultural population is further divided into rent-receivers, rent-payers, agricultural labourers, persons engaged in growing special products, persons engaged in stock-raising or in supervising agricultural work. The number of each class is shown in the following statement:—

Subdivision.	Number.	Percentage to total population.
Rent-payers	1,182,981	56·5
Rent-receivers	11,964	·5
Labourers	218,779	10·5
Engaged in raising stock	23,881	2·5
Engaged in growing special products	2,352	
Engaged in supervision	16,536	
Total	1,456,493	70

Of the non-agricultural population over 251,000 or over 12 per cent. of the total population are classed as unskilled labourers, not agricultural. This proportion seems rather high and much exceeds that given for Darbhanga district. In that district non-agricultural labourers are shown as 5 per cent. and agricultural labourers as 17 per cent. of the total population. In Bhagalpur the percentages are 10·5 and 12 respectively, the total of the two being the same in each

district. The number of unskilled non-agricultural labourers in Bhagalpur is no doubt largely swelled by the large number of Musahars, Dusadhs, Chamars, Kewats, Dhanuks and Gangautas in the north of the district, but I fancy that many of these who were returned as non-agricultural labourers engage in agricultural labour at some period of the year. Otherwise it is difficult to understand how the district can support such a large non-agricultural population.

25. The district sends out emigrants chiefly to Monghyr, Purnea and the Sonthal Parganas. Most of the immigrants come from Monghyr and Darbhanga. It gains by the exchange with Monghyr and loses to Purnea. On the whole the emigrants at the time of the census in 1901 slightly outnumbered the immigrants. Most of the Darbhanga settlers in the district are to be found cultivating the waste lands in north Bhagalpur and the emigrants to Purnea are drawn there by lands newly reclaimed from the Kosi.

CHAPTER III.

REVENUE HISTORY.

26. The district at present contains portions of twenty-three parganas, of which ten lie to the north of the river and twelve to the south, one lying partly on the north and partly on the south. The following statement shows the area of each and the number of villages it contains. The first ten parganas on the list lie to the north of the river. Pargana Colgong lies on both sides of the river and the other twelve are on the south of the river.

The northern parganas, it will be noticed, are on the average of a much greater area than the southern parganas with the exception of pargana Bhagalpur. They form moreover, compact blocks whereas in the south it is common to meet isolated villages appertaining to a pargana separated by a distance of many miles from any other village of the same pargana. For instance, three villages of pargana Colgong are found in thana Banka, and eight in thana Sultanganj, and some lands situated in the centre of Bhagalpur town are also said to belong to this pargana. This anomaly is popularly explained by the story that when a former proprietor of the pargana visited the Emperor's Court at Delhi, he became such a favourite of the Emperor that the latter promised him that whatever place he stayed at on the way home would in future belong to him, and would form part of pargana Colgong.

Serial No.	Name of pargana.	Number of villages.	Area in square miles.
1	Dhapahar ...	129	187
2	Nathpur ...	40	77
3	Harawat ...	65	114
4	Naredigar ...	203	366
5	Nisankhpur ...	463	787
6	Malhani Gopal ...	77	140
7	Dharampur (portion of) ...	63	53
8	Uttarkhand ...	86	107
9	Kabkhand ...	136	151
10	Chhai ...	260	404
11	Colgong ...	492	319
12	Bhagalpur ...	1,265	560
13	Jahangira ...	58	38
14	Kheri ...	107	47
15	Lakhanpur ...	62	20
16	Masdi ...	3	5
17	Sahroi ...	188	130
18	Sathiari ...	37	8
19	Danra Sakhwara ...	95	278
20	Hazar Taki ...	83	16
21	Chandwe ...	148	101
22	Wasila ...	85	140
23	Chandan Katoria ...	90	168

27. The district has undergone many changes of jurisdiction in the last 150 years. Originally Bhagalpur formed part of Sirkar Monghyr, one of the seven Sirkars into which

Early history.

Bihar was divided at the time of the Muhammadan conquest in 1202 A. D.

In 1765 when the Diwani or Revenue Administration of Bengal, Bihar and Orissa was granted to the East India Company, Bhagalpur consisted of parganas Bhagalpur, Chhai, Chandan, Danra Sakhwara, Sahroi, Lakhanpur, Hazar Taki and Wasila. It still formed part of Sarkar Monghyr. In 1769 British supervisors were appointed to superintend the local collection of revenue on behalf of the East India Company. Mr. William Harwood was the first supervisor appointed and had his head-quarters at Rajmahal. The area under his care appears to have been divided into a Bengal portion and a Bihar portion. The latter consisted of parganas Bhagalpur, Colgong, Chhai, Farkia, Monghyr, Surajgarha, Salemabad and Gidhaur, besides the estate known as Mahalat Kharagpur, the property of the Raja of Kharagpur, which then included twenty parganas.

The Bengal portion consisted of the following parganas :—

Akbarnagar	} Now in Malda district.
Akbarpur ...	...	...
Bhatian Gopal ...	...	...
Bahadurpur ...	...	...
Futtehpur ...	...	...
Begumabad ...	...	...
Gangapat Islampur ...	...	...
Kasimnagar ...	...	...
Dogaohhi ...	...	...
Dar Sarak Gangahar ...	...	...
Gorhand ...	...	...
Haveli Tandah ...	...	...
Makrain ...	...	...
Pardiar	} Sonthal Parganas.
Sultanganj ...	...	...
Sherpur Fateh Khan ...	...	...
Ambar	} Sonthal Parganas.
Kakjol ...	...	...
Sultanabad	} Sonthal Parganas.
Jamui ...	...	...
Chak Nadia	} Murshidabad.
Deoriapur ...	...	...
Mangalpur ...	...	...
Hathinda	} Dinajpur.
Khurda ...	...	...
Malduar ...	...	...
Surahar Manikpur ...	...	...
Chak Dilaui	Purnea.

28. By order of the Governor-General in Council on the 11th January 1793, such of the above parganas as now appertain to Malda and Purnea districts were transferred to

Changes in jurisdiction.

Purnea. The Malda parganas were subsequently transferred to Malda, Chak Delauri being left in Purnea.

In 1793 pargana Chhai which lies to the north of the river was transferred to Tirhut and the Ganges was made the northern boundary of the district. In 1803, however, this area was re-transferred to Bhagalpur. In 1832 a separate district with Monghyr as head-quarters was formed, and parganas Farkiya, Monghyr, Sakarabadi, Gidhaur and Chandan Bhukha were included in it. In 1838 parganas Naredigar, Malhani Gopal and Nisankhpur Kurha were transferred from Tirhut.

In 1855 after the Sonthal rebellion, the Sonthal Parganas district was formed and parganas Ambar, Kakjol, Sultanabad, Jamui, Godda, Pasai, Chandan, Belpatta, Handwe and Tappa Manihari and the Rajmahal hills were included in it. Pargana Belpatta, which formerly was part of Birbhum, had been transferred to Bhagalpur in 1795.

In 1864 parganas Kabkhand and Uttarkhand were transferred from Monghyr, and part of parganas Nathpur, Harawat and Dhaphar from Purnea.

In 1874 the area of the district was further diminished by the transfer of the parganas Dharara, Singhaul, Kharagpur and Parbatpara, together with 281 villages from parganas Sahroi and Lakhanpur to Monghyr. The area transferred was about 614 square miles. Since then no alterations of jurisdiction have taken place.

29. These numerous changes render it practically impossible to compare the Government revenue of the district as at present constituted, with the revenue assessed on the same area in former times. Some information as to the revenue paid for certain areas at various times is however available. In the Ain-i-Akbari the following parganas are referred to, and the revenue assessed on them by Akbar is mentioned. These are—

Pargana.	Revenue in dams.
Malhani Gopal	151
Dharampur	40,00,000
Kabkhand	2,43,677
Uttarkhand	1,28,412
Ohhai	9,28,000
Nisankhpur Kurha	9,728
Bhagalpur	46,96,110
Colgong	28,00,000
Sathiari	58,730
Jahangira	...
Lakhanpur	6,33,280
Kherhi	6,89,044
Sahroi	17,73,000
Danra Sakhwara	1,36,000
Hazar Taki	9,182
Chandwe	3,60,000
Wasila	89,760
Chandan Katoria	...
Dhapahar	...
Nathpur	...
Harawat	...
Naredigar	...

No mention is made of the revenue assessed on parganas Jahangira, Chandan Katoria, Dhapahar, Nathpur, Harawat and Naredigar. It is possible that owing to their being covered with jungle at the time no assessment had been made, but this supposition is less probable in the case of Jahangira than in that of the others.

A dam is equivalent to one-fortieth of a rupee. The very light assessments on Malhani Gopal and Nisankhpur Kurha indicate that very little of the area of these parganas had come under cultivation in Akbar's time. The assessment on Dharampur, the revenue of which is now paid in Purnea by the Maharaja of Darbhanga is exactly the same at the present day as it was then, viz., one lakh of rupees. Bhagalpur, Colgong, and Ohhai have always supplied a large proportion of the total revenue of the district. They have always been in a more settled and prosperous state than the other parganas. In subsequent assessments their revenue seems to have been increased, for in 1765 they paid five and a quarter lakhs of rupees as revenue, or more than twice the amount of Akbar's assessment. From 1765 to 1772 the names of these parganas disappeared from the revenue roll of Subah Bihar. They were supposed to constitute a *jagir* which had in 1765 been transferred to Subah Bengal, but in 1772 it was discovered that no such *jagir* existed and no such transfer had been made. Their revenue had in fact been embezzled for seven years. At the present day they pay nearly the same revenue as in the time of Akbar.

30. The assessment on the parganas included in Mahalat Kharagpur, viz., Sathiari, Lakhanpur, Kherhi, Sahroi, Danra Sakhwara, Hazar Taki, Chandwe Pasai and Wasila exceeded that made at the permanent settlement. It is worthy of notice that while the Ain-i-Akbari shows that revenue was separately assessed on each of these parganas they were all treated as one estate in 1793, one settlement being made with the proprietor, the Raja of Kharagpur.

31. Chandwe Pasai and Wasila were held by the *ghatwal* of Lachhmipur who was subordinate to the Raja of Kharagpur. As these *ghatwals* played a very important part in the history of the district, some account of the system under which they held their lands is called for.

32. *Ghatwal* or *ghatwar* means one who guards the *ghats* or mountain passes. *Ghatwali* was the name applied to the tenure of land held by those whose duty it was to protect the district from the incursions of the tribes which inhabited the hills of Ramgarh and the western portions of the Sonthal country.

In the year 1822 the Collector of Bhagalpur gave the following description of these tenures:—

"In regard to *ghatwali* lands, they are granted for the maintenance of police to protect the low country from incursions and depredations which in former days were common practices with the hill people. The hill people, so far as can be traced, were never subjected to the authority of the native Government. They for a long time subsisted by plunder, and their incursions into the low lands almost desolated the adjacent districts. Amongst the measures adopted by the native Government to suppress these incursions, grants of lands were assigned to persons denominated *ghatwals*, in some places rent-free and in others subject to the payment of *rasum* at the rate of two annas per bigha of cultivation, on condition of their entertaining a certain number of armed men for the above purpose. Their lands are situated at the foot of the hills. Under the native Government, however, this system of police never proved very effective and the system fell into a state of decay, and they were so found by Captain James Brown, an officer who had the command of a light infantry corps for the protection of the country and who in 1773 was placed in charge of the jungle terry country.

"In 1780 in consequence of conciliatory offers held out to them by Captain Brown and Mr. Cleveland, the Collector of the district, the several *ghatwals* and their establishments were prevailed upon to return to their *jagirs* and resume their former duties. To these men were granted by the authority of the Government, under signature of Captain Brown and Mr. Cleveland, *sanads* restoring and confirming their former tenures under conditions attached to them. By degrees all the *ghatwals* and their dependants returned to their *jagirs*, and were installed under *sanads* granted to them by Captain Brown and other officers who held the management of the district, and by whom also, vacancies were filled up as they occurred.

"By this settlement the *ghatwals* were removed from the control of the zamindars, and having *sanads* granted on the part of Government, they became subordinate to Government only. The conditions of these *sanads* were that the *ghatwals* are to hold the lands at a consolidated *jama*, in consideration of which they were required to maintain a police as detailed, that on failure of this service, or if any disturbance should occur in their jurisdiction they are made liable to forfeit the tenure."

33. The chief *ghatwal* in Bhagalpur was the Lachhmipur *ghatwal*, who held the parganas of Chandwe, Danra Sakhwaraf Sathari and Pasai. He and the other *ghatwals* of the district were subject to the Raja of Kharagpur to whom they paid *rasum* of two annas per bigha on the area of cultivated land included in their tenures. The subjection of the Lachhmipur *ghatwal*, however, was more nominal than real, and Jagarnath Deo who held the *ghatwali* in 1775, and Rup Narain Deo, his successor, defied the civil and military authorities of the district, asserted their independence, and refused to pay the dues claimed by the Raja.

In 1780 when the arrangement referred to in the Collector's letter was made, the estate Mahalat Kharagpur was held *khas*, the Raja, Muzaffar Ali, having been dispossessed by the Nawab. In 1781 Warren Hastings restored the estate to Raja Kadir Ali, grandson of Muzaffar Ali. When the Decennial Settlement was made, the former arrangement was continued. The assets of the *ghatwali* lands were included amongst the assets of Mahalat Kharagpur, the revenue of which was payable by the Raja, and the *ghatwals* were directed to pay to the latter the amount assessed on their lands. At the permanent settlement of the estate in 1796 this was confirmed. The Lachhmipur *ghatwal* continued to assert his independence of the Kharagpur Raja, and refused to pay the latter his *zamindari rasum*. The Raja sued him for payment in 1805. Rup Narain Deo denied that his tenure was dependent to the *zamindari* of the plaintiff, and asserted that he held directly under Government by a *sanad* under the seal and signature of the Governor-General Warren Hastings.

The case was decided in 1809 in favour of Raja Kadir Ali by the Sadar Diwani Adalat, when it was held that Rup Narain's *ghatwali* tenure

was a part of Mahalat Kharagpur. The Court, however, thought that it would be advantageous to both the parties that their estates should be made entirely distinct, and as the tenure of Rup Narain was separable from the *samindari* of the plaintiff under section 4 of Regulation 8 of 1793, they advised the *ghatwal* to apply to the Board of Revenue for separation of his tenure. On the application being made the tenure was separated from Mahalat Kharagpur, and since then the revenue assessed on the Lachhmipur estate has been paid directly to Government.

34. The early British administrators of the district were chiefly employed in trying to put a stop to the incursions of the hillmen from the south. The failure of the *ghatwali* system to secure order is shown by the fact that Jagarnath Singh of Lachhmipur, the chief *ghatwal*, was the leader of the hill men, and was abetted by Biru Singh *ghatwal* of Kakwara, and Prasad Singh and Ummed Singh *ghatwals* of Kharwar. In 1775 the Collector, Mr. Barton, reported that these men had been interfering with the farmer, of the Kharagpur estate, and preventing him from collecting his rents. Captain James Brown, Superintendent of the jungle terry Mahals, who was stationed at Chakai in Monghyr with a detachment of troops, was directed to send a portion of his detachment to Beldiha for the purpose of keeping Jagarnath Singh in check. Another detachment was stationed at Jamdaha in Bhagalpur.

There appears to have been some friction between the Collector and Captain Brown, for in 1777 the former complained that the latter had been issuing *parwanas* to the *thikadar* of Kharagpur which ought to have been sent through the Collector. He also said that when the *ghatwals* of Kakwara had been arrested by the *thikadar* under his orders, and were being brought to Bhagalpur, the prisoners were seized by the Officer Commanding at Jamdaha, who refused to give them up without the orders of Captain Brown.

35. In 1777 and 1778 in spite of Captain Brown the raids of the hill men continued, and in 1779 the zamindars, Bishu Nath and Kunjal Singh of Mandar, and Maniyar Singh of Godda, who had remained loyal when the rest of the jungle terry was in rebellion, were murdered by the followers of Rup Narain Deo successor of Jagarnath. The Collector directed the officer stationed at Chandan to arrest Rup Narain at Lachhmipur, but the latter fled to the jungles of Birbhum for refuge. Subsequently it appears that he was pardoned and restored to his *samindari*, but he again got into trouble and the Collector asked for military assistance to dispossess him. In 1783 Rup Narain came to Bhagalpur in person, paid up his arrears of *rasum* and promised to obey the orders of Government in future. This was in February. In July of the same year the Collector wrote to Government that—

“In spite of the assurance made by Rup Narain of his attachment and entire submission, I feel myself under the necessity of informing you that he by no means appears sincere in his professions, on the contrary he rather seems inclined to aim at independence.”

Rup Narain had again apparently been withholding payment of the allowances due to the Raja of Kharagpur. On the Collector's representation the Governor-General ordered Captain Pringle to arrest Rup Narain Deo and the *ghatwals* who were in alliance with him, and to destroy the fort of Teor in Birbhum where he had taken shelter. He further ordered that the lands held by Rup Narain Deo should be given to Raja Kadir Ali of Kharagpur. Still Rup Narain evaded arrest. In 1784 the Collector wrote that he had made several representations suing for pardon and recommended that this should be granted and that his estates should be restored to him. The *ghatwal* was ordered by Government to proceed to Calcutta, but excused himself on the ground that he was a jungly person, unused to the ways of cities, and that moreover his grandmother had just died, and he was bound to perform the usual funeral ceremonies. He also urged that his *samindari* was too small to bear the expense of such a long journey. Finally he was pardoned and restored to his estates. His dispute with the Kharagpur Raja continued, however, until his *ghatwali* was, on the recommendation of the Sadar Diwani Adalat, separated from Mahalat Kharagpur and made into a separate estate.

36. The *ghatwali* system having failed to keep the hill men in check Mr. Cleveland, who was for a time Mr. Barton's assistant and who became Collector of Bhagalpur in 1779, carried out a plan for the pacification of the hill men,

which appears to have been first suggested by Captain Brown in 1778. By working through the sardars of the hill tribes, giving them rewards and making them responsible for the good behaviour of their clan he succeeded in a short time in restoring something like order. But even during Mr. Cleveland's time and again after his death in 1784, occasional raids occurred in which cattle were stolen and murders committed. The plan of settling down invalid soldiers of the Company on the waste lands between the hill country and Bhagalpur, which had been first suggested by Captain Brown in 1778 and approved of by Government in the same year, was carried out by Mr. Cleveland as an additional precaution. In his letter to the Governor-General dated 28th February 1778, Captain Brown wrote as follows:—

“Most of the sepoy's in the Company's service have originally been husbandmen, and their families still follow that method of life beyond the Company's territories. I beg to submit it to your consideration whether it would not be for the advantage of Government to publish through the invalid corps of sepoy's, that whoever among them will settle on the lands between the hills and the sadar shall have small *jagirs* given for that purpose for the subsistence of themselves and families, who are to be brought thither. This would afford the prospect of a comfortable maintenance to old soldiers worn out in our service and would establish a kind of Militia whose provision being interspersed among those of the *malgusari* tenants would keep the whole in safety from the mountaineers.”

This plan was approved of by the Governor-General and Council of Revenue in March 1778, and in March 1779 Warren Hastings directed Mr. Barton, Superintendent of Bhagalpur, to introduce the jagir system. The Collector proceeded to take up land for the purpose. No provision had been made for giving any compensation to the zamindars who were paying revenue to Government. The latter protested, and Mr. Cleveland in 1782 forwarded their protest with a recommendation that a *rasum* of two annas per bigha should be paid to them annually for all lands taken from them. Government, however, were not satisfied as to the rights of the zamindars to compensation and referred the matter for opinion to the kanungoes. The latter declared that by custom the zamindars were entitled to an allowance of two annas per bigha for *aftada* or waste lands which had previously been cultivated, but not for *bhunjer* or waste forest lands. An allowance of Rs. 4,473-12 was accordingly paid as *rasum* for the year 1783 for 35,790 bighas.

But in 1827 when the question of resuming these jagirs came up it was doubtful whether it was intended that this allowance should be paid annually or not, and there is nothing on record to show that it was ever paid for any year subsequent to 1783.

In 1782 further instructions were issued to Mr. Cleveland. These were to the effect that he should select healthy spots of ground within the districts under his charge for the use of invalid native officers and sepoy's. The quantity of land to be given to each depended on his rank—

			Bighas.
A Subahdar	was to receive	...	200
A Jamadar	”	...	100
A Havildar	”	...	80
A Naek	”	...	50
A Sepoy	”	...	40
A Commandant or	}	”	300
A Risaladar of horse			
A Jamadar of horse	”	...	200
A First dafadar of horse	”	...	100
Second do.	”	...	80
A Trooper	”	...	50

Drummers, fifiers and “beasties” were excluded from the establishment, and could only be allowed 30 bighas by special order of Government.

On the death of the original grantee his family were to be given the option of receiving a perpetual grant of these lands at a moderate fixed rate of rent.

At first it was intended to settle the sepoy's only on the south of the Ganges between Sakrigali (Sahebganj) and Bhagalpur, but subsequently lands were also taken up and settlements established on the north of the river in pargana Chhai, and in what is now thana Bangaon. The system was also extended to the western districts and English *jagirs* or “thana villages” as they are called are now found along the banks of the Ganges in Monghyr, Patna, Shahabad, Saran, Tirhut and also in Chittagong.

The labour of the prisoners in the jails of Bhagalpur and other adjacent districts was utilised in clearing the jungle, marking out roads and in assisting the invalids to erect their houses. The settlers drew their full pay for three years after receiving the grant, after which it was reduced to one third, which they continued to receive as pensions for life.

In Bhagalpur most of the land required for these *jagirs* was taken before the Decennial Settlement, compensation at the rate first of two annas per bigha, which was subsequently raised to six or eight annas, being paid to the zamindars.

In 1804 the Collector was authorised to take land on lease from the zamindars, but it appears that in Bhagalpur no land was acquired in this manner.

The *jagir* system was put a stop to by Regulation II of 1821. The following reasons were assigned for this action :—

- (1) The difficulty of obtaining suitable lands.
- (2) Waste lands which were available being in the vicinity of extensive forests were unhealthy.
- (3) The habits, age and infirmities of the invalid soldiers disqualified them in a great measure for the labour and pursuits of husbandmen.

The system failed altogether to provide the militia which Captain Brown expected would keep the country safe from the attacks of the hillmen. Although the *jagirdars* were supplied with arms there is no record of their ever having used them. Their descendants possess none of the martial spirit which one might expect to find in them, and have never supplied any recruits to the native army.

The following list shows the names of the principal invalid settlements and gives the area of land attached to each. No figures can be obtained for the last ten settlements on the list as these apparently belonged to Tirhut at the time the land was taken by Government.

Statement showing the names of all the invalid jagir thanas of district Bhagalpur showing the amount of land attached to each thana.

Names of thanas.	Land purchased by Government.		Lands of zamindars.		Total.		Present name of thana in which the land is included.
	B.	κ.	B.	κ.	B.	κ.	
1. Bhagalpur ...	12,207	0	1,326	0	13,534	0	Bhagalpur.
2. Agarpur ...	4,398	13	...	...	4,398	13	Do.
3. Mohanpur ...	1,706	18	...	...	1,706	18	Do.
4. Ohichraun ...	2,770	18	4,448	11	7,214	9	Sultanganj.
5. Jahangira ...	4,978	19	...	...	4,978	19	Do.
6. Dariapur ...	2,243	5	...	...	2,243	5	Do.
7. Khanpur ...	780	0	...	...	780	0	Do.
8. Khirki ...	8,780	8	...	...	8,780	8	Do.
9. Ghogha Nala ...	6,638	12	...	...	6,638	12	Colgong.
10. Pialapur ...	5,840	0	...	...	5,840	0	Do.
11. Colgong ...	7,627	0	...	...	7,627	0	Do.
12. Shahzadpur ...	2,398	1	...	...	2,398	1	Do.
13. Mahesa Munda ...	2,000	0	...	...	200	0	Do.
14. Nasirabad ...	...	...	3,865	0	3,865	0	Do.
15. Sultanabad ...	...	...	10,593	17	10,593	17	Do.
16. Bijai ...	...	...	...	...	...	...	Kishanganj.
17. Phulaut ...	...	...	...	...	...	...	Do.
18. Mahnath Nagar...	...	...	...	...	...	...	...
19. Lawa Lagan ...	...	...	...	...	...	...	...
20. Akha ...	...	...	...	...	...	...	...
21. Kash Nagar ...	...	...	...	...	...	...	...
22. Solandabad ...	...	...	...	...	...	...	Bangaon.
23. Saharsa ...	...	...	...	...	...	...	...
24. Nariyar ...	...	...	...	...	...	...	...
25. Rajhanpur ...	...	...	...	...	...	...	...

THE DECENNIAL AND PERMANENT SETTLEMENTS.

37. Considerable difficulty seems to have been experienced by the Collector when making the Decennial Settlement. This was probably due to the unsettled state of the district at the time, which made the zamindars disinclined to accept responsibility for the payment of the revenue fixed. The amount of revenue assessed was extraordinarily low in comparison with that assessed in previous settlements, and at the present day the disproportion between the assets of the estates and the revenue is greater in Bhagalpur than in any other district in Bihar. The revenue in 1799, a few years after the Permanent Settlement, was Rs. 3,09,730. Whereas the revenue of three parganas alone, Chhai, Colgong and Bhagalpur, had in 1772 amounted to Rs. 5,28,580. The contrast with earlier settlements is even greater, for in 1765 the *asal jama* of the district which then contained forty estates was Rs. 8,98,950.

In making the Decennial Settlement the Collector appears to have relied chiefly on the kanungoes of the district for information as to the assets of the different estates, and this no doubt accounts to some extent for the above result. The chief kanungoes were the kanungoes of Bhagalpur, Colgong and of Kharagpur. The first Muhammadan Raja of Kharagpur, Toral Mak, who took the name of Raja Afjun, received his title from the Emperor Jahangir in 1615. He was at the same time made kanungo of Mahalat Kharagpur and given the right of collecting *rasum* in that property. At various intervals the Rajas of Kharagpur asserted and tried to enforce by arms a claim to the kanungoship of Bhagalpur, which was held by the descendants of one Sri Ram Ghosh, who came from Murshidabad and settled in Bhagalpur in the reign of Shah-Jehan. Sri Ram's father-in-law was kanungo, and the post became hereditary and remained in the family down to the time of the Permanent Settlement.

In 1793 Pareshnath Ghosh, the then kanungo, was employed during the Permanent Settlement of the district. A considerable area was settled with him personally and the present representative of his family, Mahashay Tarak Nath Ghosh, is one of the chief zamindars of the district. The same family, that of the Mahashayji, as he is called, were kanungoes of a portion of pargana Colgong. The kanungoship of the remainder of the pargana was held at the time of the Permanent Settlement by one Akil Muhammad, in whose family it had apparently been hereditary for many generations.

38. The duties of the kanungoes have been described in the report on the Muzaffarpur Settlement and the description need not be repeated here. In a letter addressed to the President of the Board of Revenue in March 1801, Mr. Dickinson, Collector of Bhagalpur, describes the kanungo system as he found it in existence in Bhagalpur. In this letter the allowances received by the kanungoes are mentioned. As kanungo of Bhagalpur Paresh Nath used to receive Rs. 6,238 yearly in money and held lands of an annual value of Rs. 4,089, As kanungo of part of Colgong he received, Rs. 436 annually in money and held lands valued at Rs 26. Akil Muhammad, kanungo of the remainder of Colgong, received Rs. 1,326 per year.

Raja Kadir Ali claimed Rs. 1,200 as kanungo's *rasum* from the *ghatwais* of Chandwe and Pasai, but the claim was disputed by the latter who only admitted liability for Rs. 330. The total amount of *rasum* collected by Kadir Ali was Rs. 8,012. When the kanungo system was abolished in 1787 Paresh Nath was given a special pension of Rs. 200 per month and the *nankar* lands which he had held were permanently settled with him. These concessions were granted on the special recommendation of the Collector as a reward for the services Paresh Nath had rendered to Government.

Akil Muhammad was given a pension of Rs. 40 per month but no allowance was made to Raja Kadir Ali. When making the Decennial Settlement the amount of the kanungoes' salaries (which were payable by the zamindars) were not at first amalgamated with the revenue. The kanungoes' *rasum* was collected separately and deposited in the Treasury from which it was

subsequently drawn by the kanungoes. In 1794 the two taxes were amalgamated and agreements were taken from the zamindars for the total revenue.

39. In making the Decennial Settlement efforts appear to have been made to induce the principal zamindars of each pargana to take settlement of the whole pargana. ^{Attempt to settle with the principal zamindars only.} The Collector urged the advantages of this system in the case of a pargana like Colgong which contained a great number of different proprietors. The ease with which this plan would allow the revenue to be collected was the chief consideration put forward by him. This endeavour appears to have been unsuccessful, and the difficulty which was experienced in inducing the zamindars to take settlement may be judged from the following statement which shows the number of estates and the amount of revenue for which permanent settlements were made between 1783 to 1853. The great majority of the estates were, as the list shows, permanently settled long after 1793.—

Year of settlement.	NUMBER OF ESTATES.		Revenue.
	Original.	Batwara.	
			Rs.
Up to 1793 ...	29	65	38,129
1794 to 1799 ...	83	83	74,912
1800 to 1808 ...	159	248	1,14,557
1809 to 1820 ...	129	25	1,36,480
1821 to 1830 ...	13	...	4,689
1831 to 1853 ...	196	195	41,534
Total	609	616	4,10,301

40. A considerable proportion of the revenue permanently settled subsequently to 1793 was assessed in consequence of inquiries made with a view to ascertain the validity of claims made at the time of the Permanent Settlement to hold land without payment of revenue. These enquiries were begun immediately after the Permanent Settlement, and continued until about 1850.

The progress made with them was at first very slow, and was frequently the subject of comment by Government. It was in connection with these proceedings that the necessity for basing revenue administration on a survey and record-of-rights was first recognised. Regulation II of 1819 directed such records to be made in all resumption proceedings.

Up to the year 1840, 181 estates had been resumed and assessed with a revenue of Rs. 17,701. No figures are available showing by how much the revenue of the parganas now included in the district was increased as a result of these proceedings.

41. An important part of the resumption proceedings in Bhagalpur was that connected with the resumption of the *jagirs* given to invalid soldiers between 1776 and 1805. These grants, as has already been mentioned, were given for the life time of the grantees. When these grants were resumed on their deaths, the lands were assessed to revenue and settled permanently with their heirs. The settlements were in most cases made at very low rates of one or two annas per bigha. In calculating the assets the lands occupied by the houses of the *jagirdars* were not taken into account, as it had been promised that they would be allowed to occupy their houses without payment of revenue. The revenue obtained by the resumption of these *jagirs* amounted to about Rs. 10,000.

The general result of the resumption proceedings is shown by the fact that the total revenue of the district which in 1800 amounted to Rs. 3,10,000, had increased to Rs. 5,80,000 in 1860 and to Rs. 7,20,000 in 1870. It must be remembered, however, that many changes in the boundary of the district had taken place in the interval, the effect of which on the revenue cannot be accurately estimated.

42. In the year 1836 an attempt was made by Government to resume and assess to revenue the *ghatwals* subordinate to the Kharagpur estate. The chief *ghatwali* tenure, that of Lachhmipur, had, in 1806, been separated from Mahalat Kharagpur under Regulation I of 1793, and formed into a separate estate paying revenue directly to Government. In the account of the *ghatwali* system given by the Collector of Bhagalpur in 1822, quoted in paragraph 32 of this report, it is distinctly stated that in 1780 Mr. Cleveland had removed the *ghatwals* from the control of the zamindar and had made them subordinate to Government alone. This policy no doubt was forced on Mr. Cleveland by the constant rebellions of the *ghatwals* against the Raja of Kharagpur. Although nominally subject to him from before the British occupation, his authority had, in the middle of the eighteenth century, become very weak, and it was only with the help of the Collector that he was able to collect the *rasum* which they were bound to pay him.

In making the Permanent Settlement, however, the tendency to avoid trouble by making settlements as far as possible with the chief zamindars only, produced its effect, and the *ghatwali* lands were all included in Mahalat Kharagpur. The services which the *ghatwals* were bound to render were to be rendered through the zamindar, and the sums which they were liable to pay were to be paid to him, and were included in the assets of his estate.

In 1836 Government finding that the services of the *ghatwals* were no longer required, attempted to resume their lands under Regulation I of 1793, section 8, clause 4. It was contended that previous to the passing of that Regulation the produce of the *ghatwali* lands was appropriated by the zamindar to the maintenance of thana or police establishment, and that, in consequence of Government having taken up on itself the charges of the police, these lands were by that Regulation made liable to assessment of revenue in addition to the *jama* assessed on the zamindars by the Permanent Settlement. The zamindar objected to the resumption, and litigation ensued in which Government was at first successful. In 1840 the estate was sold for arrears of revenue, and the litigation was carried on by the purchaser, the Raja of Banali. Finally in 1855 the Privy Council decided that the *ghatwali* lands were part of the *zamindari* of Kharagpur, and were included in the Permanent Settlement of that estate, and covered by the *jama* assessed on it, and were not resumable. This decision put a stop to all the resumption proceedings. Had proper provision been made during the Permanent Settlement for enabling Government to assess these lands to revenue in case it should no longer require the services of the *ghatwals*, the result would have been a large increase in the revenue of the district.

Seeing that it was unable to resume the *ghatwali* lands, although it no longer required the services which the *ghatwals* were bound to render through the zamindars, a proposal was made by Government in 1803 to compound with the zamindar for the discontinuance of the *ghatwali* services on payment by the zamindars to Government of an annual sum in lieu of those services, and in this connection Mr. Lushington, Secretary to the Government of Bengal, wrote thus:—

“It must be admitted that the *ghatwals* like the *pykes* of Midnapur are of little value as police, and if, therefore, the zamindar is willing to compound for their services by a fixed annual *jama* the Lieutenant-Governor would be prepared to release the *ghatwals* from the obligations they were under to the State, and to replace them by a more reliable agency and one more directly and immediately under the control of Government. The zamindar would then be at liberty to proceed against the *ghatwals* either for the resumption of their lands or enhancement of their rents. But unless he undertakes to furnish Government with the means of providing an adequate police in lieu of the *ghatwals*, he cannot be allowed to appropriate their lands or to take from them, in the shape of increased rent, the funds which are needed for the preservation of peace and for the prevention of crime.”

The proprietor of the estate fell in with the proposal of Government, and in November 1863 agreed to pay an excess *jama* of Rs. 10,000 annually in addition to the Government revenue fixed in Mahalat Kharagpur at the time of the Permanent Settlement. At the same time Government waived its right to claim police duties from the *ghatwals* through the Kharagpur estate.

Attempt by zamindar to resume *ghatwali* lands.

The proprietor then proceeded against the *ghatwals* and attempted to oust them on the same grounds on which Government had formerly tried to oust him, viz., that the services for rendering which they held their lands were no longer required. The *ghatwals* opposed this attempt and the matter went up to the Privy Council in 1873. It was decided that "the lands were held upon a grant subject to certain services, and so long as the holders of those grants were willing and able to perform the services, the zamindar had no right to put an end to the tenure whether the services were required or not." This decision, however, was of little use to most of the *ghatwals*, who were not rich enough to fight the proprietor. Nearly all of them agreed to some enhancement of their old quit-rent, receiving in return the status of *mokararidar*.

It has been held by the courts that a *ghatwali* tenure is inalienable, being held on the condition of the holder himself rendering certain services when called upon. It is probable that this does not apply to those *ghatwalis* which have been transformed into *mokarari* tenures by agreement with the zamindar. Transfers of such tenures are not uncommon, but no case has yet arisen in which the courts have been called on to say whether the zamindar's consent is necessary or not. It is noteworthy that no attempt was made by the Collector to resume those *ghatwalis* which were not subordinate to Kharagpur, for instance, Lachhmipur. It is probable that in making the settlements of these estates also, no provision was made for a time when the services of *ghatwals* would no longer be required.

43. The Revenue Survey of the district took place between 1846 and 1850. Captain Sherwell was in charge of the operation in north Bhagalpur and Mr. Pemberton in south Bhagalpur.

The Revenue Survey.

The principles on which the survey was carried out were the same as those applied in the neighbouring district of Tirhut. As these have already been described in the Muzaffarpur and Darbhanga final reports it is unnecessary to repeat the description here.

The professional survey was preceded by an unprofessional survey, the maps prepared in which were made the basis of the subsequent work. The maps prepared by the professional survey party are on the scale of four inches to the mile. They show topographical details and village boundaries only. In some cases the boundaries of estates within villages were surveyed and *khasras* written up. The maps used for this purpose were the unprofessional survey maps. The number of villages in which the procedure was adapted was very small. In the four parganas which then constituted north Bhagalpur, *khasras* were written for 88 villages covering 245 square miles, or one-seventh of the total area.

44. In north Bhagalpur the village unit adopted for the purpose of survey, was except in portions of pargana Chhai, a fairly reasonable one.

Village unit of the Revenue Survey.

Unlike Darbhanga district, Bhagalpur contains few villages which were surveyed in detached blocks, a circumstance which saved a considerable amount of trouble in the recent settlement operations. In some parts of Madhipura and Supaul which were at the time of the Revenue Survey covered with jungle the area adopted as the village unit is now found to be inconveniently large. I refer to villages like Hardi, Bishunpur Sundar, Maura and Sripur Changaha.

In the hilly and jungly parts of thana Katoria very large Revenue Survey villages are found. Three of the largest together cover 163 square miles. Special methods had to be adopted in surveying and preparing records-of-right for these villages in the recent operations. These methods are described in paragraph 125.

In contrast to the large size of the villages in the area which was covered with jungle at the time of the Revenue Survey, is the extremely small size of the villages in portions of parganas Colgong and Bhagalpur, where nearly every small parcel of land, which did not belong to the same proprietor as the surrounding lands, was separately surveyed and treated as a village. The inconvenience which this gave rise to is described in Part II of the report.

45. The Revenue Survey practically put a stop to serious boundary disputes. Before it was carried out there was great uncertainty as to village boundaries and when disputes arose there were no maps to which the courts could refer for the purpose of settling them. Since the time of the Revenue Survey, boundary disputes when referred to a Court have almost invariably been decided in accordance with the Revenue Survey maps, unless one of the parties could produce clear evidence of possession for twelve years on the strength of which the suit could be decided otherwise. But in many instances one village has unconsciously and without giving rise to any dispute encroached on waste land belonging to another village. In the recent operations this fact came to the notice of the parties, and the result was in most cases a dispute which was decided according to possession. I understand that since the settlement a number of title suits arising out of these disputes have been instituted in some of which the boundary shown in the Revenue Survey maps has been restored.

46. The information collected during the course of the Revenue Survey was afterwards used in writing up the Collectorate Land Registers. The figures for areas of estates found therein are taken from Revenue Survey Mauzawar and Mahalwar Registers. The mistakes which inevitably occur when such a compilation of figures is being made, were increased by the fact that the demarcation of the boundaries of estates within each village were left altogether to the professional Survey Department. And as no record-of-rights was published there is no certainty that the proprietors of the estates were in all cases cognizant of the demarcation proceedings. Hence it is not to be wondered at that the areas of estates as ascertained by the recent cadastral survey are in many cases quite different from those shown in the Collectorate Registers. An attempt was made to investigate a few such cases where one estate appeared to have gained a considerable area of land at the expense of another. The proprietors of both estates were summoned, but were unable to give any information. So far as they were aware there had been no gain or loss of land to or from either estates since the time of the Revenue Survey. The Revenue Surveyors appear to have taken no note of small detached portions of an estate, the greater part of which consisted of entire villages. The larger detached portions were in many cases surveyed separately from the villages in which they stood, and treated as portions or *chhit arazis* of other villages. But the smaller detached portions were in many cases ignored. For instance, a great number of the villages in the north and west of pargana Naredigar belong to one estate owned by the Maharaja of Darbhanga. But in some of the other villages owned by different proprietors, there are one or two fields which belong to the Maharaja's estate. There is no dispute about this, but the fact is totally ignored in the Collector's Registers. Dozens of similar instances could be given. Seeing that the information on the basis of which the Collectorate Registers were originally written up was so imperfect, there seems no valid objection to using the settlement records for the purpose of correcting them. Even where there has actually been a change in possession since the Revenue Survey, there is no reason why the Collectorate Registers should continue to show the area of the estate as it existed fifty years ago, rather than the area ascertained by the most recent survey. Objection has been raised to the alteration of the areas shown in the Collectorate Registers on the ground that they represent the area for which the proprietors are paying revenue. From what has been written above, I think it is clear that this is not the case. To ascertain the exact area of each estate as it existed at the time of the Permanent Settlement would now in most cases be impossible. Whenever the question of the area of any estate is raised (as for instance by a purchaser of an entire estate sold at a revenue sale) the entry in the Collectorate Registers is, it is true, referred to, but it is doubtful what value that entry really possesses and what value would be assigned to it by a Court which understood on what information it was based. The question has therefore been raised whether the time has not come when the area and position of the land and the title in which it passes to the purchaser at a revenue sale should not be more accurately and correctly defined than they are at present.

Whether the entries in the Collectorate Registers are intended to show the area which passes when an estate is sold at revenue sale, or the area in actual possession of the proprietors, it is difficult to see why the present entries in these registers should be allowed to stand without any attempt being made to correct them.

47. At the time of the Revenue Survey the area of the district was 7,801 square miles. It contained 20 parganas.

The following statistics are given in the Revenue Surveyor's report for north Bhagalpur:—

Revenue Survey statistics.

PARGANA.	AREA IN ACRES.	UNCULTIVATED.		TOTAL.
		Cultivated.	Culturable.	Unculturable.
Naredigar ...	190,533	32,623	15,019	238,166
Malhani Gopal ...	89,601	11,178	9,000	89,779
Nisankhpur Kurha ...	356,645	64,161	25,000	445,806
Ohhai ...	236,230	48,361	29,000	313,591
Total ...	853,009	156,323	78,010	1,087,342

The parganas which were at the time of the Revenue Survey contained in south Bhagalpur are:—Bhagalpur, Colgong, Kankjol, Sultanabad, Bahadurpur, Ambar, Teliagarhi, Jamui, Tappa Belpatta, Akbarnagar, Enayampur, Sultanganj, Mahalat Kharagpur, Chandwe Pasai, Sathiyari, Makrain and the Rajmahal hills. Figures were given for the area and revenue of the different parganas. The following relate to those still included in the district wholly or partially:—

Pargana.	Area in acres.	Land revenue in rupees.	Incidence per acre.
			Rs. A. P.
Bhagalpur ...	448,994	1,25,570	0 4 5
Colgong ...	208,916	67,974	0 5 2
Mahalat Kharagpur	1,470,011	81,611	0 0 10
Chandwe Pasai ..	185,040	9,946	0 0 10

Mahalat Kharagpur then consisted and still consists of the following parganas:—Jahangira, Wasila, Kherhi, Chandan Katoria, Daura Sakhwara, Lakhanpur, Parbatpara, Masdi, Sahroi, Singhol, Sakharabadi, Tappa Manihari, Amla Motia, Godda, Chitaulia, Handwe, Dharahra, Hazar Taki, Kharagpur. The greater part of these parganas belongs to one estate, viz., Mahalat Kharagpur, formerly owned by the Rajas of Kharagpur and now in possession of the Baneri family, but they also contain a small number of petty estates which were assessed to revenue during the resumption proceedings.

48. The diara survey took place in 1865-66. This survey was confined to the Gangetic diara, and no fresh survey was made of the Kosi diara. Its object was to enable the Collector to assess to revenue, lands which had been added by alluvion to the permanently-settled estates touching on the river. The assessment was made under Act IX of 1847. Under the Act, the Collector is authorized to reduce revenue, if the area of the estate is shown to have diminished since the previous survey. It is, however, optional with the proprietors either to accept a reduction of revenue and give up all claim to the land they have lost, or to continue paying the full amount of revenue and retain their right to the lands on reformation. Most proprietors elect to go on paying revenue, and hence the net result of the assessment is a gain to Government. If reductions of revenue were compulsory, the gains and losses would probably have just balanced each other, for the area occupied by the river bed does not vary to any great extent. The assessment is made by comparing the area of the estate as shown in the diara survey map with that shown in the Revenue Survey map and increasing the revenue in proportion to the increase in area. The land gained since the Revenue Survey is formed into a new estate with

a separate *tauzi* number, and is called a *taufir*. Bhagalpur district contains 28 *taufir* estates which pay a total revenue of Rs. 4,430. With one exception these are all permanently-settled.

49. At the present day the Government revenue payable at Bhagalpur is Rs. 6,06,778. This includes Rs. 72,498 the revenue of Mahalat Kharagpur, an estate which covers an area of 2,296 square miles, of which only about 830 lie in Bhagalpur, the remainder being situated in Monghyr and the Sonthal Parganas. It also includes Rs. 9,946 payable for parganas Sathari, Chandwe and Passai, an area of 290 square miles, of which 109 only lie in Bhagalpur. The revenue of Tappa Manihari, a few villages of which lie in thana Colgong, is paid at Dumka. The revenue of the whole of pargana Dharampur is paid in Purnea. Before calculating the incidence of revenue per acre in the district, a sum of Rs. 46,020 should be deducted on account of the area of Mahalat Kharagpur which lies outside the district. Similarly a sum of Rs. 5,916 must be deducted on account of the area of the Lachhmipur estate which lies in the Sonthal Parganas. This reduces the revenue to Rs. 5,54,842 which is payable for practically the whole area of the district except the portion appertaining to pargana Dharampur. The total area of the district is 4,158 square miles, of which pargana Dharampur covers 53. The incidence of Government revenue is therefore Rs. 135 per square mile, or three annas four pies per acre. This is lower than that of any other district of Bihar.

The following table shows the incidence of revenue in the other Bihar districts in which settlement operations have been completed :—

District.		Area in square miles.	Revenue.		Incidence per acre.	
			Rs.		A. P.	
Darbhanga	...	3,348	7,88,301	5	10	
Muzaffarpur	...	3,033	9,65,128	7	11	
Saran	...	2,674	12,63,128	11	9	
Champaran	...	3,631	5,15,553	3	7	
North Monghyr	...	1,451	3,74,060	6	5	
South Monghyr	...	2,318	4,02,716	4	4	
Purnea	...	4,994	11,79,591	6	2	
Bhagalpur	...	4,659	5,54,842	3	4	

The incidence of revenue per acre in various parganas is as follows :—

		A.	P.			A.	P.
Bhagalpur	...	4	6	Malhani Gopal	...	3	0
Colgong	...	5	6	Naredigar	...	1	9
Chandwe, Passai and Sathari...	0	10		Nisankhpur Kurha	...	2	1
Mahalet Kharagpur	...	1	0	Ohhai	...	4	7

The three most heavily assessed parganas are those nearest the Sadar station, Bhagalpur, Colgong and Chhai. On the others the assessment is absurdly low, the average being two annas ten pies per acre in the north of the district. I am unable to give accurate figures for the parganas Uttarkhand, Kabkhand, Dhapahar and Harawat, but the revenue in Kabkhand appears to be nearly eight annas per acre. The reason for the light assessment in Mahalat Kharagpur and in the Lachhmipur estate is obvious. A large proportion of both these estates consists of hill and jungle, and there must at the time of the Permanent Settlement have been very little land under cultivation. The unsettled state of the district and the uncertainty which existed as to whether the raids of the hillmen would not render it impossible for the zamindars to collect their rents, no doubt helped to keep down the revenue both of Mahalat Kharagpur and of the more settled parts of the district. Even pargana Chhai appears to have been liable to raids from free-booters as late as 1783. Pargana Malhani Gopal particularly, and the other northern parganas to a less extent, must in 1793 have been covered with jungle.

50. In 1884-85 there were 4,252 estates borne on the revenue roll of the district. By 1889 the number had increased to 4,505 and by 1894 to 4,659. In 1899 there were 4,724 estates and at the present day there are 4,790. The following statement

Number of Estates.

compares the rate at which the number of estates has increased in the different Bihar districts between 1884 and 1900:—

Name of district.	Year 1885.	Year 1890.	Year 1896.	Year 1900.	Year 1908.
Bhagalpur ...	4,252	4,505	4,659	4,724	4,790
Darbhanga ...	9,315	10,813	12,329	13,400	...
Muzaffarpur ...	15,696	17,501	19,016	20,191	...
Saran ...	4,230	4,559	5,023	5,345	...
Champanan ...	1,060	1,105	1,189	1,232	...
Monghyr ...	5,993	6,997	7,465	7,686	8,119
Purnea ...	1,965	1,965	2,412	2,667	3,195

The increase has been slower in Bhagalpur than in any other district.

51. Since 1889 only 141 estates have been partitioned. In the last ten years only 31 such cases occurred. The figures for the four quinquennial periods are—

Period.	Number of partitions.
1889-93 ...	56
1894-98 ...	54
1899-03 ...	15
1904-08 ...	16

It is clear from these figures that subdivision of proprietary rights has not reached the same pitch in Bhagalpur, as in the other districts of Bihar notably Patna, Muzaffarpur and Darbhanga. A large proportion of the total area of the district appertains to estates which are owned by one or two proprietors. Among the petty proprietors the tendency to further subdivision exists, but its effects have been counteracted to some extent in the part, by the rise of new landed proprietors who invest the money derived by them from other occupations in purchasing the estates of smaller landlords who are compelled by debt to part with their property. The Thakurs of Barari, a family founded by a pleader who amassed a large fortune about thirty years ago, have acquired in this manner several hundred estates which originally belonged to petty landlords, and which if they had remained in the hands of their original owners would probably have been sub-divided before now.

Revenue sales.

52. In the statement below the results of the revenue sales held during the past 25 years are shown—

Quinquennial period.	Average number of estates sold per annum.	Average annual demand of the estates sold.	Average price.	Proportion of price to revenue.
1884-88 ...	35	2,485	14,455	5
1888-93 ...	59	2,596	37,760	14
1894-98 ...	68	3,264	54,400	16
1899-03 ...	56	3,360	22,792	6
1904-08 ...	37	1,369	8,954	6
Average per year	51	2,615	27,632	10.5

A great majority of the estates sold at revenue sales are diara estates, the land of which has been washed away by the Kosi or Ganges, or has been taken possession of by another proprietor. Such estates fetch a very small price and are usually bought by speculators who, if they see no chance of obtaining possession, allow the estate to be again sold for the arrears of the next *kist*. In the end they are usually bought in by Government. It is therefore all the more remarkable that the price at which the estates are sold should, on the average, be ten times the Government revenue. The explanation is that in the upland estates which are sold the income is so high compared with the Government demand, that they realize enough to raise the average to this figure.

PART II.

THE PRESENT OPERATIONS.

CHAPTER I.

PROCEDURE AND PROGRESS.

53. The survey and settlement of the portion of the district lying to the north of the Ganges was taken up separately from that of the remainder. In fact for settlement purposes North and South Bhagalpur have been treated as two separate districts. It was originally intended that North Bhagalpur should be dealt with after North Monghyr and before Purnea, and South Bhagalpur after Purnea and before South Monghyr, but for reasons mentioned in the final report on Purnea district, the settlement of Surjapur pargana in Purnea was taken up before that of North Bhagalpur.

General programme. In the North Bhagalpur operations, which began with traverse survey in 1901-02, the whole of the area lying to the north of the southern high bank of the Ganges was dealt with. This includes the whole of the Madhupura and Supaul subdivisions, the whole of thana Bihpur, half of thana Colgong and portions of thanas Bhagalpur and Sultanganj. During the survey of this portion, marks were laid down along the southern high bank of the river which were utilised, when the operations in South Bhagalpur began in 1905, to connect the two surveys.

54. The total area of the district is 4,158 square miles. In the operations with which this report deals records-of-rights were prepared for 3,512 square miles only. The excluded area consists of—

- (1) Bhagalpur Municipality. | (2) Previously settled areas.
- (3) Diara lands.

1. *Bhagalpur Municipality.*—No record-of-rights under the Tenancy Act has been prepared for the area included within Bhagalpur Municipality. At the request of the Chairman, the Municipality was surveyed on the scale of 64 inches to the mile and a record of occupancy prepared. The area of the Municipality is 6,400 acres (ten square miles). The total cost of the survey and record-writing, which was Rs. 10,135, was paid by the Municipality.

Colgong, the only other Municipality in the district, was treated just as an ordinary village. It was surveyed cadastrally, and a record-of-rights was prepared for it in the usual way.

(2) *Previously settled villages.*—Between the years 1887 and 1892 a survey had been made and a record-of-rights prepared for the villages belonging to the Baneli-Srinagar estate, which was then under the management of the Court of Wards. There are in Bhagalpur district 184 villages appertaining to this estate. They cover an area of 246 square miles, and all lie to the north of the Ganges. These villages were not re-surveyed, nor was any attempt made to revise the records.

(3) *Diara villages.*—In the diara areas situated on the banks of the Kosi and Ganges records-of-right were prepared only for Government estates. For the remainder of the diaras 390 square miles in extent included in 332 villages, no record-of-rights was prepared.

55. In all the North Bihar districts surveyed before 1902, diara areas were dealt with in the manner described on pages 129-133 of the final report on the Muzaffarpur settlement. As is there explained, all diaras were topographically surveyed on the scale of sixteen inches to the mile, village

Change in method of surveying diaras.

boundaries being shown according to actual possession at the time of the survey. As no records-of-rights were prepared, it was necessary to take special steps to enable the persons concerned to know what was going on, and to ensure that the boundaries shown on the map would be binding on them. The procedure laid down in sections 11, 12 and 13 of the Bengal Survey Act (Act V of 1875) was therefore carried out for all diara villages. Notices were issued to all persons interested, traces of the maps were prepared, which were signed by the landlords of the villages or their representatives, and any disputes which arose were decided under section 41 of the Survey Act. Finally the Settlement Officer, in his capacity of Superintendent of Survey, drew up a proceeding setting forth what had been done, and endorsed on the map and trace that the boundaries had been confirmed.

In 1902, when the traverse survey of North Bhagalpur was being taken up, an important change was made. The Settlement Officer, Mr. Coupland, suggested that the topographical features of diara villages should be surveyed on the scale of four inches to the mile, and that no attempt be made to decide boundaries according to possession. He proposed, instead, to show the village boundaries according to the revenue survey maps. The proposal was supported by the Director of Land Records and the Superintendent of Provincial Surveys, and was finally accepted by the Board of Revenue, and has been given effect to in the survey of the Kosi and Ganges diaras in Bhagalpur and Purnea. The change has naturally resulted in a considerable decrease in the cost of diara survey. It has been attacked on the ground that maps of diara villages, showing their boundaries according to possession at the time of survey, are required by Civil and Criminal Courts when dealing with the disputes which so commonly arise in connection with diara lands. I venture to put forward the opinion that the assistance to be derived from such maps is very small in comparison with the cost of preparing them, and that in many cases they are a hindrance, not a help to Judicial officers.

In criminal cases, if actual possession at the time the dispute arose can be ascertained, it must be made the basis of decision. In diara lands a map six years old is often no better clue to actual possession than a map sixty years old. Possession alters every year. As a rule the Courts find it impossible to obtain reliable evidence of possession at the time when the dispute which it is investigating, arose. Most cases therefore are decided on reference to previous maps showing the boundaries of the estates between which the dispute lies. The revenue survey maps, and the Ganges diara survey maps prepared about 1864, are the maps usually referred to for this purpose. The fact that they rarely agree is one of the chief reasons why the decisions are so seldom final. The aggrieved party finding that one of these maps gives him more land than the decision of the Court does, is never satisfied. Moreover, the Court is often at a loss to know which of the two maps should be followed. To prepare a third map differing from both the others, not over-riding them, and in no way conclusive on the question of title, is simply to add to the perplexity of the Court and to provide the parties with a new reason for being dissatisfied with, and a new ground for refusing to abide by, any decision that may be given.

In the course of the Patna operations in 1903 and 1909 villages were being surveyed which touched on diara villages surveyed in the North Bihar operations. In investigating many boundary disputes which arose in 1908 and 1909, it was ascertained that the same dispute had arisen, and had been dealt with at the time of the previous survey. The maps of the previous survey, and the records of these disputes were referred to. It was found that little assistance could be derived from them in ascertaining present possession. In some instances the parties had, since the last survey, fought out civil and criminal cases about their boundaries. In some of these the previous decision was not even brought to the notice of the Court by the parties, and in nearly every case where it had been brought to the notice of the Court it was upset. The Civil Courts usually referred to the revenue survey or diara survey maps and decided the suit in accordance with them. The Criminal Courts decided in accordance with possession as they found it, and the boundary decided, differed in nearly every case from that shown in the last map. Even where there had been no civil or criminal suit since

the previous survey, the boundary was found to have altered. These facts indicate that maps of diara villages showing boundaries according to possession at the time of preparation have not been of such assistance to the Courts as was anticipated. A further objection to their preparation is that mistakes are much more liable to occur in them than in the maps of upland villages. When upland villages are surveyed, records of right are prepared and *parchas* for each individual plot are made out and given to the raiyats in possession, counter-parts of these being given to the landlord who collects rent for the land. Each proprietor can therefore ascertain exactly whether the boundary of his estate has been surveyed in accordance with his wishes or not. In diara villages no records-of-right are written, and the proprietors are merely asked to sign the map prepared by the surveyor as a sign that they admit its correctness, without any means, of assuring themselves that the correct boundary has actually been surveyed. Moreover, as no list of proprietors is prepared it is impossible to know for certain whether every one concerned has signed the map or not. On these grounds alone, a survey, which is not accompanied by the preparation of a record-of-rights, can never be trusted to give maps which can be relied on.

The revenue survey maps when first prepared did not possess any greater legal value as evidence than the diara maps prepared under the Survey Act, but they have since practically come to be looked as conclusive proof of title and possession at the time they were prepared. In upland areas, where changes in boundaries are inconsiderable, and are usually permanent unless the original boundary is restored by order of a Court, the preparation of a new set of maps according to possession is not likely to do any harm. But in diaras where possession fluctuates every year, the fewer conflicting maps the Courts have before them the better. The preparation of a new set of maps would only be justified if they superseded those previously in existence.

56. Before traverse survey began, notifications under the Survey Act were issued. As the cadastral survey of each thana was taken up a notification was published under section 101 (1) of the Bengal Tenancy Act authorising the preparation of a record-of rights. A list of these notifications will be found among the appendices.

In the notifications the area previously surveyed in 1887-88 was expressly excluded. Whenever during the course of the operations it was found that the landlords of a village for which a record was being prepared were in possession of any area which had previously been surveyed in an adjoining Baneli-Srinagar village, a supplementary notification was issued for that area, and a record-of-rights was prepared for it as a part of the village in the possession of whose landlord it was found. This procedure was in accordance with the orders passed by the Local Government in respect of similar areas in North Monghyr, when the Srinagar-Baneli proprietors objected to their being shown in the record of the village found in possession.

Whenever it was intended to make a settlement of rents in a Government estate, a notification was issued under section 101 2(d). The necessity for the issue of notifications under this section is doubtful, and their place might possibly be taken by a declaration that a settlement of land revenue is about to be made.

No notifications were issued under Act IX of 1847 for the purpose of assessing to revenue newly-formed diara lands. In the districts in which this Act has been used, the result of the experiences gained goes to show that practically no profit results from its employment, and there was no reason to expect a different result in Bhagalpur.

57. The operations were conducted on the same general lines as in Darbhanga and North Monghyr. The different stages of the operations and the procedure followed have been described in previous settlement reports.

The traverse and cadastral survey were controlled by the officers of the Survey of India. Record-writing was under the dual control of the Survey

of India and the Settlement Department. It was not until November 1907, after the survey and record-writing of Bhagalpur had been finished, that the control of cadastral survey and record-writing was transferred to the Settlement Officer.

58. Work commenced in North Bhagalpur in November 1901. At that time Mr. J. H. Kerr, I.C.S., was Settlement Officer of Bihar. He was relieved in April 1903 by Mr. H. Coupland, I.C.S., who was in turn succeeded by Mr. J. G. Cumming, I.C.S., in 1905. Mr. G. J. Monahan and myself were in subordinate charge of the work in North Bhagalpur and Mr. J. A. Hubback, I.C.S., Mr. C. L. Philip, I.C.S., and myself in South Bhagalpur. In April 1906, Mr. Cumming went on leave and I was placed in charge. The head-quarters of the settlement were at Darbhanga until April 1903 when they were transferred to Monghyr. In January 1904 Purnea became the head-quarters and in October 1906 the office was transferred to Bhagalpur.

Pandit Ramaballabh Misra was in charge of the head-quarters office until January 1904. When the office was moved to Purnea Babu Hem Chandra Chatterji was put in charge. The latter was succeeded in October 1905 by Babu Nilmoni Dey who remained in charge until November 1909.

59. The traverse survey of Bhagalpur was carried out by Traverse Party No. 4. It began in the field season 1901-02 and was completed in 1905-06. The following statement shows the area in square miles dealt with by the traverse party each season:—

Season.	North Bhagalpur.	South Bhagalpur.	Name of thanas traversed.
1901-02	1,095	...	Partabganj, Supaul, Bangaon, Madhipura.
1902-03	510	...	Madhipura, Kishanganj, Bihpur.
1903-04	275	...	Kishanganj, Bihpur, Colgong.
1904-05	...	1,261	Colgong, Bhagalpur, Sultan-ganj, Amarpur, Banka, Katoria.
1905-06	...	370	Katauria.

In addition to the above area which was cadastrally surveyed after being traversed, 390 square miles of the Kosi and Ganges diaras were also traversed on the scale of four inches to the mile, but a topographical survey only was made of this area.

Traverse survey, on the whole, presented no special difficulties. Portion of the area dealt with in 1902-03,—the south of Madhipura as well as most of Kishanganj and portion of Bihpur,—were covered with water until late in the season and the work could not be begun until March 1903. In this part, contrary to the usual practice, traverse and cadastral survey had to be done in the same season. Demarcation of boundaries, on the whole, was fairly well done by the landlords, but some Government estates in the Kosi diara were only traced and demarcated with extreme difficulty. In the south of the district the traverse party, for the first time in the course of the Bihar survey operations, have had to deal with hilly country. When village boundaries, as they sometimes do, run across the tops of the hills covered with jungle, the difficulties of the work are substantially increased. Such boundaries, moreover, are generally the subject of dispute, so that the surveyors have to clear and survey two lines of jungle in place of one. Many of these boundary disputes are absolutely frivolous, and are instituted by one side merely to blackmail the other, but there is often genuine uncertainty about the boundaries of villages situated in jungly areas.

60. The cadastral survey was carried out by camps II and III of the Survey of India attached to Traverse Party No. 4. The survey began in the season 1902-03 and was completed in 1906-07. The following statement shows the number of square miles dealt with each year:—

Season.	NORTH BHAGALPUR.		SOUTH BHAGALPUR.		Name of thanas.
	Survey.	Record-writing.	Survey.	Record-writing.	
	Sq. miles.	Sq. miles.	Sq. miles.	Sq. miles.	
1902-03	1,587	1,587	...	...	Supaul, Partabganj, Madhipura, Kishanganj, Bihpur.
1903-04	275	275	...	...	Kishanganj, Bihpur, Colgong.
1904-05	18	18	...	...	Kosi diara Government estates.
1905-06	...	...	1,270	1,108	Colgong, Bhagalpur, Amarpur, Sultanganj, Banka.
1906-07	...	...	361	523	Katoria.

Cadastral survey, like traverse, was fairly easy. Few complaints were made of non-attendance on the part of the landlords and tenants, who gave, as a rule, any help which was demanded from them.

Cadastral survey and record-writing usually take place one year after traverse. The exceptions made to this rule in Bhagalpur were—

- (i) Of the area of 1,587 square miles for which records were written in 1902-03, the traverse of 1,095 square miles only was completed in the previous season.
- (ii) The eighteen square miles cadastrally surveyed in 1904-05 had been traversed in 1902-03. This area consisted of villages in the Kosi diara containing Government estates.
- (iii) In 1904-05 an area of 162 square miles was traversed in thana Katoria. This area was cadastrally surveyed in the next season 1905-06, but owing to want of supervising staff khanapuri was not done until 1906-07, when the record-writing of the rest of thana Katoria was taken up.

KHANAPURI NORTH BHAGALPUR.

61. As shown in the statement in paragraph 60, the bulk of the record-writing of North Bhagalpur was done in seasons 1902-03 and 1903-04.

In the first season, eight Assistant Settlement Officers and eleven kanungoes were employed by the Settlement Department in supervising the work and deciding disputes. In the second season two Assistant Settlement Officers and two kanungoes were employed.

The Assistant Settlement Officers were nearly all untrained Sub-Deputy Collectors and officers holding no permanent post in Government service. About one-third of the kanungoes were Collectorate kanungoes deputed to settlement work for the cold season. Most of these had had previous settlement experience, but all the Assistant Settlement Officers had to learn the elements of their work. With one or two exceptions, they quickly managed, in spite of their want of experience, to pick up a good working knowledge of the principles of settlement, and with the help of the printed rules and instructions issued for their guidance, were soon able to decide the ordinary disputes which arose, and to check the correctness of the record prepared by the amins. All doubtful or difficult points were, as usual, reported for orders to the Assistant Settlement Officer in charge.

62. In the 1,880 square miles of North Bhagalpur for which records of right were prepared there were 20,41,722 plots. The correctness of the records prepared by the amins of the Survey Department was checked by the officers of that

department as well as by the Assistant Settlement Officers and kanungoes. In all 6,25,561, plots were checked, 26,000 by the settlement staff and 5,99,561 by the survey staff.

63. In the area dealt with in the first season the average number of plots to the square mile was 1,200. In the remainder of the area the average was 460. The area dealt with in the second and third season was situated near the Kosi and considerable proportion of it had only recently been brought under cultivation. This fact accounts for the extraordinarily large size of the plots.

On the whole the plots in the north of the district were considerably larger, on the average, than in Darbhanga, a circumstance which is partly responsible for the low cost of survey and record-writing.

64. Disputes other than boundary disputes numbered 65,691 in the three seasons. Of these ninety-eight per cent. were decided on the spot during *khanapuri*.

Nearly five-sixths of the total number were decided by kanungoes and their decisions were, as in Darbhanga and North Monghyr, found to be satisfactory on the whole, for only twenty per cent. of their orders were objected to, and only six per cent. revised during attestation. The number of disputes per square mile was 84 as compared with 35 in North Monghyr and 65 in Darbhanga. On the average one plot in every 32 was the subject of dispute.

Practically all the disputes were about possession of land or about the right to the wood or fruit of trees.

As no entry of rent or status is made in the records during *khanapuri*, disputes on these points do not arise before attestation. To decide these disputes and to defeat the attempts of certain landlords to suppress the names of their raiyats were the chief difficulties experienced.

65. In the estates of the bigger proprietors such as the Maharajas of Darbhanga and Sonbarsa, and Rai Ganpat Singh Bahadur, the work of record-writing was comparatively easy. Many of the smaller proprietors, however, imitated their neighbours in Darbhanga and North Monghyr by claiming to be in possession of lands which were in reality cultivated by raiyats. The claim was usually made in respect of lands from which the former raiyats had been ejected by legal process or by force, and which the landlord had settled with other raiyats, usually on produce rent. All such lands were known as *kamat* lands, and both landlords and raiyats believed that no right of occupancy could be acquired in them by the cultivators. The proprietors had been accustomed to transfer these as well as other lands held on produce rent from one raiyat to another at will and before the beginning of the settlement operations their right to resume possession of them when they pleased was never questioned. The proportion of low caste raiyats in North Bhagalpur is higher than in the adjoining districts. Many of these were easily persuaded not to claim their lands and to deny, if asked, that they cultivated them.

The persuasion was usually effected by threats of what would happen to them if they disobeyed their landlords' order. One threat which had a remarkable effect on those disposed to stand up for their rights, was that if they took *parchas* for the land they would be sued for three years' arrears of rent at the rate of fifteen maunds per bigha. Suppression of raiyats was, as a rule, confined to these so-called *kamat* lands, and except in a few villages no attempt was made to suppress raiyats wholesale on the scale on which it was done in pargana Padri in Darbhanga. Still the task of ascertaining and recording the names of those tenants who did not come forward to claim their lands was the most difficult part of the work of the settlement staff and took up a great deal of their time.

66. In addition to the cases in which raiyats were 'suppressed' there were a large number of disputes about possession between petty landlords and their tenants.

In villages owned by a number of petty resident landlords there are usually several rival factions. Naturally the settlement operations provided such landlords with an excellent opportunity for claiming, and inciting their respective tenants to claim, their enemies' lands. One false claim invariably

gave rise to an equally false counter-claim. In a village called Jalai in thana Bangaon these frivolous disputes were so numerous that some fields were claimed by as many as forty different persons. Babu Janeshwar Singh of Shankarpur (a cousin of the Maharaja of Darbhanga), Ras Bihari Mandar and other Goala maliks of Murho in Madhipura, and Rajendra Narain Singh of Koriapatti all became notorious for making, or instigating others to make, claims to the land of their own tenants or neighbouring proprietors with whom they were on bad terms. No reliance could be placed on the zamindari papers produced in support of these claims, the falsity of which was often quite obvious.

67. In the majority of North Bhagalpur estates, the trees on a raiyat's land are admittedly his exclusive property. In

Disputes about trees.

the estate of the Maharaja of Darbhanga in pargana Naredigar it was claimed that although the fruit belonged to the raiyat, the proprietor was entitled to a nine annas share of the price of all trees cut. Very little evidence was produced in support of this claim during khanapuri, but during attestation it was proved that it was customary for the raiyats to put in petitions asking for permission to cut down trees, and that this permission was usually granted on payment of a sum supposed to represent nine-sixteenths of the price of the timber. So long as the raiyat cut the tree for his own use, this sum was merely nominal; but where the wood of a whole grove was cut and sold, the estate realised from the raiyat its full share of the price. This custom must check to some extent any inclination on the part of raiyats to cut down and sell valuable trees when in want of money. So long as it is not employed as a means of oppressing the raiyats, and it does not appear that it has been so used in the past, it does not seem to be open to serious objection. The evidence produced by the landlord in support of his claim showed clearly that the custom was of old standing, and had been recognised by Government when the land taken up for the Bengal and North-Western Railway line was acquired. The claim was therefore allowed.

The average amount realised yearly by the landlord on account of the price of trees cut is very small considering the size of the estate. This is accounted for by the fact that trees are not often cut for sale, and that the raiyat and the landlord's agents often combine and agree that the cutting shall not be reported. The right is in fact valued less for its money value than as a sign of the divine right of the landlord whose permission was formerly (in theory) necessary before the tenant was allowed even to begin any of the ordinary agricultural operations. Of all the relics of this divine right, the custom of demanding a *salami* on the occasion of cutting a tree appears to be the least capable of being used for purposes of oppression and so far as it acts as a check on the cutting of valuable timber for sale, it makes for the public good.

The same claim was made when the Settlement of Darbhanga district was being done (*vide* Darbhanga Final Report, page 41) and was then disallowed as sufficient proof of the exercise of the right was not produced. The point was subsequently raised in the Civil Court and it was held that the landlord has proved his claim.

68. Disputes as to whether the land on which a raiyat's homestead was or was not included in the area for which his rent

Homestead lands.

was calculated, were very numerous. The raiyats invariably claimed that it was so included, and the landlord that it was not. The question, as a rule, was not difficult to decide. Houses standing in the old village site, or *dihbasgit* as it is called, are always held without payment of rent. The houses for which ground rent is paid are usually those built by the raiyat in his own land for which he was previously paying rent. Such houses are generally found at a distance from the village. In North Bhagalpur the village sites are not so crowded or so densely populated as in the western districts. Isolated houses or small clusters of ten or twelve houses are fairly common. It is comparatively free from the congested and insanitary *bastis* found in Chapra. This is probably due to the high proportion of low caste raiyats, whose villages are usually more open than those of the higher castes. Mahesi, a Brahmin village in Bangaon, is the most insanitary village in the

area, and is attacked by cholera more often than any other. It would probably be much worse than it is, only that the greater part of it is burnt down once every four or five years.

69. All disputes about the boundaries of revenue survey villages were dealt with under the Survey Act. Those disputes were decided during the khanapuri season by Assistant Settlement Officers, from whose decisions appeals lay to the Settlement Officer. The number of such disputes and of appeals arising out of them, in each thana of the district, is shown in the following statement:—

NAME OF THANA.	Villages surveyed.	Disputes instituted.	Number of appeals.	NUMBER OF APPEALS IN WHICH THE ORIGINAL DECISION WAS			Percentage of boundary disputes to total No. of villages.
				Upheld.	Modified.	Reversed.	
SUPAUL SUBDIVISION.							
Partabganj ...	173	75	19	9	9	1	43
Supaul ...	321	200	86	69	14	3	62
Total ...	494	275	105	78	23	4	56
MADHIPURA SUB-DIVISION.							
Madhipura ...	333	193	48	32	12	4	58
Bangaon ...	113	118	28	23	3	2	104
Kishanganj ...	232	160	30	25	3	2	69
Total ...	678	471	106	80	18	8	69
SADAR SUBDIVISION							
Bihpur ...	137	64	11	8	3	...	46
Sultanganj ...	343	83	24	19	3	2	24
Bhagalpur ...	508	93	22	20	2	...	18
Colgong ...	528	215	34	27	7	...	40
Total ...	1,516	455	91	74	15	2	30
BANKA SUBDIVISION.							
Amarpur ...	604	129	23	19	3	1	21
Banka ...	555	204	34	27	7	...	37
Katoria ...	202	97	15	12	3	...	48
Total ...	1,361	430	72	58	13	1	31
GRAND TOTAL ...	4,049	1,631	374	290	69	15	40

The boundary disputes were of the sort usually raised during settlement operations. Plots of waste land, river beds, *nalas*, etc., lying on the common boundary of two villages were always claimed by both, and each party usually claimed in addition, a few plots of cultivated lands, about the ownership of which there was no doubt whatever.

As a rule there was little difficulty in ascertaining which of the claimants was in possession of the cultivated plots and when possession could not be proved, as for instance, in the case of waste land or river beds, the revenue survey maps were followed.

Many frivolous boundary disputes were instituted by the employes of the bigger landlords with the sole intention of harassing and probably of levying

blackmail from their weaker neighbours. The falseness of these was obvious in the great majority of cases and they were at once disallowed, but it is to be regretted that there is no means of fining or otherwise summarily punishing the persons responsible for them.

The total number of disputes was 40 per cent. of the total number of villages. In Darbhanga the figure was 64 and in Purnea 35 per cent.

Had the Kosi and Ganges diaras been dealt with under the system followed in Darbhanga and North Monghyr, and had any attempt been made to survey boundaries according to actual possession in these areas, the number of boundary disputes would have been greatly increased.

Appeals were instituted against 22 per cent. of the decisions 77 per cent. of the appeals were dismissed, and in 23 per cent. the original orders were modified.

70. The two brothers, Janeshwar and Ekradeshwar Singh who hold property in Madhipura granted to them for their maintenance by the Maharaja of Darbhanga, were responsible for a large number of boundary disputes. They formerly held their property jointly, but afterwards separated, each taking a certain number of villages. Wherever their lands adjoined, boundary disputes were raised by their amla, each claiming the other's land. The matter was finally settled by the brothers agreeing that the disputes should be decided in accordance with the revenue survey maps. This agreement was arrived at too late in the season to be given effect to at once. Arrangements were made to have the revenue survey boundary marked on the maps during recess, so that the attestation officers might give effect to it in the following season.

71. Generally speaking, it was found that the boundaries of upland villages had not altered to any considerable extent since the revenue survey maps were prepared. But in the area bordering on the Kosi diara, the contrary is the case. The frequent changes of the river channels have in many cases caused the former boundaries to be altogether lost sight of, and the land which has been for a time cut away by the river, is usually taken possession of, when it reforms, by the nearest proprietor who is strong enough to do so. There are several proprietors in the area who are paying Government revenue for lands which are in the possession of others. Some estates have been completely swallowed up in this way, and the chance of the original owners regaining possession is very small. It is practically impossible for them to prove to a Civil Court the identity of the lands which constitute the estate, although there may be no reason to doubt that they have been dispossessed of a certain number of acres. If it can be shown that the whole of any revenue survey village belonged to the estate, it would be possible, but rather costly, to relay the boundary shown in the revenue survey map. Under such circumstances a suit to recover possession might succeed, but where the lost estate consists of a portion of a revenue survey village, it is ordinarily impossible for the proprietor to produce any evidence which will identify it with any particular lands.

The proprietor who appears to have gained most land by encroachment in this area, is Rai Ganpat Singh Bahadur. Several villages of which he alone is now in possession, at one time contained land appertaining to other estates. In the records-of-right prepared for these villages, the *khewat* or record of proprietary rights has been drawn up so as to indicate the fact that the area appertains not to one, but to two or more revenue-paying estates, although it is in the sole possession of the proprietor of one estate. This has been effected by recording it as *shamilat* of all the estates which the Collector's registers show as having land in the village. This was done in order to facilitate enquiry, should the dispossessed proprietor, or a purchaser at a sale for arrears of land revenue, institute a suit to obtain possession of his land. So far as I have learnt, no such suit has yet been instituted.

72. One important boundary dispute, the decision of which gave a considerable amount of trouble, was that between the Government estate Tintanga and the adjoining village Bateswarpur which belongs to the Maharaja of Darbhanga.

Tintanga is a large island or *char* in the Ganges opposite Patharghatta, and Bateswarpur is a village of Purnea district. When the dispute was first taken up it seemed as though it would be very easily disposed of, for a joint petition was filed by both sides to have the boundary decided in accordance with the revenue survey maps. It was discovered, however, that the boundary shown in the map of Bateswarpur surveyed in 1846 differed considerably from that shown in the map of Tintanga surveyed in 1848. There was an overlap of about 300 acres which corresponded roughly to the area in dispute. This was the state of things as represented by the copies of these maps produced by both sides. The Survey Department on being asked to show in the present map of the disputed area, the boundaries mapped during the previous surveys, prepared a trace which indicated that the two boundaries were nearly identical and showed the land in dispute to appertain to the Government estate. It took a considerable time to clear up the matter. Finally it was discovered that the 1846 and 1848 surveys did overlap to a considerable extent, but that after the survey of Tintanga in 1848 the map of Bateswarpur was corrected and made to agree with the map of Tintanga. The alteration which had been made in the original map, in the custody of the Survey of India Department, had, however, not been made in the copy which was in the Collector's office. As the two original maps were found to agree, the dispute was therefore decided in accordance with them and the greater part of the disputed area was assigned to Tintanga.

73. As was the case in North Monghyr, comparison of the new maps prepared by the amins, with the old maps of the Baneli-Srinagar villages surveyed in 1857-88, disclosed many discrepancies even in cases where no objection had, during the recent survey, been raised by either party. This comparison was made during recess after record-writing was finished and all discrepancies which were found were investigated by the attestation officer in the ensuing season. In some cases gaps were found between the two surveys, and in other, overlaps. The maps prepared in 1856-87 were in all cases taken as a starting point, and the boundary shown in them was not altered until it was clearly proved that they did not represent existing facts.

74. In North Bhagalpur proprietors' and tenure-holders' *khewats* were written by the Survey Inspectors. To aid them in writing proprietors' *khewats* they were supplied with extracts from the Collectorate registers showing the names and numbers of the estates lying in each revenue survey village and the names and shares of the recorded proprietors.

Owing to the fact that the revenue survey village has not in all cases been adopted as the village unit in the Collectorate registers, these extracts were often incomplete, and villages were found to contain estates or portions of estates which were not mentioned in them.

75. As a rule, no difficulty was experienced in recording the names and shares of the proprietors in possession. The entries in the Collectorate registers were found to be considerably out of date, so much so that the actual proprietors were often unable to explain in what manner they derived their title from the recorded proprietors. In some instances they declared the entry in the Collectorate registers to have been incorrect even at the time it was made.

When a dispute arose as to the possession of any share, it was decided in accordance with the entry in Register D. When both parties to the dispute based their claim on an entry in Register D, the dispute was decided after local enquiry, and the person found to be in possession was recorded as proprietor.

The proprietary *khewats* were not on the whole complicated. Sub-division of interests has not been carried to the same extent as in the Monghyr district.

76. All the bigger landlords in North Bhagalpur keep their estates under direct management. The system of leasing out estates in farm which is so prevalent in South Monghyr and elsewhere does not prevail to any great extent in North Bhagalpur, except in estates owned by a great number of proprietors. In such estates it is often found that the actual collection of rent is in the hands of one

or two persons who have taken leases, temporary or permanent, or mortgages, of the shares of all the other proprietors.

Formerly when the indigo industry was in a prosperous state, the factories, as in the other North Bihar districts, used to take leases of villages from the Maharaja of Darbhanga and others, but at present there is practically only one factory which grows indigo, viz., Narayanpur. The owners of this factory have got their own zamindari and grow indigo in their own villages.

Patni leases are rare and are confined to parganas bordering on Purnea district. There are only two *patni* tenures of any importance. These are situated in pargana Harawat in the zamindari of Rai Babu Ganpat Singh and were originally granted to the Inampatti Factory. They have been purchased by the Eastern Mortgage and Agency Company in execution of a decree against the former owners of the factory. *Mukarari* leases are mostly for small areas.

In the Darbhanga estate, rent-free grants of a number of villages have been made to two cousins of the late Maharaja who have been accorded as *kharposhdars*.

In the majority of villages small areas have been granted rent-free to Brahmans under the name of *barhmottar*, *shibottar*. As a rule, there was no dispute about these and the title of the present holders was freely admitted by the proprietors, even though no written grant of *sanad* was produced. Some proprietors, however, notably the Maharaja of Darbhanga, caused great indignation by disputing all such claims and insisting on proof of title. This course did not benefit the proprietor. When any person was found occupying without payment of rent, land locally known as *barhmottar*, and when it was shown that he had been doing so without concealment, he was presumed to hold it rent-free on a valid title. To call on such persons to prove their title would have been most inequitable, as the majority of rent-free holders, even those whose title is not disputed, have long since lost the *sanads* which were given to the original grantee. Small rent-free holders were only recorded as tenure-holders when they were found to have sublet the greater part of their lands.

ATTESTATION, NORTH BHAGALPUR.

77. The attestation of North Bhagalpur was done in the seasons 1903-04, 1904-05 and 1905-06. The following statement shows the work done each year :—

Season.	Number of villages.	Area in square miles.	Number of plots attested.	Total number of khatiana.
1903-04 ...	955	1,589	1,906,307	231,917
1904-05 ...	281	281	39,885	39,885
1905-06 ...	14	10	678	127

In the season 1903-04, 19 attestation officers were employed. They began work about the 15th October. Attestation of the northern portion of the area consisting of thanas Pratabganj, Supaul, Madhipura and Bangaon was first taken up. Some of the officers were given only a small area to deal with at first, and, having completed this, were sent in January to begin the attestation of the southern thanas, Bihpur and Kishanganj, which could not be taken up earlier on account of the nature of the country, part of which remains covered with water until late in the cold weather.

In 1904-05 two officers were employed and in 1905-06 only one. In 1903-04, Mr. Monahan was in subordinate charge of the southern camps, and I of the northern. In 1904-05 the two camps were under my charge.

78. The chief feature of the attestation work in season 1903-04 was the difficulty of ascertaining the rent legally payable for each tenant's holding. Enhancements by contract had been freely made in many villages, and in a large proportion of these the limitations imposed by section 29 of the Tenancy Act had not been observed. The landlords had ignored these provisions, and the tenants appeared to be unaware of them. The impression prevailed that any rent

which the tenant had paid for three years, or had by a registered agreement contracted to pay, was legally recoverable. To record as the rent payable the rent which the tenant was found to have paid in the years immediately preceding the settlement operations would have been equivalent to admitting that section 29 of the Tenancy Act was never meant to be enforced. An attempt was therefore made to ascertain, in every village what enhancements, if any, had been made since the passing of the Tenancy Act. For this purpose each landlord was called on to produce *jamabandis* and collection papers from the year 1885. From these, statements were prepared showing for each year the area held by raiyats and the rental paid by them. If any sudden increase in the rental was noticed, an enquiry was made and the facts reported to the Settlement Officer. The latter, if he was of opinion that the enhancement was illegal, directed the attestation officer to record as payable the rents which were being paid before the enhancement took place.

79. Naturally the landlords whose rents were cut down objected strongly to this procedure. Although since the beginning of the Bihar settlement operations, illegal enhancements, when discovered, have always been disallowed—this being one of the commonest grievances of the opponents of settlement—the question did not become acute until North Bhagalpur was taken up. In Saran, Muzaffarpur, Champaran and Darbhanga illegal enhancements were less common for several reasons.

Prevalence of enhancements in North Bhagalpur as compared with other Bihar districts.

In the three districts first named, the settlement operations were begun at a comparatively short interval after the passing of the Tenancy Act. Moreover, a large proportion of the cultivators are Rajputs, Brahmans and Babhans who are not easily coerced into agreeing to enhancements. In Champaran any attempt to raise the rates of rent unduly, would have led the raiyats to migrate to the more thinly populated areas where there is a demand for cultivators. In all these districts and in Darbhanga the influence of the indigo factories in the villages held by them on lease was directed towards inducing the raiyats to grow indigo and not towards raising their rents.

In Darbhanga district rents had been illegally enhanced by the Maharaja of Darbhanga and by the Madhubani Babus, and by Rai Ganga Prasad, but outside the estates of these landlords enhancements were uncommon. In North Monghyr also a few landlords had succeeded in forcing their tenants to agree to illegally enhanced rents. In North Bhagalpur, however, illegal enhancements were discovered in nearly forty per cent. of the villages. Until comparatively recent times, a great proportion of the area of North Bhagalpur was held on comparatively low rates and even at present one finds in many villages, particularly in those owned by the smaller landlords, some raiyats holding what is called *kamdara* holdings, or holdings at low rates of four or eight annas per bigha. The raiyats of such villages, when questioned, usually state that formerly the whole of the cultivated land was held at the *kamdara* rates, but that in the case of the majority of the raiyats the rates have long ago been raised to *purdara* or full rates. The reason why the very low rates lasted longer in North Bhagalpur than in the other North Bihar districts is probably due to the fact that a considerable portion of area consisted of waste land and jungle. So long as this area remained available for cultivation the landlords were unable to raise the rates of rent to any considerable extent. In this respect the area resembles Purnea district in which rates have, for the same reason, been kept lower than in any other Bihar district. Even at present in portions of North Bhagalpur the remnants of the original jungle are clearly visible, and in the eastern parts of Supaul large blocks of *sakhua* jungle are still to be found.

In the other Bihar districts rates had been forced up to nearly their present incidence, before the passing of the Tenancy Act. In North Bhagalpur the movement to enhance appears to have begun shortly after the famine of 1865-66, and before 1885 the old *kamdara* rates had practically disappeared. When the Tenancy Act was proposed, about 1882, all the principal landlords appear to have begun to put their estates in order. The Maharaja of Darbhanga and Rai Ganpat Singh Bahadur enhanced rents all round between 1880 and 1885. In the Pachgachhia estate, rates were enhanced

from Re. 1-12 to Rs. 2-2 per bigha in 1870, but the old rates were restored in 1872. In 1887 the enhanced rate of Rs. 2-2 was reimposed. The Maharaja of Sonbarsa enhanced rents in many of his villages shortly before the passing of the Tenancy Act, but in other villages, the first enhancement of which we have definite knowledge, was made about 1887.

In the estates belonging to Babus Ekradeshwar and Janeshwar Singh, cousins of the Maharaja of Darbhanga, rents were illegally enhanced in 1894 and again in 1899.

When the landlords realised that the settlement operations, which were going on in Saran and Darbhanga, would in course of time be extended to North Bhagalpur, further efforts were made to raise the rates, before the settlement should by recording rents make it more difficult to do so. Consequently, we find that in an extraordinary number of villages enhancements were made in 1307 Fasli corresponding to 1900 A.D. In 1901 and 1902 also, many enhancements took place and two landlords even had special sub-registrars appointed to attend at their cutcherries for the purpose of registering the *kabuliats* executed by their raiyats. These *kabuliats* were declared by the raiyats, when settlement operations began, to have been extorted by force. A few landlords even enhanced rents or at least demanded enhanced rents, after the *khanapuri* of the area was finished, and produced at attestation *jamabandis* in which the new rents were entered. It seems to have been generally taken for granted that if the raiyats could be induced not to object to these enhancements, or if it could be shown that they had been paid, the enhanced rents would be accepted by the attestation officers.

80. When the work of attestation was begun, and when it was seen that the rent history of each village was being investigated, these landlords, whose papers, if examined, would have shown illegal enhancements, tried to avoid being compelled to produce them. The excuse usually given was that the papers had been burnt. So common was this excuse, that it was often possible to tell when an illegal enhancement had been made by inquiring when the landlord's cutcherry was burnt. To enforce the production of documents recourse was had to the provisions of the Survey Act, and fines were imposed on some of the chief offenders, notably on Babu Janeshwar Singh of Barguria, on the Barail maliks, and on Ras Bihari Mandar of Murho. These examples had a good effect. In many cases old papers were obtained by the attestation officer simply asking the landlord or patwari to accompany him to the village cutcherry and show him what papers there were in it. The attestation officer examined the papers shown to him in the presence of the patwari or landlord, and took away those which he required. It should, however, be added that the chief landlords such as the Maharaja of Sonbarsa and Babu Priyabrata Narain Singh of Pachgachhia, produced freely all documents asked for, although they knew that by doing so they showed their present rents to be illegal. The Maharaja of Sonbarsa even prepared schedules showing in what manner the rent of each raiyat had altered since 1885. The correctness of these schedules had, of course, to be checked by comparing them with the original *jamabandis*, but this was easier work than preparing schedules and the time of the settlement staff was saved in consequence.

When no valid excuse for not producing old *jamabandis* could be alleged, some zamindars had recourse to a plan which has since, I regret to say, been very commonly employed in South Monghyr and Patna. They produced *jamabandis* purporting to be those of the years previous to a suspected enhancement, which were in reality forgeries so prepared as to give the impression that no enhancements whatever had taken place. The landlord of Pathra Jalthania in Supaul was ordered to produce *jamabandis* for years previous to 1308 Fasli, in order that it might be ascertained if an enhancement had been made in that year. A few days after the order, the patwari was discovered in the camp itself, preparing a *jamabandi* of the year 1307 from the real *jamabandi* of that year. The real *jamabandi* showed that the rents in 1307 were considerably less than those of 1308. The new *jamabandi*, which he was preparing, agreed with the real one, except that it showed the rents of 1307 to be the same as those of 1308. He was prosecuted criminally, but was acquitted by the Magistrate who tried the case as the latter could not understand what

motive the patwari had for concealing the real facts, or what benefit the proprietor would derive from his action. Pathra Jalhania belongs to the Barail Babus.

Where old *jamabandi* papers could not be obtained from the landlord and where it was suspected that illegal enhancements had taken place, other evidence had to be sought for. The last assessment of road cess in North Bhagalpur was made in 1881, and the *jamabandis* then filed by the landlords were in the Collectorate. These were of considerable assistance, and in some villages no other evidence was available. The rent receipts given to raiyats were also, where they could be obtained, very useful evidence. Unfortunately these estates in which proper receipts showing full details of area and rental, are regularly given are those in which enhancements are least common. Some landlords had anticipated that these receipts would be demanded and had taken them back before settlement began, on the pretence of examining them and comparing them with their *jamabandis*. Those raiyats who gave them up never got them back. A few refused to part with them until force was used to compel them, and I believe one or two criminal cases occurred which arose out of incidents of this kind. But even where it was thought that a clean sweep had been made and all tell-tale receipts got hold of, raiyats had usually been knowing enough to keep back one or two which were produced when attestation began. From these some idea was obtained of the rates prevalent previous to a suspected enhancement. Much pressure was brought to bear on the raiyats to prevent them from producing receipts, and many absolutely refused to do so through fear of the consequences. They had, however, no objection to the attestation officer coming to their houses and taking them, thereby relieving them (the raiyats) of all responsibility. In some cases the zamindari agents, anticipating our demand, had given the raiyats new receipts specially written up, from which, if believed genuine, one would infer that no enhancement had taken place. The newness of these betrayed them in most cases, and the suspicion of their being fabricated was confirmed by there being no collection papers to corroborate them. Petty proprietors rarely keep their accounts carefully and are seldom able to produce zamindari papers for many years back. Nor do they as a rule give their tenants printed receipts showing the area of the holding and the rent paid. To ascertain what enhancements had been taken place in villages owned by such proprietors was therefore extremely difficult and in many cases practically impossible.

Having obtained the necessary documentary evidence the next duty of the attestation officer was to examine it, and to determine in the case of each individual raiyat whether the limitations imposed on enhancements by section 29 had been exceeded. Section 29 reads as follows :

Limitations imposed on enhancement by contract.

81. The money rent of an occupancy raiyat may be enhanced by contract, subject to the following conditions :—

- (a) The contract must be in writing and registered.
- (b) The rent must not be enhanced so as to exceed by more than two annas in the rupee the rent previously payable by the raiyats.
- (c) The rent fixed by the contract shall not be liable to enhancement during the term of fifteen years from the date of the contract.

Provided as follows:—

- (i) Nothing in clause (a) shall prevent a landlord from receiving rent at the rate at which it has been actually paid for a continuous period of not less than three years immediately preceding the period for which the rent is claimed.
- (ii) Nothing in clause (b) shall apply to a contract by which a raiyat binds himself to pay an enhanced rent in consideration of an improvement which has been or is to be effected in respect of the holding by, or at the expense of, his landlord, and to the benefit of which the raiyat is not otherwise entitled, but an enhanced rent fixed by such a contract shall be payable only when the improvement has been effected, and except when the raiyat is chargeable with default in respect of the

improvement, only so long as the improvement exists, and substantially produces its estimated effect in respect of the holding.

- (iii) When a raiyat has held his land at a specially low rate of rent in consideration of cultivating a particular crop for the convenience of the landlord, nothing in clause (b) shall prevent a raiyat from agreeing, in consideration of his being released from the obligation of cultivating that crop, to pay such rent as he may deem fair and equitable.

Briefly this section means, (1) that a contract to enhance a rent by more than two annas in the rupee is never enforceable, (2) that a contract to enhance rent by less than two annas in the rupee is enforceable only if it is in writing and registered, or if the enhanced rent has been paid for three years, and (3) that a raiyat's rent cannot be enhanced twice in fifteen years.

Further, the two annas limit is withdrawn in cases where the tenant receives valuable consideration for the enhancement, as for instance, when the landlord constructs an improvement benefiting the holding, or relieves the tenant of a liability to grow some particular crop such as indigo.

It was argued for some time by the opponents of the settlement procedure that if an enhanced rent were collected for three years it would be legally payable whether the enhancement exceeded two annas in the rupee or not. The wording of the section makes it quite clear that this is not the case, but there was a High Court ruling in the case of Mathura Mohan Lahiri *versus* Moti Sarkar which gave the advocates of this view some support. The doubt which existed was completely removed by the decision given in the case of Barhmuddin Hawaldar *versus* Mohan Chandra Guha, 8 C. L. R., 511, in which it was clearly laid down that the first proviso to the section governs clause (a) only, and not clauses (b) and (c). The decision, in Mathura Mohan Lahiri *versus* Moti Sarkar, so far as it conflicts with this decision, was overruled.

Another important ruling (Krishnadhan Ghosh *versus* Brojo Gobinda Rai; 24, Calc., 895, 1 C. W. N., 442) lays down the principle that if an enhancement by contract of more than two annas in the rupee is made, the contract is wholly void. It is not divisible, so that a decree for enhancement of rent up to the limit allowed by law cannot be given.

82. To apply the criteria of legality given in this section and in the rulings thereon to the enhancements discovered was not in all cases a simple task. The methods of making enhancement are many and various. They have been described in a note by Babu Charu Chandra Kumar, Assistant Settlement Officer, which will be found among the appendices.

83. The first-class of enhancements mentioned in the above note, viz., direct or straight-forward enhancements, are simple enhancements of the rate of rent unaccompanied by a measurement or re-classification of area.

In villages where there are different rates for different classes of land some or all of the rates are enhanced in the same or different proportions. Sometime all the rates are increased by the same amount, eight annas or one rupee being added to each. The legality of such an enhancement in the case of any particular raiyat depends on whether his total rent has been raised by more than two annas in the rupee or not. If the enhancement amounts to more than two annas in the rupee it is illegal.

In very few cases was any attempt made to justify an enhancement on the ground that it was agreed to by the raiyat in consideration of the landlord having constructed some improvement by which the raiyat's holding was benefited. In village Jarauli, thana Madhipura, rents were raised by the proprietor, Madhukar Singh, from Rs. 2-4 to Rs. 2-11 per bigha. This enhancement was found to be legal as improvements had actually been made at the landlord's expense. The cases of villages Pathra, Banchalha and Sahuria, in which the rents of all the raiyats had been enhanced in consequence of an improvement by which very few benefited, are described in the note of Babu Charu Chandra Kumar.

The Raja of Baruari enhanced rents in certain villages in Supaul by two annas in the rupee. The ground for doing so was that the tenants had

formerly been under an obligation to grow indigo for a factory owned by the landlord, and that the enhancement was agreed to in consideration of being released from this obligation. No evidence was produced to show that the tenants had ever been under such an obligation and the enhancement was therefore disallowed.

84. Section 30 (d) authorizes a landlord to apply to a Civil Court for enhancement of rent on the ground that the productive power of the soil of the holding has been increased by fluvial action. Section 29, which specifies the cases in which enhancement by contract is legal, does not authorize an enhancement on this ground. Nevertheless, a supposed change in the nature of the soil was frequently made a basis of enhancement. The legality of these was decided in the same way as that of ordinary enhancements of rate, that is to say, they were disallowed if they exceeded two annas in the rupee.

85. Enhancements by amalgamation of *abwabs* were rare in North Bhagalpur and most of those which came to light had been made before the passing of the Tenancy Act. The *abwabs* which are now paid are few in number and so far as one could ascertain they were never numerous, at least within the last thirty years, except in those parganas which at one time belonged to Purnia district, Nathpur, Dhaphar and Harawat. These parganas occupy the extreme north-east corner of Partabganj thana. *Abwabs* seem to have always been more common in Bengal, of which Purnea formed a part, than in Bihar. One of the attestation officers gives a list of 47 *abwabs* which were formerly common in these parganas. But even there the amalgamation had in most cases been made long ago. The only *abwab* which appeared to have been consolidated with the rent in recent times was the *abwab* "company batta." This *abwab* was originally imposed on the introduction of the East India Company's rupee, which was supposed to contain less silver than that previously in use, in order that the landlord might not suffer through receiving payment of his rents in the new coinage. So far as rents fixed before the introduction of the new rupee are concerned, the imposition of this *abwab* was justified, but it cannot be supported in the case of rents fixed in recent times. Nearly all the villages in which the *abwab* was found belong to the Srinagar-Banaili estate. Most of the villages of this estate were excluded from our operations, but a few which had not been surveyed in 1888-89 were dealt with by us. These were Baisi, Bhimnagar, Sitapur and portions of Mahadeopatti, Matuari and Tengri.

In one village near Pipra an *abwab* called *izafa thikadar* was discovered. This was an impost added by a certain *thikadar* who had held the village in lease for a time, and retained by the proprietor after the lease expired. It was not treated as rent in the landlords' accounts and being clearly of the nature of an *abwab* was cut out.

86. Enhancements following a measurement were the most difficult class to deal with. Section 29 does not provide for such cases, and if a genuine measurement showed a raiyat to be in possession of more land than he was paying rent for, a contract to pay additional rent for the excess area would not be subject to the limitations imposed on enhancements by that section. But in North Bhagalpur measurements, even where made fairly, were generally accompanied by all round enhancements of rates. This made it difficult to say whether the enhancement or any part of it was legal. For instance, a raiyat held ten bighas at a total rental of thirty rupees. Measuring the land showed him to be in possession of twelve bighas. His rent was thereupon raised to thirty-six rupees. Provided the measurement was genuine this might be perfectly legal; but, if the new rent had been forty-two rupees, the problem of whether the rent was illegal or not would be more difficult to decide. One view is that since the rate of rent has been enhanced from three rupees per bigha to three rupees eight annas, or more than two annas in the rupee, the enhancement is illegal. Another view is that the whole increase of rent, twelve rupees, may be regarded as due to the excess area of two bighas, and that the landlord and raiyat are at liberty to agree on any rent they please for this area. The latter course of reasoning, however, would make it possible for a landlord to double every raiyat's rent

by settling with him a *dhur* of new land. In the Sonbarsa estate whenever a holding was sold up it was customary for the landlord to settle it in small portions with different raiyats at very high rates. The raiyats did not get the option of refusing, and the result was a large increase in their rents. Very often the result of a zamindari measurement is to show that a raiyat has less area than he is paying rent for. The enhancement of rate, however, sometimes more than counterbalances the decrease of area and the result is to increase his rent. But even when a zamindari measurement is made as carefully as possible mistakes occur, and many raiyats have been assessed with rents for more lands than our more correct measurement showed them to be in possession of. For instance, a raiyat holds ten bighas of land at a rent of thirty rupees. A zamindari measurement shows him to hold twelve bighas. His rent is raised to thirty-five rupees. The survey measurement shows him to hold ten bighas only.

In the cases mentioned above there was no question about the genuineness of the measurement. But many landlords when about to enhance rates disguise their operations by making or pretending to make a measurement. In some cases they openly announce that in future the size of the village *laggi* will be reduced. In others, while pretending to measure with the same *laggi* as before, a smaller *laggi* is used. In some cases a mere pretence of measuring the land is made, but all that is done is to prepare a *khasra* showing that the area of each field has increased. The result in all cases is the same, the rents of the raiyats are enhanced to a greater or less extent. As mentioned in the note of Babu Charu Chandra Kumar, measurements of doubtful character were most common in the village of Babu Janeshwar Singh, in those belonging to the Barail landlords, and in the Sonbarsa estate. The measurements in the Lagma and Pachgachhia estates were generally genuine, although instances were found in which the areas of raiyats' holdings had been over-estimated. In the Sonbarsa estate the character of the measurement was in many villages obvious from the fact that the raiyats were paying rent for an area greater than the whole area of the village. The term given by the raiyats to the fictitious area for which they were being made to pay is *asmani zamin*, or land in the sky.

Enhancement by a fictitious or fraudulent measurement, or by measurement with a short *laggi*, was, when met with, treated as an enhancement of rate and disallowed, if it exceeded two annas in the rupee. The cases in which a more or less genuine measurement was combined with an enhancement of rate were the most difficult cases to deal with. The principle generally adopted was to enquire if the rate of rent had been enhanced by more than the legal limit. If this had not been done, the enhancement was usually allowed. If rates had been raised by more than two annas in the rupee, and the increase of rent due to real excess area was small in comparison with that arising from the enhancement of rate, the enhancement was disallowed in *toto*. Many doubtful cases, however, were met with and many enhancements allowed as legal which were directly opposed to the spirit of section 29. For instance, in some estates lands were constantly being taken from one raiyat and given to another, thereby destroying the identity of the holdings, and making it impossible to say what are the legally payable rents for the holdings now in existence. Many such cases occurred in the villages owned by Rajendra Narain Singh of Koriapatti. The raiyats do not appear to have been able to offer any opposition to the landlords' proceedings although the result was to increase their rent considerably. In one of the villages owned by Ras Bihari Mandar of Murho, an enhancement of about four annas in the rupee was made shortly before settlement. The landlord either had not time, or did not care to take the trouble to render the enhancement legal by making the raiyats exchange lands. Instead of doing so he "persuaded" all the raiyats to file in the Civil Court *istefas* or petitions relinquishing their lands. These were accepted and the landlord at once resettled the lands with the same raiyats at enhanced rates. This single instance shows the absolute powerlessness of the raiyats to refuse to agree to anything that some landlords may demand. It may be asked, by fear of what consequences were the tenants made to enter into those agreements? It certainly was not because they thought the landlord would, if they refused, institute

suits in the Civil Court, and prove that he was entitled to an enhancement of rent, for no instance in which this course was followed came to our notice. The methods of persuasion actually employed are those described by Babu Charu Chandra Kumar in his note on the means employed for enhancing rents. One method which he has not described was employed in a certain estate. This method was as follows:

The landlord owned a number of villages in the Kosi diara. If any raiyat made himself obnoxious a suit for arrears of rent of a holding said to be situated in this village was instituted against him. The notices issued were suppressed and an *ex parte* decree obtained. In satisfaction of this decree, the raiyat's real holding was sold up, and the first information the raiyat had of the proceedings was that conveyed by the landlord's peons coming to take possession of the land. To get the decree set aside usually cost more money than the raiyat could raise, and in most cases the landlord succeeded in absolutely ruining the tenant.

87. A point which arose during the investigation into illegal enhancements was—If the rent of a holding has been illegally enhanced what is the effect of a change in the ownership of the holding? It was decided that if the holding was transferred by sale to another person the purchaser was bound to pay the rent which was being realized at the time of the transfer. The power to transfer occupancy rights by sale without the landlord's consent exists in very few estates in Bhagalpur, and the recognition of the purchaser by the landlord is conditional on the former agreeing to the terms imposed by the latter. That he shall continue to pay the rent entered in the landlord's *jamabandi* is an implied condition the observance of which is binding. On the other hand, when a holding is transferred by inheritance, the new raiyat is entitled to recognition by the landlord and takes the place and succeeds to the rights of the first raiyat in every way. His obligations as regards payment of rent being the same as those of the person he has inherited from, the transfer does not legalise the enhanced rent.

When a holding, the rent of which has been illegally enhanced, is split up and divided between several co-sharers at their request, the agreement to pay the rent assigned to each new holding is part of the terms on which the landlord's consent to the subdivision is obtained. In this case also the rents fixed after subdivision are legal, even though their sum exceeds the amount which was legally payable for the undivided holding. It can easily be understood from the foregoing paragraphs that the problem of deciding on the legality of any enhancement was not so simple as might appear at first sight. Unless the examination of the schedules which were prepared, showing the total area and rental of each estate in the village in different years, disclosed a large and sudden increase of rent, no further enquiry into the legality of the existing rents was made, except where the raiyats objected to them. If any sudden increase of rent was noticed, the attestation officer had to ascertain to what cause it was due. Sometimes it was due to settlement with the raiyats of new lands previously held in the direct possession of the *malik*. More often it was due to a measurement, or enhancement of rate, or to both combined. The nature of the measurement and the amount of the enhancements of rate had then to be enquired into. If it was found that the enhancement was generally illegal, the case of individual raiyats who had taken settlement of new lands since the enhancement had to be investigated. This adds materially to the work of the attestation officer, and it was fortunate that disputes of other kinds were much less common than in Darbhanga and parts of North Bhagalpur.

The only criterion laid down in the Tenancy Act for testing the legality of an enhancement is that given in section 29. That section makes no reference to the fairness or equitableness of the rent after enhancement, and makes all enhancements of more than two annas in the rupee illegal. Instances have occurred in which enhancements exceeding that amount have been made, without raising the rents to such an extent that the raiyats could not easily pay them. A case in point is found in the Pachgachhia estate.

88. This estate consists of twenty-seven villages. When attestation began, rents were being paid at the rate of Rs. 2-4, Re. 1-1 and annas 13 per bigha in twenty-five of the twenty-seven. It was then discovered that previously the rates had been Rs. 2-2, Rs. 2-1 and annas 12, and at a still earlier date Re. 1-12, annas 12 and annas 8. The three classes of land for which different rates were paid were (1) cultivated lands, (2) mango and other groves, (3) *chheka* or *parti* and waste lands. So far as could be ascertained from the evidence then produced, the enhancement from Re. 1-12 to Rs. 2-2 had taken place in most villages between 1295 and 1298 Fasli, and the enhancements from Rs. 2-2 to Rs. 2-4 at various dates between 1304 and 1311, the latter being the year in which attestation began. Most of the villages had been measured, some before and some after the last enhancement of rate, and the rents which were being paid were calculated on the areas ascertained by that measurement. As the first enhancement exceeded two annas in the rupee, and was apparently made after the passing of the Tenancy Act, it was held to be illegal. The legally payable rents therefore were unaffected by this enhancement. The second enhancement was therefore in effect an enhancement from Re. 1-12, annas 12 and annas 8 per bigha to Rs. 2-4, Re. 1-1 and annas 13 and was illegal for the same reason. The landlord thereupon represented that the first enhancement was in reality merely a restoration of rates which had been in force before the passing of the Tenancy Act, but which had been temporarily reduced. If this were true, it would follow that the existing rents were legally payable as the second enhancement from Rs. 2-2 to Rs. 2-4 did not exceed two annas in the rupee. A special enquiry was therefore made for the purpose of enquiring into this allegation. The estate contains three divisions or *pattis* called (1) the nine-annas *patti*, (2) Chaman Babu's *patti* and (3) the *kharidgi patti*. Two of these belong to one branch of the Pachgachhia family and the third to another branch. The *kharidgi patti* is so called from the fact that it passed out of the hands of the family for a time and was re-purchased about 1895. The nine-annas *patti* was under the management of the Court of Wards from 1876 to 1880. Each village contains lands belonging to each of these *pattis*. The result of the inquiry made was to show that after a partition which took place in 1278 Fasli the previously existing rates were enhanced to Rs. 2-2, Re. 1 and annas 12, that these rates were collected in two out of the three *pattis*, and that in the third or *kharidgi patti* they were never collected. In 1281, the famine made it impossible to collect the enhanced rents and consequently the proprietor restored the previous rates of Re. 1-12, annas 12 and annas 8. These rates remained in force until 1295. In the meantime the nine-annas *patti* had been under the management of the Court of Wards, but no attempt was then made to restore the enhanced rates. This was attributed to the negligence of the Manager who, it is alleged, did not carry out the Collector's orders. After the estate was released, Babu Priyabrata Narain Singh, proprietor of the nine-annas *patti*, began to restore the old rates of Rs. 2-2, Re. 1 and annas 12 and by 1297 these rates were in force in the greater part of his *patti*. His example was followed in the other *pattis*. From these facts it followed that in the *kharidgi patti* the introduction of the Rs. 2-2 rate for the first time in 1297 was an illegal enhancement. In this *patti* therefore the orders passed during attestation were upheld. In the other two *pattis* the restoration of the Rs. 2-2 rate could not be said to be an illegal enhancement, and the second enhancement from Rs. 2-2 to Rs. 2-4 being under two annas in the rupee was also legal. In accordance with this finding rents were re-attested in the nine-annas *patti* and Chaman Babu's *patti*. The rents paid before settlement operations began were attested as the rents payable. It was found that the measurements made by the landlords were fairly and correctly made in all except three villages, viz., Sripur, Purik and Bhatrinda. In these three the holdings of 176 raiyats had by the trickery of the amin been over stated in the measurement papers.

89. The importance of this case lies in the fact that the rents claimed were not high rents. The rates were moderate, and the landlords have the reputation of being just and considerate to their raiyats. Yet the law compelled the attestation officer to cut down the rents which had been collected

for years. It was in consequence of cases of this sort that the section 109C was added to the Bengal Tenancy Act in 1907. This section enables a Revenue-officer specially empowered for the purpose, to accept from the landlord and tenant any compromise as to the existing rent which he thinks fair and equitable, even though the effect of that compromise would be to enhance the existing rent in a manner contrary to the provisions of section 29. In order to set at rest all doubts as to the legality of the rent the section directs him to settle the rent agreed on as a fair and equitable rent in the same manner as rents are settled under section 105. This section has been used extensively in South Monghyr and Patna, and had it been in force when rents in North Bhagalpur were being attested there is no doubt that it would have been applied in the Pachgachhia estate. As it was, the landlord of that estate was forced to apply under section 105 [coupled with section 30 (b)] to have the rents of the raiyats in the *kharidgi patti* raised to the rates recorded as payable in the other two *pattis*. The result was the same, but the cost to the landlord very much greater than if the other course had been possible. Still it does not follow that the principle followed in the Act by which certain restrictions are laid on the freedom of contract between landlords and tenants, is wrong. The dealings of certain landlords in North Bhagalpur and in other districts with their raiyats indicate that a powerful landlord dealing with low caste or weak raiyats can make them agree to practically any terms he cares to impose. If the term "occupancy right" is to have any meaning, the revenue authorities must reserve the power of scrutinising and if necessary revising their contracts. To fix an arbitrary limit to the amount of enhancement which can be made out of court, was no doubt an imperfect method of attaining the object aimed at, but the enactment of the clause, section 109C, which lays down that enhancements exceeding this limit can be allowed if considered fair and equitable by a Revenue-officer empowered to inquire into the matter, has removed the defect.

Enhancement in Manganj.

90. While discussing enhancements the following case is worth noticing :

Babus Ramani Mohan Singh and Surendra Mohan Singh are proprietors of village Manganj, thana Partabganj. The proprietary right was acquired by their father, Babu Surjya Narain Singh, in 1288 Fasli. At that time the rate of rent, the raiyats allege was Re. 1-12 per bigha. In 1289 and 1290 the new landlord made a measurement of the village and assessed rent at the rate of Rs. 2 per bigha, and about 1293 he took kabuliats from thirty of the leading raiyats in which they agreed to pay at the rate of Rs. 2 per bigha until 1298 and after that, if they retained the land, at the rate of Rs. 2-8. In 1295 and 1296 the village was again measured, but the rate of Rs. 2 per bigha was not altered. In 1301 the rate of rent throughout the village was raised to Rs. 2-8 per bigha. In 1306-07 another measurement was made and excess area assessed to rent, but the rate was not enhanced until 1309, the year before settlement operations began, when the rate was raised to Rs. 2-10 and kabuliats were taken from all the tenants. The tenants protested and complained to the subdivisional Officer of Supaul.

When this village came up for attestation the enhancement of rate from Rs. 2 to Rs. 2-8 in 1301 was held to be illegal as it exceeded two annas in the rupee. This being so, the rate legally payable in 1309 remained Rs. 2, and it followed that the enhancement to Rs. 2-12 was also illegal. Rents were therefore attested at the rate of Rs. 2 per bigha. The alleged enhancement from Re. 1-12 to Rs. 2 said to have been made in 1290, although it exceeded two annas in the rupee, if made at all, was made before passing of the Bengal Tenancy Act and was therefore ignored.

After the record showing rents payable at the rate of Rs. 2 per rupee was finally published the landlord did not attempt to contest its correctness. He filed an application under section 105 to have fair rents fixed for all the raiyats of the village. Taking the rent shown in the record-of-rights as a starting point, he claimed (a) that an enhancement of rate of four annas per rupee (from Rs. 2 to Rs. 2-8) should be given him on the ground of the price of staple food-crops having increased during the currency of the existing rent and (b) that all areas which the raiyats were found to hold in excess of the area shown in the *jamabandi*, should be assessed at the rate of Rs. 2-10 per

higha. Altogether three hundred and eighty-five tenants were made defendants in the suit. When the application came on for hearing the landlord began by disputing the correctness of the entry of rent in the record-of-rights and maintained that his enhancements of rate were quite legal. This contention was overruled by the Assistant Settlement Officer, who held that the enhancement of rate from Rs. 2 to Rs. 2-8 and subsequently to Rs. 2-10 were in contravention of the provisions of section 29. No evidence as to the increase of prices was produced, but the Assistant Settlement Officer, after consulting the price list published in the *Calcutta Gazette* and making the calculation prescribed in section 32, decided that the recorded rents should be enhanced by one anna three pies per rupee. He also assessed to rent, at the average rate of the holding, all land held by each raiyat in excess of his *jamabandi* area.

An appeal against this decision was filed before the Special Judge, in respect of raiyats who had executed *kabuliats* in 1293. Before the Special Judge the questions of what was a fair rent for the holding was not gone into. The questions of rise of prices and of excess area were not discussed. The only point raised was that entries of existing rents in the record-of-rights were incorrect, and the case was treated purely as a case under section 106.

The Special Judge held that the *kabuliats* executed before the 9th Kartik 1293 were executed before the Bengal Tenancy Act came into force, and also held that an enhancement agreed to in 1301, in fulfilment of a contract made before the passing of the Tenancy Act, was not subject to the limitations of section 29. It follows therefore that the enhancement of rate from Rs. 2 to Rs. 2-8 was legal in the case of those raiyats who had executed *kabuliats* before the 9th Kartik 1293. The last enhancement of rate in 1309 from Rs. 2-8 to Rs. 2-10 he also held to be legal in the case of these same raiyats, although it was made within 15 years of the 1301 enhancement.

Finally an order was passed allowing the appeal in the case of these raiyats, but no instructions were given to the fixing of fair rents for these raiyats. The raiyats appealed against this order to the High Court who agreed with the Special Judge with regard to the legality of the first enhancement of rate. No reference is made in the judgment of the High Court to the second enhancement of rate. The Special Judge's judgment was delivered before section 105A was introduced into the Act, by which an officer disposing of an application under section 105 can hear and come to a finding on objections raised as to the correctness of the record. In none of the superior courts was the question of the landlord's right to raise such points under section 105 discussed or questioned, and the raising of this point seems to have entirely diverted attention from the fact that the original application was one to fix a fair rent by enhancing the recorded rent on the grounds mentioned in sections 52A and 30(b).

91. The two landlords are brothers belonging to the family of the Maharaja of Darbhanga, and hold free of rent a property of about 16 villages appertaining to the Darbhanga estate. This property was given them by the late Maharaja for maintenance. It is hereditary and inalienable, and has been entered in the settlement record as a *kharposh* grant. Until the year 1300 Fasli (1882) the property was held jointly by the two brothers. In that year they quarrelled, and each began to collect his own share of the rent separately from each raiyat. Three years later they divided the property between them, each taking a certain number of villages. Since then they have remained separate.

During *khanapuri* the raiyats of one of Janeshwar Singh's villages complained that their rents had been greatly enhanced since he obtained separate control over his property. To test the truth of this statement, a notice was issued calling on the landlord to produce *jamabandis* of that village from the year 1300. A representative of his appeared in reply to the notice, and said that the papers could not be filed at once as the *patwari* was ill. He asked for an adjournment, which was granted, but as the papers were not produced on the expiry of the time given, and no explanation was offered for the failure to comply with the order he was fined Rs. 50 per day under

Enhancements in the estates of
Babu Janeshwar Singh and
Ekradeshwar Singh.

section 51 of the Survey Act. Against this order an appeal was filed before the Commissioner of Bhagalpur. Before the Commissioner the explanation given for not producing the papers was that his zamindari office at Shankarpur had been burnt some years ago and all old papers destroyed. This was the first time that this story had been told, although explanation had been invited many times. The Commissioner rejected the appeal. Still the *jamabandis* were not produced and attestation had to be done without their help. Endeavours had been made by the landlord a few months before attestation began to take back from the raiyats all old rent receipts which might give any indication of what the previous rates of rent were. Most of the raiyats were afraid to refuse to give up their receipts. Some who resisted were marked out for punishment, and one of the ring-leaders was accused, convicted and sentenced to imprisonment for stealing a bullock. Still a number of raiyats retained in their possession some old receipts.

The landlord's amla gave the raiyats new receipts to produce before the attestation officer. These were intended to allay the suspicion that an illegal enhancement had taken place, but were too obviously new to deceive even the most inexperienced Assistant Settlement Officer. A search was made in the raiyats' houses and a number of old genuine receipts were found which proved that the *jamabandis* filed by the landlord were forgeries. He had produced *jamabandis* from the year 1303, the year in which the property had been divided. Before the Commissioner it was alleged that the older papers had been burnt. At the same time to clinch the matter it was asserted that the older papers of the time when the property was joint were with Ekradeshwar Singh.

The receipts obtained from the raiyats and the statements of these raiyats, chiefly Rajputs who were bold enough to speak out, showed that the enhancements of rent since 1303 had amounted to about fifty per cent. Two enhancements had been made—the first in 1303 when the property was divided and the second in 1308 or 1309. The first enhancement was made in the villages belonging to both brothers (an enhancement almost invariably accompanies a partition), the second was confined to the villages of Janeshwar Singh. Ekradeshwar Singh produced his old *jamabandis* and made no objection to the cutting down of the enhancement. It was proved from his papers that the common rates of rent throughout the estate before 1300 were Rs. 2 and Rs. 2-2.

The average claimed by Janeshwar Singh was Rs. 3-10 which was on the strength of the evidence discovered cut down to Rs. 2-7. Practically no objection under section 103A was raised to the attested rents. Ekradeshwar Singh from the beginning made no attempt to conceal the fact that his rents had been enhanced in 1903 and did not question our proceedings. Although his brother never openly admitted this it was tacitly acknowledged by all his agents whose efforts were devoted to endeavouring to show that the amount of the enhancement was not so great as had been supposed. The papers which they declined to produce would of course show in a moment what the actual facts were.

I have no information as to the subsequent course of affairs in this estate, but have little doubt that Janeshwar Singh like his neighbour Ras Behari Mandar has had little difficulty in getting decrees for rent at the rates paid before settlement.

92. The late Maharaja of Sonbarsa had the reputation of being the harshest landlord in North Bhagalpur. His rents were said to be very high, and his treatment of his tenants pitiless. When the attestation of the first of his villages, a village situated in North Monghyr, was taken up in the season 1902-03, it was apparent that if his raiyats could pluck up the necessary courage there would be a general revolt. Before attestation began in Bhagalpur in November 1903, the Maharaja requested that the attestation of the areas of which he was proprietor might be given to one officer. This request was granted, and Mr. S. S. Day, Assistant Settlement Officer, was deputed for the purpose. It was known that the Maharaja was in the habit of taking *kabuliats* from his raiyats every five or six years, the rents being altered on each occasion. He made no attempt to conceal this fact, and freely produced all

Enhancement in the Sonbarsa estate.

his zamindari accounts to enable the attestation officer to judge of the legality of each enhancement. These accounts were very systematically kept, and no difficulty was found in tracing the history of each holding.

Speaking generally, it was discovered that he had, since the passing of the Tenancy Act, taken three sets of kabuliats: (1) about 1297, (2) about 1303, (3) in 1308 or 1309. The enhancement taken on the first kabuliat generally amounted to two annas in the rupee or less. The second enhancement was nominal, being on the average about one pice per rupee. The third varied in amount in different villages, and many cases exceeded two annas in the rupee. The third enhancement generally had to be disallowed as even where it did not exceed two annas in the rupee, it had been made within the fifteen years of a previous enhancement. The second enhancement also was illegal for the same reason. But when the history of individual tenancies came to be examined, it was found that in many cases changes had taken place which entirely destroyed the identity of the holdings, and made it impossible to say that the rent of the same holding had been enhanced twice in fifteen years. The result was that the amount by which the existing rents were reduced was not nearly so much as might be expected from the fact of three enhancements having been made in twelve years. In thirty-one villages, the records of which were attested by Mr. S. S. Day, the rental claimed by the Maharaja was Rs. 1,20,445. Out of this Rs. 8,371 was found to be due to illegal enhancement and the rent attested was Rs. 1,12,074. The reduction amounted on the average to 6.95 per cent., the figure in individual villages varying from 40 per cent. to nil. The following list shows the names of the villages in which the largest reductions were made.

Village.			Percentage of reduction.
Indarva	...	...	39.84
Bahum	...	...	24.51
Mathahi	...	...	22.93
Parwania	...	...	13.94
Pithahi	...	...	11.83
Sahuria	...	...	11.86

In two villages, Bhada and Karahia, the existing rents were attested, no illegal enhancements being found. The attitude of the raiyats during the settlement was the usual one adopted by those who have determined to fight their landlord. They had no idea that rents which had been actually paid could be otherwise than legal, and consequently denied that they had ever paid the rents shown in the landlord's papers. When asked what their rents were, they stated about half the amount which they actually paid. Attestation had to be done without reference to these statements which were obviously false.

To what extent the Maharaja deserved the reputation which he bore, is a question that naturally suggests itself. His methods of dealing with rebellious tenants were certainly vigorous, and he was not scrupulous as to the means, he employed to crush them. He expected his rent to be paid in full on the date fixed, and if any raiyat was late in bringing it, or offered anything less than the full amount, a heavy fine was imposed which was invariably realised. Another matter which made him unpopular with the money-lenders as well as with the raiyats was that he absolutely refused to allow transfers of land by sale. No money-lender would advance money to his raiyats for he knew that he could not get possession of the land. This, it is true, prevented the raiyats from getting into debt to the *mahajans*, but it also made it impossible for them to raise money to pay their rent in bad years. The Maharaja took advantage of this and used to purchase the holdings himself, re-settling the lands with other raiyats at very high rates. In spite of this the rate of rent in his estate was not so high on the whole as it was rumoured to be. New settlements of lands made in recent years were undoubtedly made at very high rates. For instance, a considerable quantity of rice-land was settled on *manhunda* rates of eight maunds of paddy per bigha. But the old *maurus* or ancestral holdings were not in the average assessed at more than Rs. 3 or Rs. 4 per bigha. Still his frequent tamperings with the rent-roll kept his tenants in a continual state of suspense and irritation, and his new settlements were always increasing in frequency. These new settlements were often forced on raiyats who did not

desire to take the lands, and were in such cases merely a means of disguising illegal and excessive enhancements. His tenants, however, were not subjected to the demands for food and money which are usually made by landlords' servants. The Maharaja at least protected them from extortion or oppression by others, and once they had satisfied his demands they had nothing more to fear. He kept no patwaris, but personally superintended the management of his property. He always went on tour and collected his rents himself and allowed none of his servants to take money from his raiyats on any pretext. One circumstance which seemed, as soon as they discovered it, to raise more ill-will towards him in the mind of his raiyats than almost anything else, was the fact that nearly all his measurements were very unfair. The longest and broadest parts of the fields were taken and the area calculated from their measurement. This was unknown to the raiyats until the settlement operations began.

On the whole, although there is a good deal to be said in his favour, there is no doubt that in recent years the display which he thought necessary to uphold the dignity of the title of Maharaja entailed a greater expenditure than his estate could afford. He was gradually getting into debt, and under the circumstances it is hardly to be wondered at that he was tempted to use the enormous power which he possessed over his raiyats (power which might have been used only for their good) to raise money for further expenditure without regard to the equity or legality of the methods employed or of the capacity of the lands to bear the rents imposed.

93. There were few cases in which any difficulty was found in deciding to which of the classes of tenants mentioned in the Tenancy Act any particular person belonged.

Status problems.

Attempts by landlords to get occupancy raiyats recorded as tenure holders.

In the majority of these the problem was to determine whether a person holding a large amount of land should be recorded as a tenure-holder or as a

raiayat.

The law confers on the persons possessing the status of raiyat a protection which is not given to any other class of tenant. The most notable provision of the Act in a raiyat's favour is that by which contracts for enhancement of rents entered into by a raiyat possessing a right of occupancy, are only enforceable by his landlord if they fulfil certain conditions. Moreover, a contract by a raiyat, agreeing to divest himself of the rights conferred by the Act, is also unenforceable. Some landlords imagined that if they call the cultivator a tenure-holder, and induce him when taking settlement of land to describe himself as a thikadar instead of a raiyat, these provisions of the Tenancy Act will not apply to him. The practice of taking such agreements when settling land is not so common in North Bhagalpur as in other districts. In the few cases which arose the landlord's claim to have the cultivator recorded as a tenure holder was disallowed, on the ground that it is not within the power of the landlord to confer or withhold the status of raiyat and that in deciding whether a tenant is a raiyat or not, the purpose for which the tenancy was created is the sole consideration, and that all obvious misrepresentations of the nature of the tenancy made by the parties for the purpose of evading the law, should be ignored.

94. Attempts to deprive raiyats of their rights, by calling them tenure-holders, were, as mentioned above, not common.

Status.

Attempts to have raiyats recorded as under-raiyats and *farzi* raiyats.

A more common practice was to try to effect the same object by treating them as under-raiyats of a third person who was alleged to possess the raiyati right in the land. The third person was

usually a relative or a servant of the landlord who could be depended on not to claim the land afterwards.

Some of the *farzi* raiyats became notorious. In the villages in which Rajendra Narain Singh of Koriapatti is proprietor it was noticed that one Thithar Khawas was frequently put forward as a raiyat holding large areas. On enquiry this Thithar Khawas was found to be a personal servant of the landlord, set up as a raiyat merely for the purpose of turning the cultivators into under-raiyats and depriving them of their occupancy rights. When this discovery was made, his claim was of course ignored, and the real cultivators were recorded as raiyats.

Babu Partap Narain Singh of Babhani was also found putting forward *farzi* raiyats, and in villages Barahkurwa and Kukurdhari he tried to have his son-in-law's name recorded as holding lands with which he had no connection. Ras Bihari Mandar of Murho, in spite of the fact that he was specially watched, managed to get a considerable area of land which was in reality in the cultivation of raiyats, recorded as the holding of some friends of his. The raiyats made no objection, there was no one to point out the fraud, and the matter was not discovered until his estate was taken over after settlement by the Court of Wards. I have no doubt that many other instances occurred in which this plan succeeded. When all concerned combine to deceive the attestation officer, it is difficult to blame the latter for not finding out the deception, more specially if he is a young and inexperienced officer, as were many of those employed on attestation in 1903-04.

95. Apart from these two classes of cases in which landlords deliberately attempted to have persons who were undoubtedly raiyats recorded as tenure-holders or as under-raiyats, there were numbers of tenants whose status was really doubtful. For instance, a person is found holding two hundred bighas of land, a great part of which is cultivated by under-tenants. The area of the tenancy raises the presumption that the tenant is a tenure-holder. This presumption can be rebutted by showing that the tenant for whom the tenancy was originally created took the land for the purpose of cultivating it. But in most cases no reliable information can be had as to the intention of the original tenant, and the purpose must usually be inferred from the use to which the land is now being put by the present holder.

Where the origin of the tenancy is shown to be *raiya*, its nature is apparently not altered by the fact that the tenant has subsequently ceased to cultivate the land, and has sublet it to under-tenants. Hence it follows that money-lenders who have purchased *raiya* holdings, acquire the status of raiyat even though they never cultivate the land themselves. It is not uncommon to find persons holding several hundred bighas of land so acquired. It is improbable that the authors of the Tenancy Act contemplated this result. That the actual cultivators of land should be protected against enhancement of rent, and that the law should give the courts power to revise contracts entered into by them with their landlord, is natural, but there seems little point in extending similar protection to the money-lender who acquires their lands when they fall into debt.

96. Another status problem which arose was that of the rights of proprietors and tenure-holders in their *kamat* lands.

This term is applied locally to (a) lands cultivated by a proprietor or tenure-holder, (b) to lands which were formerly in his cultivation and which have been let out to raiyats for a term of years, (c) to lands in which he has purchased the occupancy right.

It was generally believed that the tenants to whom these lands are let do not acquire occupancy rights. The owners were very vague as to the exact nature of their rights which they claimed in them. They wanted all such lands recorded as *kamat*, understanding thereby land in which no cultivator could acquire permanent rights.

In the Bengal Tenancy Act proprietor's private lands (in which raiyats can only acquire occupancy rights under special circumstances) are said to consist of (a) lands which are proved to have been cultivated as *khamar*, *zirat*, *sir*, *nij*, or *kamat* by the proprietor himself, or by hired labour, for twelve continuous years immediately before the passing of this Act, and (b) cultivated land which is recognised by village usage as proprietor's *khamar*, *zirat*, *sir*, *nij*, *jot*, or *kamat*. In the great majority of cases it was impossible for the claimants to prove that they had cultivated the land for twelve years before the passing of the Act. In one case only was it proved that the land was known as *kamat* land before 2nd March 1883. Many landlords could show that before 1883 their zamindari papers mentioned a certain area of land as *kamat*, but they were unable to distinguish those lands which were originally *kamat* from those which had since been acquired and called by that name.

Apart from the fact that the landlords were unable to offer legal proof that their *kamat* lands were proprietor's private lands, as defined in the Act, it is quite certain that these lands are not of the character which the framers of the Act had in mind when they placed limitations on the acquisition of occupancy rights in private lands. Where certain lands have been for a long time cultivated by the proprietor's family, it would certainly be inequitable if a settled raiyat of the village, to whom they were let temporarily for some reason or other should at once acquire an occupancy right in them. But the North Bhagalpur landlords certainly do not cultivate their *kamat* lands at present, and there is good reason to believe they never did. They have always got them cultivated by *raiya*s who pay half the produce as rent.

A landlord's *kamat* lands do not usually lie in a compact block near his residence as might be expected, but are scattered over all his estate. His great ambition is to have some *kamat* in every village he owns. The manufacture of *kamat* lands can be seen going on every day. Ras Bihari Mandar of Murho just before settlement announced to his raiya's that in future two *kathas* of every *bigha* would be considered *kamat* and that *manhunda* (produce) rent for this would be paid at the rate of nine maunds per *bigha*. This was discovered during *khanapuri*, and orders were issued that the claim was to be disallowed. It is to be regretted that during attestation the landlord managed to get his claim recorded in the villages of one attestation camp. The raiya's did not dare to object and the attestation officer who ought to have discovered the fraud, for such it was, did not do so. No reduction of the cash rent previously paid was given to the raiya's when the *manhunda* rent was imposed, nor was the exact area in respect of which the *manhunda* rent is paid specified. The object of the whole transaction, besides being to increase rent, is to keep the tenant from feeling that there is any land which their right to retain possession of, on payment of reasonable rent, is beyond question.

97. *Manhunda* rents generally are paid for *kamat* lands. By a *manhunda* or *manhunda* rent is meant that the tenant is bound every year to deliver to the landlord a certain quantity of grain, usually rice. In bad years when the raiyat is least able to pay even a fixed cash rent, the money value of a *manhunda* rent is much higher than in normal years. The system therefore possesses all the disadvantages, and none of the advantages of other systems of produce rent. As a rule, the rate is so high that it is ordinarily impossible for the raiyat to pay it in full, and the landlord rarely expects to receive the whole amount. Usually he takes as much as the tenant can pay without being reduced to starvation. No receipts are given and no accounts kept, but if the tenant makes himself troublesome in any way, he can be sued for three years' arrears. This prevents him from trying to claim any permanent interests in the land. In Patna district, it has been found that in villages where the low caste raiya's are made to work for the landlord without payment, the high caste raiya's have to cultivate land on this system. This alone is sufficient to show in what light it is regarded by the landlords and tenants themselves.

98. From what has been written in this report about enhancement of rent, it is clear that very few raiya's in North Bhagalpur could prove a right to hold at fixed rates of rent. The idea of making such a claim occurred to very few, and the landlords had as a rule, no difficulty in proving that the raiyat, by agreeing to one or more enhancement in the past, had lost such a right if he ever possessed it. It is a remarkable fact, however, that in 1872 the Collector of Bhagalpur reported to Government that a great proportion of the lands in the north of the district were then held at *gorabandi* or fixed rates of rent.

In some of the eastern parts of Supaul a few raiya's were found holding on low rates of rent who claimed *gorabandi* rights. They were called on to prove their claim by producing rent receipts for twenty years showing payment of rent at a uniform rate. Most of them were unable to produce twenty years' receipts and their claim was in consequence disallowed.

From what I have since seen of similar claims in South Bhagalpur, Monghyr, Patna and Shahabad, I believe that these raiya's really were entitled to hold at a fixed rate of rent and that the mere fact that their holdings

were locally known as *kamdara* or *gorabandi* would have justified the attestation officer in presuming them to be *sharahnawayan*, and calling on the landlords to prove the contrary if they did not admit the claim.

99. In nearly all the villages of the Paigambarpur estate owned by Babu Saadat Ali Khan of Paigambarpur, there were disputes between the landlord and raiyats as to the rent payable. The property owned by this landlord in Bhagalpur consists of lands in about thirty villages in Supaul thana. Half of the property is a revenue-free estate, the other half revenue-paying.

In the revenue-free villages the prevailing *laggi* is one of $7\frac{1}{2}$ *haths* and in the revenue-paying 7 *haths*. The landlord claimed the following as the rates of rent payable:—

Lakhrāj villages	...	...	Rs. 4-4 for <i>dhanahar</i> lands.
Lakhirāj villages	...	...	„ 4 for first class <i>bhit</i> .
			„ 3 for 2nd class <i>bhit</i> .
Revenue-paying villages	...	...	„ 3-8 for <i>dhanahar</i> lands.
			„ 3-4 for 1st class <i>bhit</i> .
			„ 2-4 for 2nd class <i>bhit</i> .

The raiyats claimed rent at rates varying from Re. 1 to Rs. 2-2.

The history of the estate as ascertained from reports written by a Deputy Collector at a time when the estate was under the management of the Court of Wards, and from the statements of a previous tahsildar, is as follows:

Up to 1729 Fasli (1873 A. D.) *hunda* or lump rentals prevailed. In 1873 a measurement was made, and a rent-roll framed on the basis of the rates claimed by the landlord. The raiyats objected, and there were rent suits which went up to the High Court. Meanwhile, the proprietor won over the leading raiyats in each village, and got them to execute *sharahnamas* admitting the rates claimed to be the prevailing rates. Concessions in the shape of reduced rates or deductions on account of *haq jeth raiyati* were given to them for doing so. The suits meantime were decreed *ex parte* in favour of the raiyats. From 1279 to 1292 Mr. Meiselbach was Manager. For this period no papers could be found, but the rent papers of 1293 for one village show no arrears for 1292. In 1293 printed rent receipts were introduced and the concessions previously given to the Jeth raiyats were withdrawn. The latter thereupon took the side of the other raiyats and the dispute became general. The estate was under the Court of Wards in the year 1293 and 1294, but was released and was managed by Mr. Baron Duff from 1294 to 1297. During this time the dispute continued, but some decrees were given in favour of the landlord. In 1299 the estate again came under the management of the Court of Wards. Until Jeth 1305 (April 1908), it was managed from Darbhanga, there being four managers in six years. During this time the collections got hopelessly into arrears, the collection papers were badly kept, and the estate was run by the local tahsildars and patwaris. Rent suits were instituted, but owing to the absence of satisfactory papers a large number were decreed in favour of the raiyats.

In April 1898 the estate was made over to the Bhagalpur Collector for management. An enquiry was made by Maulvi Sukhawat Hussain, who was deputed by the Collector, to take over charge and report how the estate was to be managed. He gave in his report a history of the dispute, and decided that in spite of the somewhat numerous but still isolated decrees rejecting the estate claims and decreeing rent at lower rates the existing rent-roll of the estate was based on rates agreed to by the tenants in 1279 and 1280, and that these rates had been in force until 1292. He recommended that efforts should be made to collect the full rents, and anticipated that 90 per cent. of the tenants would pay without objection. These anticipations were justified. Most of the arrears of 1303 were collected. In the next two years remission had to be made on account of famine, but nearly the whole of the rent of 1306, and the first instalment (eight annas) of the rent of 1307, were collected before the estate was made over to the proprietor in February 1900. In February 1899, the Collector reported that 3,260 tenants out of 3,442 had accepted the rent-roll including 175 out of 275 who had got decrees at lower rates, but who were induced to accept the higher rentals. After the proprietor resumed possession

of the estate it was mismanaged and the dispute broke out afresh. Collection of rents practically ceased. The principal reason for this seems to be that the proprietor proceeded to demand *manhunda* rents for lands which, though formerly known as *kamat*, had been settled under the Court of Wards on cash rent.

As there is little doubt that the existing rent-roll was framed in 1279 and was in force between 1280 and 1292, and that the majority of the tenants again agreed to it in 1306, the dispute was decided in favour of the landlord. The rates claimed by him were attested, except in the case of those raiyats who had obtained decrees at lower rates which had not been set aside by other decrees or by payment at higher rates. Where a decree at a lower rate than that claimed by the proprietor was still in force, it was given effect to. The landlord's demand for *manhunda* rents was disallowed, and the cash rents fixed in the time of the Court of Wards were recorded.

This decision should certainly have satisfied the proprietor, for, with the help of the settlement records, there is no doubt that the rents could have been realised through the courts as easily as before the estate was released from the Court of Wards. I am unable to say what the present condition of the estate is, but the management did not show any signs of improvement immediately after the completion of settlement. The proprietor was deeply in debt and was becoming more involved, and the estate was completely in the hands of the *amla*, who were more anxious for the re-introduction of *manhunda* rents, the collection of which is always a source of profit, than to collect the cash rents entered in the record. The estate then seemed likely to fall, before long, into the hands of some money-lender.

100. The raiyats of some villages, chiefly the property of petty landlords, in which no enhancements had taken place, took advantage of the general prevalence of illegal enhancements to make false allegations against their landlords of having increased their rents before the settlement. Such cases were not common, however, and the landlords' papers, when produced, easily disproved the raiyats' statement. It has been found that it is practically impossible for landlords to prepare at short notice complete set of false accounts for a series of years. The attempts which were made to deceive the attestation officer in this way were mostly deserving of contempt. In some cases *jamabandis* showing enhanced rents were prepared, but these were never accepted unless they were accompanied by the other detailed accounts, signatures, counterfoil receipts, books and *hisabs*, which could be used to check them with. Again when genuine accounts were produced the very appearance attested these genuineness.

False sets of accounts are sometimes kept in the ordinary course of business along with the true accounts. These may easily deceive one, as they bear no external signs of fabrication and require to be disproved by independent evidence. They were, however, uncommon in North Bhagalpur, although it has been discovered that they have been kept since settlement, in at least two estates which have recently come under the management of the Court of Wards.

Disputes between landlords and tenants as to the amount of rent payable nearly always arise out of attempts to enhance rents. The disputes are probably more common in villages where the attempt has failed, than in those where it has succeeded. When raiyats have paid rent for a number of years they usually admit having done so. The Sonbarsa raiyats and some of the Pachgachhia raiyats were exceptions to this rule. In the Darbhanga estate, rent disputes were very common and were confined to the few villages in which the proprietor has not accepted the results of Mr. Finucane's measurement. Rent disputes were general throughout the villages owned by Rajendra Narayan Singh of Koriapatti who took agreements for enhanced rents from many of his raiyats in 1309, but found it difficult to enforce them. The raiyats of Koriapatti, in particular, fought strenuously against this enhancement and claimed even lower rents than they paid. Many of these raiyats belong to the caste known as Parbatias or hillmen. They came from Nepal and settled in Bhagalpur about one hundred years ago. They now call themselves Hindus and are divided into sub-cast—Rajput, Dhunia, Darzi.

Besides the raiyats of Koriapatti, those of Kusaha, Laharnia, Parsani, Mahulia, Hirapatti, Bishunia and Jadia are all at war with him. None of the papers produced by his amla could be relied on and to ascertain the real facts from the conflicting statements of both parties was a difficult task.

In village Pilwaha one of the co-sharers—the village is held jointly by several proprietors—measured the land just before the settlement and enhanced the rent. In this he was not joined by the other co-sharers. The raiyats objected to the enhanced rents, and as the landlord's action was illegal under section 18, the objection was allowed and the unenhanced rents recorded.

101. As has already been mentioned, apart from the question of illegal enhancements, the problems which arose in the course of attestation were neither many nor difficult. The attempted suppression of raiyats in *kamat* lands, which went on during the *khanapuri* season, was continued during attestation. These raiyats frequently came in crowds to the attestation table, and protested that they had given up their lands and wished to have their names struck off the record. These same raiyats had in the previous year denied having ever cultivated these lands. In such cases, the attestation officer, before accepting the raiyat's statement, always paid a visit to the village. This visit usually disclosed the fact that they were still in possession of the lands, and could be seen actually cultivating them. The landlords, although unwilling that the raiyats should be recorded as having an occupancy right in these lands, were also unwilling that they would give them up, for in most cases nothing was further from their intention than the idea of undertaking the cultivation of the lands themselves. When this was found to be the case, the lands were left recorded in the names of the cultivators.

102. In thana Kishanganj considerable areas of land, which had previously been incapable of bearing crops, had been brought under cultivation within a few years before attestation began. Every year the area under cultivation increased, as the swamps which formerly covered this thana gradually dried up and the grass jungles were cleared. The work of reclamation is mostly carried on by cultivators from Monghyr and Darbhanga districts. These people do not settle on the lands cultivated by them, but come only to sow their crops, and having done so return home again until it is time to cut them. In the cold weather their huts can be seen all along the high embanked road from Lattipur to Kishanganj. They are called *dohatwars*, a term the derivation of which I have been unable to ascertain. In Phulaut and some of the adjacent villages, the old raiyats laid claims to some of the lands cultivated by the *dohatwars*. The dispute between them had been going on for a couple of years. The new-comers offered higher rates for the lands than the raiyats living in the villages, and got settlement from the landlord. The old raiyats thereupon claimed that the lands in question were lands which belonged to holdings held by them for generations, and which had about ten or fifteen years ago become unfit for cultivation. They also tried, but failed to prove, that they had continued to pay rent for them ever since. These disputes were decided in favour of the raiyats in possession, who cultivated the land and paid rent to the landlords.

The Raja of Alamnagar is the proprietor of villages Shah Alamnagar and Gangapur, two villages near Phulaut in which the area of newly formed land let to *dohatwars* is very great. To facilitate collections, it was customary to settle large blocks or *chaklas* of land with one raiyat, who was responsible for payment of rent. This raiyat represented a number of *dohatwars* usually inhabitants of the same village, who each cultivated a portion of the land and paid their rent through the headman or *chakladar* as he was called. By this means the landlord was saved the trouble of keeping account for, and collecting rents from, a great number of raiyats living at a distance or perhaps forty or fifty miles. At first the landlord objected to the name of any one but the *chakladar* being recorded as raiyat for the land, but finally agreed to have the land of each cultivator entered in a separate *khatian*, in which was mentioned the share of the rent payable, with a note to the effect that it was paid through the *chakladar*. In this way the rights of each cultivator, were secured to him.

Disputes between landlords, with regard to these newly formed lands, were more common than disputes between raiyats. East of the Phulaut-Kishanganj road, in the area attested in 1904-05, are scattered many petty estates formed out of resumed invalid *jagirs*. These are in many instances owned by proprietors other than those of the surrounding lands. In the revenue survey the boundaries of some of these *jagirs* were surveyed, but there is every reason to believe that they were very incorrectly surveyed, as the area seems, even at that time, to have been covered with jungle. When the land again became cultivable the position of the boundaries was very vaguely known, and every landlord seized as much land as he could. It is not the custom in most of the area to make a regular settlement with a raiyat before allowing him to cultivate land. The *dohatwars* cultivate whatever new land they find at hand. A raiyat who cultivates land in one season has a prior right to cultivate it next season if he arrives in time. When the rice crop is being cut and harvested in December, the landlords send out their peons and amla, who demand rent from any raiyat whom they find harvesting rice on land which the landlord claims. Until the rent is paid, the raiyat is not allowed to take away his crops. Naturally the landlord who employs the fiercest looking peons, is most likely to collect rent from raiyats who have no idea to whom the land belongs, and who want to be allowed to take their crops home in peace. The lands are very fertile and the raiyats have been known to pay rent to two landlords rather than run the risk of losing their crops. The peons must appropriate some proportion of what they collect, but in spite of this, the incomes of the zamindars of this area have increased enormously in the last ten years. Villages which formerly yielded no income are now worth thousands of rupees per year.

In deciding what estate any particular block of land belonged to, possession at the time, if clearly ascertained, had to be followed. But where there was any doubt, reference was made to any previous maps of the estate boundaries which could be obtained. The value of the revenue survey maps in this area is for reasons already mentioned, rather doubtful, but as they were in most cases the only available evidence they had to be followed. Two of the chief proprietors of the area, viz., Babu Tilakdhari Lall and Raghunandan Lal agreed to have all disputed boundaries of resumed *jagirs* settled by reference to the Collectorate maps of the *jagirs* prepared at the time when they were permanently settled. For this purpose they appointed a surveyor who relaid as accurately as was possible from the maps given to him the boundaries of each *jagir*. The parties were satisfied with the result. The proprietors of Narayanpur Indigo Factory also own a number of villages east of the Phulaut road. Indigo was formerly grown in these villages, and manufactured at Nardah, a Factory belonging to the same proprietors, which is situated about ten miles north-east of Phulaut. The factory is now closed, the cultivation of indigo having been given up. In the scramble for land, the factory had taken possession of several blocks which belonged to petty proprietors. Disputes arose in consequence, but whenever any person claiming to have been dispossessed of any land could produce a map showing its position, the Manager of the Factory raised no further objection and restored the land to him.

Since the settlement operation in this thana were finished, further extension of cultivation has taken place, and many villages which were then treated as diara villages, unfit for cadastral survey, have quite altered in character. When the revision of the record-of-right of the district is being undertaken, it will be necessary to consider the case of these villages and decide whether records-of-right should not be prepared for them.

103. Disputes about possession of lands were not so common as at
khanapuri. During khanapuri a great number of
frivolous disputes of every kind are raised, most

Pattidari disputes.
of which are dropped as soon as an Assistant Settlement Officer or Kanungo, after local enquiry, ascertains who is in possession of the land and orders his name to be recorded. Some of the most hotly contested possession disputes were between landlords of the same village. Where the land of an estate has been divided amongst the proprietors by private partition it is usual to find some of the co-sharers claiming the land of others. To enquire from

the raiyat who cultivated the land, which of the claimants he pays rent to would appear to be the most satisfactory method of deciding the dispute. But the people who make such false claims usually endeavour beforehand to gain over the raiyat by promising him a reduction of rent, and if he refuses to support them, they put forward some other cultivator whom they can rely on to claim the land as appertaining to his *raiya* holding. These *pattidari* disputes as they are called are the most difficult to decide, for it is necessary in most cases to find out first which of two persons is the raiyat in possession, and then which of two landlords he pays rent to.

In villages where a Collectorate partition (batwara) has taken place, some map showing what lands have been allotted to each proprietor, is usually available. The older batwara maps, however, are often very badly prepared, and the amount of help which they give, in deciding disputes, is small.

104. In the zamindari of Rai Ganpat Singh Bahadur it is the custom of the landlord, when settling with raiyats' new lands previously uncultivated, to fix a progressive rent, low at first and increasing every year for four or five years. This practice is quite legal, and a note of the terms of the contract has been made on the *khatians* of those holdings in which at the time of attestation the rent had not reached its maximum.

In the same estate (the Harawat estate) another point was raised by the landlord in connection with the status of raiyats in newly settled lands. Where a settled raiyat of a village takes a new holding in the same village he immediately acquires an occupancy right in it. Rai Ganpat Singh objected to any such raiyat being recorded as having an occupancy right in land unless he had held it for twelve years. His objection was disallowed. There is absolutely no doubt as to the meaning of section of the Tenancy Act, which is intended to prevent landlords preventing their raiyats from acquiring occupancy rights by shifting them about from one holding to another.

Reference has already been made to the general enhancements first made in the estate about the time of the passing of the Bengal Tenancy Act. The papers produced by the landlords during attestation did not indicate that any enhancement had been made since then, and although the raiyats in some villages asserted that rates had been subsequently enhanced they were unable to produce sufficient proof. The existing rents were therefore attested.

105. Two forms of rent, resembling the system referred to in the Bengal Tenancy Act as the *utbandi* system, were met with in North Bhagalpur. In village Mahesi in Bangaon, and in a few villages near Supaul there are lands held on the *jaedadi* system. Under this system the tenant pays rent each year for the portion of his holding which produces a crop. The areas in which it is in force are annually subject to floods, and although the whole of the lands may be sown, part of the crop is liable to be destroyed before it is cut. The area which bears a crop is measured every year and rent assessed thereon. If the crop is partially damaged a lower rent per bigha is charged.

The *hal-hansuli* system obtains in some portions of Kishanganj thana where the area available for sowing crops in, varies every year with the Kosi floods. Here there is not, as a rule, much danger to the crops after they are sown. The uncertainty lies in the fact that land which is fit to bear crops in one year may in the next be cut away by a change in a river channel or covered with sand or water. Under this system the area sown by the raiyat is measured and rent assessed accordingly.

Both the *hal-hansuli* and the *jaedadi* tenures are forms of *utbandi*, and no tenant was recorded as having occupancy rights in any land held on either system unless he had paid rent for it for twelve years.

106. In Kishanganj thana attestation was somewhat delayed by the number of boundary disputes which the attestation officers had to enquire into. Boundary disputes are usually enquired into during *khanapuri*, but the cases which caused this trouble arose not from two parties claiming the same piece of land, but from the fact that the boundaries of certain villages as surveyed in the previous season (1902-03) were found, on comparison in the

Attestation in the Harawat estate.

Peculiar system of rent. *Hal-hansuli* and *jaedadi*.

Banali-Srinagar boundary disputes.

Survey Office during recess, to differ from the boundaries of adjoining villages belonging to the Baneli-Srinagar estate previously surveyed in 1888-89.

This was discovered too late in 1903 for any enquiry to be made before the close of the *khanapuri* season. The matter was investigated in the following season by the attestation officers who found that in many cases the boundary shown on the old maps was no longer the boundary according to possession. The old maps and records are merely evidence of the state of things which existed at the time they were prepared, although the proprietors of the Srinagar estate wished, when it would have helped their case, to have them treated as final and conclusive proof of present title and possession. By the changes which had taken place since the last survey, some land had been lost and some gained by the estate. The gains, however, were mostly absorbed by the estate *amla*, for it was discovered that the rent for the land encroached on were being paid to them, not to the estate. The Manager of the estate appeared to be unaware that he had either lost or gained land since the last survey, a fact which indicates that little use is made of the maps which were then prepared.

107. The area attested in the second season 1904-05 consisted of 281 square miles situated in thanas Kishanganj, Bihpur, Bhagalpur and Colgong. This area, along with the area dealt with in 1903-04, made up the whole up-land area of Bhagalpur lying to the north of the southern high bank of the Ganges. Of the villages lying between the two high banks, most were treated as *diara* villages and excluded from the operations, but a certain number on both sides of the river were selected after enquiry as fit for cadastral survey and attestation.

108. The principal landlords of this area are Mr. Dip Narain Singh, Mr. Grant, Mr. Tilakdhari Lal, Babu Sukhraj Rai and the Barari Thakurs. On the south bank of the Ganges near Colgong there are several petty Bengali zamindars who are said to be hard landlords. In circumstances where the Rajput landlord has recourse to violence, these people are said to sue their tenants in the courts for rents they have already paid, a method which, as a rule, subdues them much more quickly than the other.

109. Much of the area of Kishanganj thana dealt with in this season consisted of lands which had recently come under cultivation and in which the rents first settled had not yet been enhanced.

In several villages in Colgong, it was found that one enhancement had been made in the last six years, but in no case was the enhancement disallowed as illegal. It was generally less than two annas in the rupee. In the villages of Dip Narain Singh situated near Ghogha, where the proprietor formerly had an indigo factory, the rents of all the raiyats had a few years previously been enhanced by amounts varying from eight annas to one rupee per bigha. As the raiyats were at the same time released from the obligation of growing indigo for the factory in a portion of their lands, the enhancements were allowed.

110. Traces of the *birahwari* system, which is still prevalent in the south-eastern portion of Purnea district, are also found in a few villages in Colgong. *Birahwari* is the name given to the system under which the rent paid for land varies every year with the kind of crop grown. The area sown with each crop has to be measured yearly and the rent payable is calculated by applying the recognised rate for each crop to the area sown. It is probable that this system also prevailed to some extent in Bhagalpur, and that the *bhushan* and *patwan* rates found in a few villages in Colgong originated while it was in force. In these villages special rates, higher than those usually paid, are charged on lands whenever certain crops such as potatoes, tobacco and *shakarkand* are grown. These rates are called *patwan* rates (from *patana* to irrigate), the crops referred to being crops which usually require irrigation. The ordinary rates paid for the same lands when other crops are grown are called *bhushan* rates. Each year the area grown with *patwan* crops is measured

and rent assessed accordingly. The question of the legality of this system, about which some doubt exists, was referred to the Director of Land Records. He was of opinion that to charge higher rates for growing certain crops is restriction on the right of the tenant to use his land in any manner he pleases, provided he does not thereby damage the land, or cause it to deteriorate in quality. This right is laid down in section 23 of the Tenancy Act. The *patwan* rates were therefore omitted from the record and the *bhushon* rates alone attested. Mr. Deb, Special Judge for Bhagalpur, has recently given a decision which goes against this opinion, but the question has not yet been raised before the High Court. Whatever decision may be finally arrived at as to the legality of these special rates, there is no doubt that their abolition would benefit both landlord and tenant. The annual measurement which the system involves is a source of expense to the landlord and of harassment to the tenant. The landlord's amla find in it excellent opportunities for bribery and blackmail and are the only persons who benefit by its continuance.

111. Some money-lenders were found holding large areas of fairly low rents. One Jagarnath Sahu of Ismailpur (Colgong) was found holding about 2,000 bighas on a rental of Rs. 2,500. He claimed to be a raiyat, but as he cultivates none of the land himself, he was recorded as a tenure-holder. Tenure-holders of this class prefer to let their lands on produce rent. They obtain a greater income by doing so than by letting them on cash rents, and the raiyats are kept under the impression that they have no occupancy right in the land. Many tenants, who really held on cash rent, were, during the settlement proceedings, induced by their landlords to say they held on produce rent and many who held on produce rent were induced to deny that they cultivated any land. In spite of the vigilance of the attestation officers, there is reason to fear, that the landlords succeeded in some cases in deceiving them, and that some raiyats' names have not been recorded or have been wrongly recorded as holding on produce rents.

112. In some of Mr. Grant's villages, a modification of the ordinary produce rent system is found. Where indigo is grown in produce rent-paying lands, it is sometimes sown along with other crops. The whole of the indigo is then taken by the landlord who pays the raiyat for half of it, (the raiyat's share) at the usual rates. Of the other crops grown with the indigo the raiyat takes two-thirds and the landlord one-third. This is known as the *nil-patti bhaoli* system.

113. Revenue-free estates of many sorts were also found in great numbers in this area. These may be classed under the following heads.

- (1) *Badshahi lakhraj* grants.
- (2) Unresumed sepoy *jagirs*.
- (3) Lands acquired by the East Indian Railway Company when the line was being constructed, and afterwards sold free of revenue to the highest bidder.
- (4) Estates formerly revenue-paying which have been converted into revenue-free estates by the proprietors paying up twenty times the amount of the annual revenue.

Many of the small revenue-free estates shown in the Collectorate registers cannot now be traced. They have apparently been amalgamated with the surrounding revenue-paying estates. On the other hand, there are many revenue-free estates which are not shown on the Collectorate register. It appears that about 20 years ago an attempt was made to ascertain how many of the revenue-free estates still remained in existence. Notices were accordingly issued to the proprietors to apply to the Collector for registration of their names. Those estates from which no application was received were assumed to have ceased to exist as revenue-free estates, and were struck off the register by order of the Board of Revenue. A full account of these proceedings could not be found nor was a complete list obtained of the estates which were struck off. During attestation when any revenue-free estate was found which was reported to have been struck off in this way information was sent to the Collector.

CADASTRAL SURVEY AND KHANAPURI, SOUTH BHAGALPUR.

114. The cadastral survey and khanapuri of South Bhagalpur took place in the seasons 1905-06 and 1906-07. In the first season a survey was made of thanas Banka and Amarapur, and of all the upland villages of Sultan-ganj, Bhagalpur and Colgong except those few which had been dealt with in the North Bhagalpur operations. One hundred and eighty square miles of Katoria thana were also surveyed. Records-of-rights were prepared in the same season for the whole area surveyed except the 183 square miles of Katoria thana. In the second season, 1906-07, the remainder of Katoria was surveyed, and a record-of-rights was written for the whole thana. The cadastral survey in 1905-06 was carried out by two camps, which had their head-quarters at Akbarnagar and Sahebganj, respectively. In the second season the camp head-quarters were situated at Jhajha in Monghyr district, where survey was also going on. The settlement staff employed in 1905-06 to supervise record-writing and to decide disputes consisted of 10 Assistant Settlement Officers and 13 kanungos. In the second year two Assistant Settlement Officers and four kanungos were employed.

115. In 1905-06 munsifs were for the first time employed on settlement work. The object of employing them is that they may have an opportunity of seeing how the record-of-rights is prepared, and of learning the means employed to ensure its accuracy, so that, when it is subsequently produced as evidence, before them, they may be able to understand and use it and may not, as some munsifs have done in the past, absolutely disregard its existence. In 1905-06 two munsifs were deputed to the Bihar settlement, one of whom was employed on khanapuri in South Bhagalpur and the other in Purnea. Besides doing the ordinary work of a khanapuri officer for the greater part of the season, they were sent for a time to an attestation camp and also had a short training in section 103A work. At the end of the season it was recognised that the period of six months for which they had been deputed to the department was too short to give them a thorough training. On the representation of the Director of Land Records the period was subsequently increased to eighteen months. The number of munsifs now annually deputed to the Bihar settlement is four. They are employed for one field season on khanapuri, for another on attestation and section 103A work, and usually spend the intervening recess in disposing of suits under section 106 and applications for fixing fair rents. Most of those who have been trained have displayed a great interest in the work, and have undoubtedly profited by their experience in the department, but I am unable to say what use they made of their knowledge after returning to their ordinary judicial work.

116. In the season 1905-06 an important change was introduced. In all areas dealt with before 1905, the *khewats* showing the names and shares of proprietors and tenure-holders were written by the survey inspectors. When the record-writing of South Bhagalpur was about to begin, the system was altered, and it was arranged that the *khewats* should in future be written by the Assistant Settlement Officers and kanungos of the Settlement Department. This system was employed in seasons 1905-06 and 1906-07.

The reason for the change was, that it was thought that kanungos and Assistant Settlement Officers would do the work more intelligently than the inspectors, and that the landlords would be saved a certain amount of harrassment at the hands of the latter. To a certain extent both these expectations were fulfilled. Complaints from proprietors to the effect that when they came in obedience to a summons to appear and have their shares recorded, they were kept waiting for days, which were not seldom received under the old system, completely ceased, and there is no doubt that any difficult points which arose in the writing of *khewats* were dealt with more efficiently than they would have been if they had been disposed of by inspectors. But there were many disadvantages attached to the new system. The chief of these is, that the number of *khewats* to be written is usually too great for the staff of

Assistant Settlement Officers and kanungos employed. In areas owned by large proprietors where the whole area of many villages is included in a single estate owned by one or two persons, this is not the case. In such areas the writing of proprietary *khewats* is a comparatively simple matter. But in thanas like Bhagalpur and Sultanganj where the greater portion of the land is divided into very small estates, each owned by a number of proprietors, some of whom reside in the villages they own, while others live at a distance, the case is quite different.

A *khewat* has to be written for each revenue survey village. From the Collectorate registers, one can only guess what estates are to be found in each revenue survey village, for the village unit of these registers is altogether different from that of the revenue survey.

The only practical method of writing a *khewat* is to go into the village, enquire from the raiyats and patwaris the names and addresses of the proprietors of each field, ascertain from the latter or their representatives the names and numbers of the estates which the lands appertain to, and the names and shares of the proprietors. Unless all the proprietors hold the land jointly, each collecting his shares from all the raiyats, the work is further complicated, for then enquiry must be made as to the manner in which rent is collected. It will usually be found that the land of each estate can be separated into two or more blocks, each block paying rent to a certain number of the proprietors only, the rent of each raiyat in the block being divided amongst these proprietors in the same proportion. Each of these blocks is called a *patti*, and in one estate as many as twenty or thirty *pattis* are often found. One proprietor may be interested in several *pattis* and in writing the *khewat* his name must be repeated many times over.

Having completed the proprietary *khewat*, the tenure-holder's *khewat* is next written. In this are entered all *mokarari* and other permanent tenures, as well as leases and rent-free grants, unless the grantee is merely a cultivating raiyat. Unless the *khewat* is of the simplest kind it is clearly impossible for any officer to complete it by making one or two visits to the village. The officers employed in writing *khewats* of the small revenue survey villages, which are so numerous in Amarpur, Sultanganj and Bhagalpur thanas, found it in many cases a difficult task even to locate these villages, the names and boundaries of which are often unknown to the people who live a few miles away.

In South Bhagalpur the amins and inspectors were not allowed to write up any *khewats* or to help in the writing of them in any way. The result was that the Assistant Settlement Officers and kanungos were not able to complete the *khewats* before the record-writing began, and in consequence, complaints were received from the cadastral camps that record-writing was being delayed on this account. Since the season 1907-08 when complete control of the survey staff was placed in the hands of the Settlement Department, the *khewats* have been written mainly by the inspectors with the aid of the amins, the kanungos and Assistant Settlement Officers writing as many as they can find time for, and checking the correctness of the others in the same way as they check the remaining portions of the record-of-rights. The control of the inspectors and amins being more effective than in the past, complaints of harassment to proprietors and tenure-holders are unknown, and the *khewats* are usually complete before *khanapuri* begins. The reasons why the inspectors and amins are able under supervision to do the work better and more quickly than the supervising staff are as follows :—

- (1) One Assistant Settlement Officer and one kanungo usually supervise the work of four inspectors and forty-eight amins. Even if they could obtain information as to names and shares as readily as the latter, the work of merely summoning the parties, recording their shares, and getting the *khewats* signed by them would occupy a considerable share of their time, whereas each amin and inspector having very much fewer villages to deal with, can finish the work much more quickly.
- (2) It is practically impossible to obtain the information required for *khewat*-writing except from the amin who has surveyed

the village. By the time survey is completed, an intelligent amin knows every raiyat and every landlord in the village and is in a position to write up the *khewat*. I have seen an Assistant Settlement Officer in Sultanganj thana, trying to ascertain the names of the proprietors of a certain village. One proprietor was present. He owned an eight-annas share in one estate, but was unable to say what other estates were in the village and did not even know the names of his own co-sharers. They lived in Bhagalpur, he thought. The Collectorate registers usually ignored the smaller revenue survey villages and gave no information as to the estates which they contained. All that can be done in such cases is to wait in the village until the proprietors or someone knowing their names arrives. This is impossible for the Assistant Settlement Officer or kanungo, but the amin usually remains in the same village for a month or two. The rough draft of the *khewat* must be written by him without the help of the inspector and the kanungo or Assistant Settlement Officer can only check portions of it by inquiry from those landlords whose representatives he finds in the village during his visit.

- (4) The chief obstacle to having the *khewats* written by Assistant Settlement Officers and kanungos is, that the former have not as a rule sufficient experience to enable them to do the work properly. Experienced Assistant Settlement Officers are required for attestation work, and the proportion of new officers employed each year is so great that it is rare to find in the khanapuri staff more than one or two who have worked on settlement before. Many of the new officers have to begin by learning to read and write Kaithi, which usually takes them a month, and although they are after a short time sufficiently acquainted with the character to be able to check the correctness of records written by others, it would be impossible for them to write a *khewat* fit to become a part of the record-of-rights. And from what has been said before, it is obvious that even if this difficulty did not exist, an officer without previous settlement experience would not find it easy to write up a *khewat* in a *pattidari* village. Most of the kanungos, it is true, have had a few year's settlement experience, but without help they alone could not possibly finish the work in time to allow khanapuri to begin immediately after survey.

In the course of writing up the proprietary *khewats* a number of cases were found in which the lands of two or more estates held by the same proprietors had been amalgamated.

Whenever maps of the estates could be obtained an attempt was made to prepare a separate record for each, but this was not always possible. If the proposal made in para. 76 of the North Monghyr settlement report, viz., to amalgamate the revenue of such estates, can be given effect to, it would not only simplify the Settlement Officer's work but would reduce the number of land revenue accounts. The proprietors of these estates were directed to apply to the Collector to have the accounts amalgamated, but in no case did they do so.

117. In the 1,632 square miles dealt with in the South Bhagalpur operations there were 1,268,110 fields included in 178,017 holdings. The average area of a plot was therefore .82 of an acre, but the average size varied very much in the different thanas, the plots in the extreme south being much bigger than Sultanganj, Bhagalpur and Colgong.

The Assistant Settlement Officers and kanungos tested the entries of 25,101 plots and the survey staff checked 364,811, making a total of 389,912, or 31 per cent. of the whole number of plots. The proportion tested in thana Colgong was much smaller than this, the reason being that record-writing in that thana was pushed through very quickly by the Survey.

Average size of plots,—checking
of record-writing.

Department. The whole available staff of the cadastral camp, which had its head-quarters at Sahebganj, was first put with this area and were transferred as soon as khanapuri was over to thana Kadwa in Purnea, the record-writing of which was done in the same season. The speed at which the work was carried through made it impossible for the settlement staff to inspect the work thoroughly while it was actually going on, and many of the records were tested and the disputes decided after the amins and inspectors had left their villages.

118. The number of internal disputes dealt with in both seasons combined was 50,612. These were practically all dealt with in the khanapuri season, a very small balance being left until attestation.

119. A fair proportion of the disputes related to trees. The right of the raiyats to the wood and fruit of trees is freely admitted over the greater part of North Bhagalpur. The Maharaja of Darbhanga is practically the landlord, north of the Ganges, who claims a share in the wood of trees standing on a raiyats holdings. In the south of the district disputes about the right both to fruit and wood of trees were very common.

In old zamindari, such as the Banaili and Lachmipur estate the raiyats have always in theory been compelled to ask the permission of the landlord before cutting down trees on their holdings. This right is valued by the landlords, not for the income it produces but as a token of the power which he exercises throughout his 'raj.' Permission, as a rule, is granted, as soon as asked for. It is customary for the raiyat to pay a small sum for this permission and the idea appears to have grown up that this sum represented the price or a portion of the price of a tree. I do not believe that this was originally the theory; it was most probably invented in recent times, when trees became more valuable. Moreover, in the Banaili estate, the raiyats, particularly the Brahmins and Rajputs, have been in habit of cutting down trees without asking the landlord's permission. At the same time that the estate has been so lax in enforcing its claims, it has always strongly insisted on them on paper; when a village is leased to a *thikadar* a stipulation is always inserted in the *kabuliat*, forbidding the cutting down of trees under a penalty of Rs. 20 for each offence. When land is settled with a new raiyat, all rights both to the fruit and the wood of trees are reserved to the landlord. But it is found impossible in practice for the landlord, to enforce either of these conditions. The lease-holders have never been called on to pay the penalty referred to, although trees must have been occasionally cut down. Raiyats, as a rule, enjoy the fruit of trees on their *nagdi* holdings even where they have declared in their agreements that they have no right to it. Still the great majority of the raiyats in this estate admitted that they could not cut down trees without the landlord's permission and his right to exact payment of a part of the value of the tree before granting permission was also generally recognised. Even those raiyats who disputed the landlord's claim in respect of trees standing in fields held on cash rent, admitted that he had a right to a half share of the fruit and wood of trees on lands held on produce rent. Finally the Settlement Officer, Mr. Cumming, proposed to the Manager that he should agree to the following terms:—

"The raiyats to enjoy the whole of the fruit of trees in *nagdi* lands and half the fruit of trees in *bhaoli* lands. No tree to be cut without the landlord's permission." The Manager agreed to the terms except in cases where recent settlement of lands involving special conditions had been made. The khanapuri rules do not provide for the entry in the record of the right to cut down trees, but merely authorize the Revenue Officer to record which of the two parties, the landlord or tenant, is entitled to appropriate the wood when cut. An entry was therefore made in the village note to the effect that no tree could be cut down without the landlord's permission, and no entry about the right to the wood of trees was made in the record itself.

The dispute in the Banaili estate is typical of those in most other estates throughout the south of the district. The claim that the landlord's permission was necessary before a tree could be cut was generally recognised in theory,

but seldom acted on in practice, and it was this difference between theory and practice that made the disputes so difficult to decide. The petty proprietors in many cases made no claim to the wood of trees on *nagdi* lands but the landlords of the bigger estates invariably claimed either a half share or the whole. Those landlords whose estates have been built up in recent years by the purchase of proprietary rights, from older landlords who had fallen into debt and had been compelled to part with portions of their property, also made the same claim. The claim was made without reference to the rights exercised by the different proprietors from whom they purchased, the idea being of course that the custom as to trees should be made uniform throughout the estate of each landlord. Instances of the exercise of the right to appropriate the wood of trees were rarely proved by either landlord or tenant. Trees are not often cut down, and trees which die or fall without being cut are usually appropriated by the raiyats without the landlord's knowledge. In the majority of the disputed cases the landlord was found entitled to a half share in the wood. As I have said with regard to the tree question in North Bhagalpur, I consider it equitable that the landlord should have a right to forbid trees being cut down. It is impossible that the right will be exercised strictly, for even where the right is acknowledged on a registered *kabuliat* the landlord rarely exercises it, and the knowledge that it exists, though it will not prevent raiyats from cutting down trees occasionally, as they have done in the past, will prevent a raiyat who has fallen into debt and is about to be sold up, from cutting down all the trees on his holding. I have no sympathy, however, with the attempts of some landlords to get a greater income from the land by trying to settle the fruit trees and the land separately. To superintend the collection of the revenue from such trees, and to keep an efficient check on their number, is, as experience shows, beyond the power of most zamindari managers, and cannot be effected without a greater expenditure than the result would justify.

120. One class of disputes which were more frequent in South than in North Bhagalpur were those disputes as to whether a certain plot was *nagdi* or *bhaoli*, i.e., held on cash

Nagdi-bhaoli disputes.

rent or on produce rent. Most raiyats hold *nagdi* as well as *bhaoli* lands. A raiyat holding five bighas on cash and five on produce rent would benefit considerably if he could get seven bighas recorded as *nagdi* (on the same rental as he formerly paid for the five) and only three as *bhaoli*. The absence of proper rent receipts showing the area and rental of each class of land was the chief obstacle to a speedy decision of these disputes. Had such receipts been regularly given, the raiyats would never have dared to make any false claim. These disputes rarely arose in the properly managed estates where proper accounts are kept and proper receipts given. In the majority of cases the raiyats were found to have made unfounded claims, but instances where landlords tried to have *nagdi* lands recorded as *bhaoli* were also met with. General disputes as to whether the whole of a village was *nagdi* or *bhaoli* have since been met with in Monghyr and Patna, but were practically unknown in South Bhagalpur. Disputes as to whether the *batai* or *danabandi* system of produce rent prevailed, were also uncommon.

The *danabandi* or appraisalment system is found in the estates owned by the bigger landlords who are unable to exercise the close personal supervision over the harvesting operations which is necessary when the crops are divided on the *batai* system. The latter system is usually employed by petty resident proprietors.

121. In the Panjwara, Kharhara and Barkop estates it was found that

Mortgagees and under-raiyats treated as raiyats in certain estates.

many persons who had taken mortgages of land had been recognised as purchasers in the landlord's papers on paying the usual fees. The raiyat who had mortgaged the lands strongly objected, and claimed that their own names should be recorded as raiyats and the names of the mortgagees were made by unregistered documents and in some the transaction was verbal. The mortgagee usually claimed that the transaction was a sale and alleged that the sale deed was lost. Many raiyats who had actually sold their lands took advantage of the opportunity and said that they had merely mortgaged them. To decide these disputes was not easy as the sale

or mortgage had in most instances taken place many years ago. As a rule the person in possession was held to be a purchaser unless some proof was produced that the land had been mortgaged, not sold. Even if some mortgagees were in consequence recorded as purchasers no serious injustice was done, for the mortgagers in most cases had very little intention of redeeming their holdings which were mortgaged for their full value.

The same landlords were also found willing, for a consideration, to enter the name of an under raiyat in their *jamabandi* in place of the raiyat. This custom also gave rise to many disputes during *khanapuri*. If it was found that the under-raiyat on being recognised by the landlords as raiyat, had ceased to pay rent to the raiyat, and begun to pay to the landlord direct, he was recorded as raiyat, the dispossessed raiyat being referred to the Civil Court.

122. Most of the landlords disputed all claim to hold lands rent-free.

Disputed claims to hold lands without payment of rent.

The lead in this matter was given by the Baneli estate, which not only disputed all claims to *barhmotiar* and *bhatottar* and other rent-free lands, but disputed the right of the proprietors of the permanently settled estates formed out of the small resumed *jagirs* lying within the area of the Baneli estate. These disputes were most common in Sultanganj. The Manager of the estate admitted that he had no knowledge of the amount of land held without payment of rent, and that he was disputing all rent free claims, in order to make the claimants produce their title deeds. These disputes were dealt with in the same way as similar disputes in North Bhagalpur. Persons found occupying land openly and paying no rent for it, were presumed to have a valid title to hold it without payment of rent. The proprietors of the resumed *jagirs* were presumed to have a valid title to all lands found in their possession. The only doubtful cases where title had to be investigated, were those in which a tenant of the estate claimed to have a rent-free tenancy in addition to that for which he paid rent. In such cases documentary evidence was required, to ascertain how much of the land in his possession belonged to each tenancy.

Some landlords disputed rent-free claims merely in order to get money from the tenant on the condition that the dispute would be withdrawn.

123. Attempts to have lands which were in the cultivation of raiyats, recorded as being in the possession of landlords

Suppression of raiyats.

were not so common as in North Bhagalpur. Such attempts as were made, occurred mostly in the estates of the Sambalpur and Panjwara landlords. The latter possessed a considerable amount of *kamat* lands scattered over many villages. This land was rarely, if ever, cultivated by the proprietors themselves, but was usually let out to raiyats some of whom had been in possession for many years. As soon as traverse survey began, a number of these raiyats were ordered to give up their lands, and the others were ordered to deny, if asked, that they cultivated any land. Some of the raiyats obeyed these orders, others did not. In village Aita the raiyats complained of the proprietor's action in dispossessing them of their lands. As they were settled raiyats and undoubtedly had an occupancy right in their holdings which were not proprietors' private lands, as defined in the Bengal Tenancy Act, the lands were recorded as the occupancy holdings of the raiyats, a note of the fact that the landlord had taken possession of them in the year of traverse survey being made. This entry might help the raiyats if they attempted to recover their holdings by instituting suit in the Civil Court for the purpose, but so far as is known, not a single suit of this nature has been instituted.

When the landlord was ousting the tenants who cultivated his *kamat* lands, he took advantage of the opportunity to increase the area of these lands, and took possession at the same time of a considerable area which had never previously been known as *kamat*. In some cases a promise was made, but was not fulfilled, that the raiyats would be given other lands in exchange for those taken from them. Even in respect of these lands the tenants have not made any attempt to institute civil suits. The reason is that they believe the merits of the case have little to do with success in such suits, and that party who has most money and is best able to afford the cost of repeated adjournment is certain to win in the end.

The settlement staff succeeded in most cases in finding out the names of raiyats in cultivating possession of lands claimed as *kamat*, but in some villages, such as Chandidip, this information could not be obtained during *khanapuri*. Every one in the village refused to say what *kamat* lands he cultivated, and the enquiry had to be postponed until attestation, when the names of most of the cultivators were ascertained and recorded.

124. When *khanapuri* began in November 1905, great excitement arose among the Sonthal raiyats, chiefly amongst those of tappa Madhuban in thana Colgong. Settlement operations had been going on for some time in the Sonthal Parganas district which adjoins this area, and as sales of land by Sonthals to Hindus or Muhammadans are not allowed in that district, a great number of Sonthals who had lost their lands were put back into possession by the Settlement Officer. Tappa Madhuban also contains many Sonthals, in fact it was brought under cultivation chiefly by their efforts, but in the last twenty years large numbers have been dispossessed by Babhans and Rajputs from the western Bihar districts. These *pachhimwas*, as they are called, came to Bhagalpur as peons of Colgong indigo concern, to which the estate tappa Madhuban has been leased for many years. As peons, they were paid only two or three rupees per month, but they were soon able to begin lending money to the Sonthals. Once this began the Sonthals were doomed. A man borrowed twenty rupees, paid back thirty in the course of a couple of years in small sums of one or two rupees at a time, and was then informed that he still owed twenty-five. Being unable to check the simplest calculation, the aborigines were absolutely at the mercy of the money-lenders. In a few years they had executed deeds of sale transferring their holdings to the latter in order to extinguish the debt. These sale deeds were registered in hundreds at Colgong, and there is little doubt that many of them were obtained by fraud, the Sonthals being led to believe that the documents which they were executing were merely acknowledgments of the amount of their debt. When the settlement operations in thana Colgong began it was rumoured that all who had lost land would get it back just as their friends in the Sonthal Parganas had. They therefore came in crowds, and demanded that the amins should at once make out *parchas* in their names for these lands. In place of offering the amins money for doing so, as the ordinary Hindu raiyat would have done, they threatened to break their heads if they refused. It took some time to convince them that they were mistaken, and that outside the Sonthal Parganas they enjoyed no special protection from money-lenders. They at first absolutely refused to believe this, and it was not until the chief men or *parganais* living in the Rajmahal subdivision which touches on Colgong were sent by Mr. Patterson, the Subdivisional Officer, to explain matters, that they were convinced. They have now become resigned to the loss of their land. The fate of this people is the same everywhere. They bring under cultivation jungles and waste land, and as soon as the lands have become valuable landlords and money-lenders combined dispossess them of their holdings and make them move on to some other jungly tract. In tappa Madhuban, the landlord would now, I imagine, be very glad to have them back again, for the Rajput and Babhan raiyats who have got their lands are on very bad terms with the factory and are a constant source of trouble.

125. In season 1906-07, when the record-writing of thana Katauria was begun, special arrangements had to be made for survey and record-writing in the extraordinarily big villages found in this thana.

Record writing in Katauria.
Treatment of big villages.

The following list shows the names and areas of the six largest of these:—

Village.		Area in acres.	Area in square miles.	No. of <i>tolas</i> .
Kadhar	...	54,533	85	226
Jamdaha	...	23,034	36	59
Bhorsar	...	26,916	42	62
Matathan Phulidumar	...	17,851	28	51
Kasba wosila	...	14,076	22	31
Katsakra	...	14,961	23	65

The first three of these villages appertain to the Lachhmipur estate. The others belong to mahalat Kharagpur.

At the time of the revenue survey this portion of the country, which is hilly, was covered with jungles. At intervals whenever an attempt had been made by Sonthals or others to reclaim the jungle, a collection of huts called a *tola*, surrounded by a small patch of cultivated land, was to be found. The original settlers in each *tola* reclaimed as much of the land in the neighbourhood of their dwellings as they were able. As land was plentiful disputes rarely arose between the inhabitants of two *tolas* as to which had the right to reclaim any particular area.

No fixed *tola* boundaries were recognised and the revenue surveyors made no attempt to map any such boundaries. Each landlord, for his own convenience, had divided the area owned by him into *taluks*, and these *taluks*, each consisting of a number of *tolas*, were adopted as the village unit by the revenue surveyors.

In November 1906 when the cadastral survey of this thana was begun, the Settlement Officer did not possess the power subsequently conferred on him in 1908 by the amendment of section 3(10) of the Bengal Tenancy Act of altering the village unit adopted in the revenue survey if found unsuitable. The revenue survey village was the unit adopted in the recent operations. In the North Bihar districts, big villages up to five or six square miles in area, were dealt with under the *charaut* system. Under that system several *amins* were put on at the same time to write up draft records for one village, each *amin* being given one or more sheets of the village map. The plots were counted beforehand, and each *amin* numbered the first plot in his sheets in continuation of the last plot number on the sheets on which the neighbouring *amin* was working. This system was obviously inapplicable to villages of over twenty square miles in area. For purposes of record-writing in Katoria therefore the big villages were subdivided, and one *amin* was put to write the records of several *tolas*. Each *amin* numbered his fields separately, the serial beginning from number one in each case. Each revenue survey village therefore contains as many plots bearing the number one as there were *amins* employed on the *khanapuri* of the village. The only way of distinguishing these different plots bearing the same number, is by the name of the *tola* in which each lies. The suggestion to divide these villages for the purpose of record-writing by *tolas* came from Mr. Coupland, who was then Collector of Bhagalpur. The traverse party, however, did not make any attempt to traverse along *tola* boundaries, and made only one plot, consisting of a great number of sheets, for each village. It was therefore impossible to make a separate map for the area given to each *amin*. One map has been prepared for the whole village on which the names and boundaries of each *tola* are shown. An index map of each village on the scale of two inches to the mile has also been made over to the Collector with the record. This shows the names and positions of each *tola*. The *tolas* have been given a series of numbers and the serial number of each *tola* is added after the name of the *tola* whenever it occurs in the map or record. In the record itself the *khatians* of each *tola* have been collected together. Each *khatian* bears the name and number of the *tola* in which the land described in it lies. It should be noted that as no *raiya*'s holding falls in more than one *tola*, a source of trouble which was met with when dealing with similar villages in Champaran, does not exist here. An index to the map and record has also been prepared and bound with the latter. This shows on what pages of the *khatian* volume, the *khatians* of any particular *tola* are to be found, and it also indicates the serial number of the sheet or sheets of the map on which the lands of each *tola* have been mapped. As the *raiya*s always describe their lands by reference to the *tola*, these indices are necessary, and are also sufficient to enable one to find the *khatian* which describes the incidents of the tenancy of any *raiya*.

126. Boundary disputes in South Bhagalpur numbered 821. The details

Boundary disputes.

for each thana and the result of the appeals instituted have been given in paragraph 69.

In the cases unconnected with jungle and hill lands, the area in dispute was usually very small. The majority were disputes about the proprietary right in small water-channels or embankments lying on the common boundary of

the two villages. It was generally found that these were used by both villages to irrigate their lands, and that the dispute arose simply from the mutual suspicions of the proprietors, each of whom was afraid that the other was aiming at obtaining complete and exclusive control of the means of irrigation. The smaller channels and embankments are not as a rule shown in the revenue survey maps and frequently the only documentary evidence available were *batwara* maps and *khasras*. The value of these in evidence is small, for the landlords of the village which is being partitioned are as a rule the only persons who know how the maps have been prepared, and these maps can hardly be said to be binding on the proprietors of adjoining villages. In many cases the disputed channels and embankments had to be recorded as the joint property of both villages, but in some cases clear proof was adduced that although they were used for irrigation purposes, and repaired by both parties, the proprietary right belonged exclusively to one.

In jungle areas the proprietors were often quite ignorant of the position of their village boundaries and their claims in such cases were usually extravagant. Possession of jungle can rarely be satisfactorily proved, and in the majority of cases the revenue survey maps had to be made the basis of the decision. In disputes between villages belonging to different parganas, it was sometimes found that the boundaries shown in the revenue survey maps of the two villages overlapped. This was due to the two parganas having been surveyed in different seasons, in consequence of which the boundaries were not compared. If no other evidence was available, the area in dispute was usually divided between the parties. In villages which at the time of the revenue survey were covered with jungle which has since been cleared, the present boundaries differ considerably from those shown in the revenue survey maps. In fact the boundaries shown on the maps of such villages were probably never anything more than paper boundaries, and it is doubtful if they were ever surveyed on the ground.

It has become the custom in recent years for proprietors whose estates are undergoing survey and settlement to appoint surveyors to look after their interests. With a view to obtaining men who have some knowledge of settlement operations some of them employ men who have been dismissed from the Settlement or Survey Department for misconduct. There are a fair number of such persons always seeking for employment, whose characters will hardly bear investigation. These men do an incalculable amount of mischief, and considerably increase the difficulties of the settlement staff. They point out to their employers that the revenue survey maps show them to be entitled to more land than they are in possession of, and advise them to put in a claim to the area which they appear to have lost. The result is a false boundary dispute supported by fabricated evidence. The other side nearly always retort by claiming some lands which are in possession of the first party, and the Assistant Settlement Officer has to spend a day in trying to discover the truth of the matter. Besides instigating the institution of false boundary disputes they teach those landlords who care to avail themselves of the knowledge, the best means of thwarting the efforts of the settlement staff to secure a correct record of the rights of their tenants. They institute all sorts of frivolous claims against those raiyats who refuse to bribe them and make considerable sums of money by doing so. Not infrequently they quarrel with their employers and take the side of the raiyats, teaching the latter, in turn to make unfounded claims. As there is no penalty for making or instigating frivolous claims, there is practically no check on these people, and very little can be done to put a stop to their employment.

ATTESTATION, SOUTH BHAGALPUR.

127. Attestation was completed in two seasons 1906-07 and 1907-08. The following statement shows the number of villages and the area dealt with each season:—

Yearly progress Staff.

Season.	Villages.	Area in square miles.	Plots.	Holdings.
1906-07	2,367	1,108	933,054	149,767
1907-08	202	524	335,056	28,250

In the first season, eleven attestation officers were employed and in the second, five. The work in both seasons began about the 20th October and was finished by the middle of April. Mr. J. A. Hubback was in subordinate charge of the work in the first season, and Maulvi Mohiuddin Ahmad in the second.

128. The chief difficulty experienced by the attestation officers was to decide which of the enhancements of rent proved to have been made by the landlords were illegal. Legality of enhancements. Landlord's improvements. Enhancements were almost as common as in North Bhagalpur. The question was complicated by the fact that the Bengal Tenancy Act allows enhancement of rent by more than two annas in the rupee, provided the contract to enhance is registered, and is entered into in consideration of an improvement effected in respect of the holding by the landlord, to the benefit of which the raiyat is not otherwise entitled. The numerous irrigation channels which are so necessary in this part of the district, are maintained at the expense of the landlords, whose interest in keeping them in proper repair, is stimulated by the prevalence of the produce rent system. But there are no villages the whole area of which is held on produce rent. Some of the lands which benefit by these canals are everywhere found to be held on payment of cash rent, and it was with regard to the enhancement of the rents of such lands that difficulties arose.

Whenever during the course of the settlement proceedings an enhancement was discovered amounting to more than two annas in the rupee, or following a previous enhancement at an interval of less than fifteen years, the landlord usually tried to justify it by declaring that it was made in consequence of an improvement in the means of irrigation constructed at his cost. Some landlords were able to bring no proof of ever having spent any money on such improvements, but most of them, when called on, showed what they call their *gilandazi* papers, which give an account of the sums spent each year on constructing and repairing embankments and water channels. To maintain an irrigation system in a state of efficiency, a certain moderate annual expenditure is necessary, and in addition to this it is usually found that more extensive and costly repairs are required once in eight or ten years. It must be presumed that at the time when the tenants' rents were fixed, there was an understanding between the parties that the landlord would continue to keep the existing channels in proper repair. It is clear therefore, that the expenditure on what might be called the ordinary annual and decennial repairs is not sufficient to justify an otherwise illegal enhancement. But the *gilandazi* papers which the landlords themselves produced, showed that the expenditure which they relied on to legalize their enhancements was mostly of this sort. To regard such expenditure as justifying unlimited enhancements would be equivalent to declaring section 29 of the Tenancy Act to have no force throughout areas like South Bihar, where the maintenance of the irrigation system is in the hands of the landlords.

Even where money had actually been expended on the construction of new and original irrigation works, the landlords had, in making enhancements of rent, paid no attention to the provisions of section 29. In very few cases had registered agreements to enhance been taken from the raiyats, and where such agreements had been taken, the fact of the improvement was never, so far as I can ascertain, mentioned as the ground for the enhancement. Moreover, although an improvement may justify one enhancement even though it exceed two annas in the rupee, two enhancements of rent occurring within fifteen years, whatever be their amount, cannot be justified on this ground. Yet in many estates it is customary to take *kabuliyats* and increase rents every six or seven years. The real explanation of these facts is, that there is actually no more connection between enhancements and improvements in South Bhagalpur than in North Bhagalpur, where practically no expenditure is incurred on irrigation works. Throughout the district, those landlords who are powerful enough to be able to enforce their wishes on their tenants, take enhancements when they want them without regard to whether they are legally justifiable or not. All the attempts made during the settlement operations to establish a connection between their expenditure on canals, and increase of their rentals, were made as a result of taking legal advice as to the best method of avoiding the consequences of having disregarded the law.

That they never contemplated taking action in the courts to obtain increases of rent from such tenants as would not give them willingly, is shown by the general failure to register such improvements. Some landlords who had made illegal enhancements did indeed apply to the Collector shortly before settlement began, for registration of improvements said to have been made some years previously. This probably was also done under legal advice, but the value of the advice is rather doubtful, for, if an enhancement made by mutual agreement as a result of genuine improvement complies with the other conditions of section 29, it is not illegal merely by reason of the improvement not having been registered. Non-registration is a bar to enhancement by suit only, and not to an enhancement by mutual consent. In the case in question, the application was designed rather to provide evidence of an improvement having been made, than to cover non-compliance with the conditions regulating the making of enhancements given in consideration of an improvement, for on inquiry by the Collector it was found to be very doubtful whether the so called improvement did not really consist merely of repairs and restorations of previously existing channels.

It frequently happens that when an old zamindari family becomes involved in debt its irrigation works are neglected and become useless in consequence. The estate in time passes into the hand of a purchaser, usually a man possessed of capital, who is able to restore the water-channels to their former efficiency. Assuming that at the time when the raiyats' rents were fixed, the means of irrigating the lands were in good condition, the repairs effected by the purchaser, although an improvement, cannot be said to be one the benefit of which the raiyats are not entitled to. In executing them, he is merely performing a duty which devolves on him as the successor of the previous owners. Yet enhancements were often met with which the landlords themselves could only attempt to justify on the grounds that they were made under these circumstances. It can easily be seen therefore that, had the provisions of the Tenancy Act been rigorously applied, few of the enhancements of rent of over two annas in the rupee met with, would have been found to be legal. Luckily those zamindars who maintain the most efficient systems of irrigation are not those most given to arbitrary enhancements of rent and there were not many cases where an enhancement which might be considered equitable had to be disallowed as technically illegal.

129. The first case which came up for consideration was that of Mr. Dip Narayan Singh. This landlord has spent considerable sums of money on improving the water-channels in his property which has been acquired by purchase from different proprietors during the last fifty years. In this estate the seven-year *kabuliyat* system is employed and it was found during attestation that two, and in some instances, three enhancements of rent had been made since the passing of the Tenancy Act. No information was obtained as to what happened before that date. The total average amount of the enhancements made was found to be about two annas in the rupee or less. Had section 29 been strictly followed all the enhancements except the first would have been disallowed. In consideration, however, of the fact that the rents were not high, and that the lands are kept well supplied with the means of irrigation, the rents actually paid by the raiyats were attested except when the total enhancement exceeded two annas in the rupee. Although the restoration of the old irrigation works which his predecessors had allowed to fall out of repair did not legally justify the enhancements made by this landlord, still there is no doubt that since the repairs were carried out the tenants find less difficulty in paying the enhanced rates than they previously experienced in paying the lower rates of rent.

In some villages in Colgong thana owned by the same proprietor enhancements had been made, which the landlord defended on the ground that the raiyats had been released from the obligation of growing indigo for a factory which he owned. It was found that indigo cultivation in these villages had been given up about the time when the enhancement was made. No clear proof was brought to show that the tenants had been under any legal obligation to grow indigo for this factory but the malik was given the benefit of the doubt, and the enhancement was allowed except in some

villages where it was shown that two enhancements had been made in fifteen years. Releasing the raiyats from an obligation to grow indigo, although it may justify an increase of rent of more than two annas in the rupee, does not justify an enhancement which follows a previous enhancement at an interval of less than fifteen years.

Enhancements in Mr. Tilakdhari Lal's property. 130. In some of the villages owned by Mr. Tilakdhari Lal enhancements of doubtful legality were met with.

In justice to the proprietor it must be said that he maintains a most efficient system of irrigation in his estate. This, however, was supposed by him to be sufficient to legalize all his enhancements, but the ingenious device which he had recourse to in order to prevent the question of their legality being investigated by the attestation officers, shows that he must have had some doubt on the subject. While Khanapuri was going on, and before any attempt had been made to record rents, suits were instituted against many raiyats in the Civil Courts under section 158, Bengal Tenancy Act, to obtain a declaration as to the amount of rent payable by each. Decrees were obtained declaring the rents payable to be those shown by the proprietor in his *jamabandi*. When attestation began, those decrees were produced, and it was argued that they were final and conclusive on the question of the rent legally payable. This contention at first sight seems reasonable enough, and has the Munsiff who gave the decree, given his decision after inquiring into the history of the rent of each raiyat, no objection could possibly have been taken to it. What actually had happened in the Munsiff's Court was as follows. The landlord in bringing his suit had claimed an amount of rent greater than that which he was actually receiving. The suit was adjourned without hearing, six times. On the seventh, the landlord and raiyat filed a joint petition agreeing on the amount of rent payable. To add an air of reality to the proceedings, the landlord in filing this petition reduced his demand to the amount which the tenant had all along been paying. From beginning to end no evidence was recorded, no documents were examined, and the joint statement of the landlord and tenant was made the basis of a decree the effect of which was to declare that the contracts for enhancement of rent which they had entered into did not contravene the provision of section 29 of the Tenancy Act. The raiyats never had the least comprehension of what the proceedings were about and did just as they were told by the landlord. The device of claiming more rent than they were paying, led most of them to believe that the landlord was bringing enhancement suits, and they were no doubt immensely relieved when told that their old rent was to be left untouched. Even if any of them had understood the proceedings, and made up his mind to contest the legality of the enhancements, his ardour for fighting must have been considerably lessened by six fruitless attendances at Court.

Needless to say, the attestation officers did enquire into the history of these raiyats' rents, ignoring these decrees absolutely. Since then the Tenancy Act has been amended so as to prevent similar suits being instituted while settlement proceedings are in progress.

In village Gadka Chak in Colgong, purchased by Mr. Tilakdhari Lal in 1310 Fasli corresponding to 1903 A. D., the tenants refused to agree to any increase of the rents they had been paying to the previous owners. The landlord refused to accept these rents, and when Khanapuri began claimed that the whole area should be recorded as held, on produce rent. Finally during attestation the tenants agreed to give an enhancement of rent of two and a half annas in the rupee in settlement of all disputes. This is a typical instance of the state of things referred to in the Darbhanga Final Report, where an attempt to enhance leads to a dispute, and to settle the dispute the tenants agree to the enhancement. As there was no doubt as to what the previous rents were, and as it was not suggested that any improvement had been made which would justify the enhancement, the compromise was not accepted and the old rents were attested.

In Khiritanr and Faridpur, owned by the same proprietor, enhancements of more than two annas in the rupee were made in 1311 and were also disallowed. These villages were leased to a *thikadar* or *mustajir*. On the expiry

of the period for which the lease was granted a new *jamabandi* showing enhanced rentals was framed, and the lease was renewed at an enhanced rent.

In Chotki and Badki Naki a long struggle went on before the tenants agreed to enhance rents. Finally they did so. In 1310, before settlement began, portions of the tenants' holdings were converted into produce rent-paying tenancies, and registered contracts agreeing to the change were taken from them. The result of this was to confuse matters to such an extent that, although it was obvious that the rates of cash rent exceeded those previously paid, it was difficult to say that the rental of any particular raiyat had been illegally enhanced. The present rents were therefore attested in most cases. Throughout the whole of South Bhagalpur it was found that conversion of nagdi or cash rents to bhaoli or produce rents was a common occurrence. Conversion from bhaoli to nagdi though frequent was not so common. Cases were also met with in which rents had been changed from nagdi to bhaoli and subsequently after a year reconverted wholly or partially into nagdi. In the majority of such cases the second rate of cash rent exceeded the first. It is doubtful whether this constitutes an enhancement of rent the legality of which is regulated by the provisions of Section 29. In the cases actually met with, the matter is usually complicated by the fact that the land which the tenant holds on cash rent after the second conversion is rarely identical with that which he originally held on cash rent. For instance, a raiyat holds six bighas of land on a rental of twenty-four rupees and six bighas on a produce rent. After a series of changes he is found to hold five bighas on produce rent. Even if it were proved beyond doubt that the five bighas which he now pays cash rent for, are portion of the six bighas formerly so held, his rental has not been enhanced by two annas in the rupee although his rate of rent has been enhanced from four rupees per bigha to five. Many transactions of this nature which came to notice during attestation and which were totally opposed to the spirit of the enhancement sections of the Tenancy Act could not be declared illegal.

131. Considerable difficulty was experienced in ascertaining the legally payable rents in the villages of Babu Ramani Mohan Singh. The difficulty chiefly arose from the fact that although it was known that enhancements had been made, it was not easy to obtain old *jamabandis* from the landlord, or old receipts from the raiyat which would show the amount of the enhancements. This landlord also had recourse to the Civil Courts shortly before settlement began in order to procure decrees legalizing his existing rents. In village Kharihara, thana Banka, an eight annas share was acquired by one Babu Murali Dhar in 1298. He promptly increased rents all round. In 1308, the other eight annas share was acquired by Babu Ramani Mohan Singh and rents were again raised. The second enhancement taking place within fifteen years of the first, was of course illegal, although the tenants executed registered *kabuliyats* accepting the new rents. Before settlement began the tenants were sued in the Civil Court for arrears of rent, and *ex-parte* decrees were obtained against most of them. Some raiyats admitted the landlord's claim. The question of the legality of the enhancement however was never raised. The raiyats filed applications for review of the Munsiff's decision, whereupon the landlord, while attestation was going on, had their standing crops attached. The raiyat then withdrew their applications for review and admitted the landlord's claims. As the question of the legality of the enhancements had not been gone into by the Munsiff, it was decided that those decrees should not be regarded as a bar to a further enquiry by the attestation officer. This enquiry was made, and it became clear beyond doubt that the second enhancement was illegal. The legal rents were accordingly attested, but it is highly improbable that the landlord will abide by this decision.

132. Mahashay Tarak Nath Ghosh has the reputation of being one of the best landlords in the district. He spends a considerable amount of money in the up-keep of his irrigation channels which are maintained in good condition and his relations with his raiyats are generally satisfactory. Yet even in this estate, rents had been enhanced without any regard to the provisions of the Tenancy Act. The usual

method employed was to raise all the rates by a certain amount, four or six annas per bigha. The total enhancement did not, as a rule, exceed two annas in the rupee, but in the case of individual raiyats, particularly those who held inferior lands, the limit was often passed. In such cases the enhancement was disallowed. After final publication the landlord applied for settlement of fair rents for most of his tenants and was generally able to obtain an enhancement on the ground of rise in prices which had the effect of restoring the rent previously paid.

133. The property known as the Lachhmipur estate consisting of parganas Chandwe, Danra-Sakhwara, and Sathiari was formerly a ghatwali, subordinate to Mahalat Kharagpur. Its history has been given in Part I of this report. The present owner is Thakur Pratap Narayan Dco. During attestation it was found that an enhancement of rent had been made in 1302. The enhancement was preceded by a general measurement of all the villages of the estate. Before this, the *mustajiri* system was in force, but in 1302 the *mustajirs* in pargana Chandwe were generally abolished and the villages brought under direct management. At the same time the lands were classified and excess areas assessed to rent. The result was an increase in the rental of the estate. Exact information as to the amount of the increase is not available as the zamindari cutchery at Bausi containing all the estate papers was burnt down some years ago. After the enhancement took place the estate was for a time under the management of the Court of Wards, and the rents fixed in 1303 were realised by the Collector. They have also been paid ever since the estate was released from the Court of Wards. In parganas Chandan and Sathiari, all the *mustajirs* were abolished in 1302 and rents have not been altered since then. In Danra-Sakhwara many of the old *mustajirs* were retained, and in the villages which are still leased to them a second enhancement was subsequently made when their leases were renewed in 1310 and 1311.

This second enhancement was undoubtedly illegal and was disallowed wherever it was found. No sufficient evidence could be obtained of the rents in force before 1302 to warrant the first enhancement also being treated as illegal. During the time the estate was managed by the Court of Wards, and subsequently, the proprietor spent considerable sums on constructing and repairing irrigation channels. The rates at present in force in Chandwe and Sathiari are, so far as one can judge, not unfair, and seeing that they were introduced so late as 1302, the manager was well advised in not applying under section 105 for their enhancement after final publication. In pargana Danra-Sakhwara, it is to be hoped that the proprietor will abide by the rent recorded during attestation and will abandon the illegal and oppressive custom of enhancing rents at every successive settlement with the *mustajirs*.

134. In the estate owned by the Banali Kumars, which is known as Mahalat Kharagpur, and is the largest in the district, practically no enhancements have been made for very many years. In a few villages only was it found that rents had been increased, and only in one of these villages, Jana Kita in thana Banka, were the present rents reduced during attestation. Rent disputes between landlord and tenant were also rare and were almost exclusively confined to the few villages in which rents had recently been enhanced. Taidih (33) and Goraiya; (392) thana Banka, were two such villages. In the latter, the decision of the disputes was rendered difficult by the fact that printed rent receipts were not given to the raiyats, an omission which is unusual in this estate.

135. Illegal enhancements of rent were also rare in the villages of the Barari Thakurs. The property owned by these landlords is very scattered, and consists of small estates purchased at different times within the last fifty or sixty years. Although the property is not at all a big one, the yearly collection amounting to not more than Rs. 3,75,000, they pay Government revenue in no fewer than 400 tauzis. In most of the villages in which they have an interest there are also estates owned by other landlords. This fact may have had something to do with the general absence of enhancements. In Rajha, Bhawanipur and other villages in thana Colgong in which they are the sole landlords, it appears that attempts were made to enhance rents by about 50 per cent., and that the

attempt succeeded in Bhawanipur but failed in the other villages. Where the attempt failed the raiyats' rents were converted from *nagdi* into *bhaoli*. In Bhawanipur the rents of 32 raiyats were found to have been illegally enhanced and the enhancements were therefore cut down.

136. Many difficulties were experienced in the attestation of the villages owned by the Panjwara and Sabalpur landlords, the chief of whom are Kali Prasad Singh of Sabalpur and Saligram Singh of Panjwara.

The Panjwara and Sabalpur estates.

The Panjwara landlords made a private partition of their lands in 1301 and took advantage of the opportunity to effect a general enhancement of rent. Previous to that date the mustajiri system had prevailed in the greater part of the property. These mustajirs were responsible for collecting the rent and paying a part of it to the landlords after deducting a sum which was supposed to remunerate them for their trouble. Settlements were usually made with them for periods of seven years. In 1302 a general measurement and enhancement was made and the mustajiri system was generally abolished. Since then in most of the villages the proprietors themselves have been collecting rent.

Since 1301 rents have again been raised. In some villages one, and in others two subsequent enhancements took place between 1304 and 1312. In addition to this, shortly before settlement began, many raiyats were dispossessed of their lands, which were either given to other raiyats to cultivate on produce rents, or retained in the direct possession of the landlords as *kamat*.

In the Sabalpur property similar enhancements and dispossession of raiyats took place. In this estate a private partition accompanied by an all-round increase of rents had been made in 1306.

Knowing that these enhancements, if discovered, would be found to be illegal, the proprietors did not produce their old *jamabandis* when called on. The Sabalpur landlords stated that all their old zamindari papers had been lost in the flood of 1899. The Panjwara papers were said to have been destroyed by fire about the same time. Even the imposition of fines under the Survey Act failed to make them produce these documents. It was noticed however that in some villages where the raiyats, particularly the Rajputs, disputed the landlord's claims, the latter were able to produce old *kabuliyats* and other documents in support of their case. These papers, it was said, by had some lucky accident been saved when the others were destroyed. In the absence of proper zamindari papers the attestation of legal rents was a matter of much difficulty. Proper receipts had not been granted to the raiyats between 1301 and 1309, the period during which most of the alterations of rent had taken place. Recourse was had to the *jamabandis* filed by the landlords during the last valuation for the purpose of assessing road cess, and to such old *jamabandis* as could be obtained from the mustajirs to whom the villages had previously been leased. The frequent dispossession of raiyats, transfers from one raiyat to another, together with complications arising from the fact that mortgaged holdings are shown in the *jamabandi* as the property not of the mortgager, but of the mortgagee, all combined to render attestation more than usually difficult. To trace the history of enhancement of rent for each holding was practically impossible, as the raiyats for the most part gave no help in the investigation, but it appears that the rate of rent in the villages of Babu Kali Prasad Singh was enhanced from Re. 1-9 per bigha in 1300 to Rs. 2-8 in 1309.

137. In Colgong thana there is an estate known by the name Tappa Madhuban. This estate formerly belonged to the Teliagarhi Rajas. At the time of the Permanent Settlement it belonged to Raja Roshan Baksh. In 1800 it was sold for arrears of revenue and was purchased by Government for one rupee. It was held by Government for thirteen years and then sold for one rupee to Mir Abbas Ali. The Government revenue is Rs. 3,500. At present five annas share of the estate constitutes a *waqf* property, the remaining share being held by 32 proprietors. The estate has been on lease to various persons for about fifty years. In 1271F the rent paid by the lessee was Rs. 3,000. Since 1276F, it has been in lease to the owners of Colgong Indigo factory and the rental paid by the lessee has gradually increased from

Disputes in Tappa Madhuban.

Rs. 9,000 to Rs. 56,000. This estate provided several problems for the attestation officer. Up to the year 1870 A.D. it remained in a very backward state and was mostly inhabited by Santals who were gradually clearing the jungle and bringing the land under cultivation. Raiyats from Saran and other western Bihar districts were then introduced by the factory. These raiyats have a reputation for being regular rent-payers and careful cultivators. Having saved some money they began lending it to the Santals, and before long had acquired possession of most of the lands reclaimed by the latter.

Enhancements of the raiyats' rents appear to have proceeded *pari passu* with the enhancements of the thikadar's rent. These successive enhancements raised ill-feeling between the thikadar and the raiyats, particularly the new raiyats or the "*pachhimhas*" as they are called. It is difficult to obtain a true account of the successive stages by which the present rates of rent were established. These rates have been in force since 1298 in which year it is said that a settlement of the dispute between the parties was made by the manager of the factory. The rents then fixed are being paid ever since, and the settlement may be said to have been to a certain extent a success. But in recent years the relations between the factory and its raiyats have again become strained. The factory now alleges that the raiyats have encroached on waste lands since 1298 and are consequently in possession of much more land than they are paying rent for. The quantity of land each raiyat is in possession of, is of course ascertainable from the areas given in the record-of-rights. The area for which they are paying rent is expressed in bighas in the landlord's papers and in the raiyats' rent receipts. The difficulty of comparing the two arises from the fact that the raiyats assert that the bigha is measured with a *laggi* of five and a half haths, each bigha being equal to twenty *kathas* or four hundred square laggis. The landlord, on the other hand, claims that the bigha consists of 324 square laggis or sixteen *kathas* four *dhurs*, each *laggi* being four and a half *haths* in length. The difference between the two bighas is enormous, the size of the bigha claimed by the raiyat bearing to that of the one claimed by the landlord the proportion of 121 to 65. The matter could have been settled by an examination of the measurement papers on which the present jamabandi areas are based, but these papers were not produced while the attestation proceedings were going on. This dispute did not directly affect the attestation officer's work, as he only had to record the rent which is actually being paid at present, not the area which it is being paid for, but indirectly it caused a good deal of trouble, for the two parties being on bad terms raised dispute about every point which arose. The right in trees was one of these points. Both parties claimed exclusive rights in fruit and timber, but it was finally decided that the raiyat was entitled to the whole of the fruit of all trees standing on his holding, and to half the fruit of trees planted by him on uncultivated land not included in his holding. He was also found to be entitled to appropriate half the timber of trees planted by him on their being cut down. The thikadar was found entitled to half the fruit of trees standing on parti lands not included in any holding. In those cases where the raiyat appropriated half the timber only, the remainder went to the proprietor, not to the mustajir. These findings do not apply to palm trees which were also claimed by the raiyats. It was found that the right to tap these trees for *tari* belonged to the landlord, who appropriated the wood of the tree when it was cut down. This left the raiyat, in whose land it grew, nothing but the shade of the tree. The landlord therefore agreed to allow the tenants a half share in the timber of palm trees planted by them. The right to tap the toddy palms in this estate formerly vested in Government but was given to the proprietors in 1866.

The raiyats claimed to be recorded as *Sharahmoijan* or entitled to hold at a fixed rate of rent, but as most of them are recent settlers, and as it is known that the rate of rent has been several times enhanced, this claim was disallowed.

It was only after final publication of the records-of-right took place, that any attempt could be made to come to any decision on the real point at issue between the landlords and raiyats, viz., the question of excess area. An account of what then took place is given in paragraph 154.

128. Amongst the smaller landlords of the south, Nand Lal Chaudhuri and Niranjan Bhagat have acquired unenviable notoriety by their treatment of their raiyats. The former belongs to an old family of zamindars, but the latter is a money-lender who has recently purchased shares in several villages. Both employ the system of seven yearly settlements with enhancement of rent at the end of each period. Neither pays any regard to the rights of their raiyats, and they oppress in various ways those who cannot offer any resistance. Their high caste raiyats naturally are the most difficult for them to deal with, and these are loudest in their complaints, but as is invariably the case, those who are most oppressed are those who are afraid even to complain. Both these landlords concealed their old papers and tried to prevent their raiyats producing their old receipts, so that the work of discovering what enhancements had taken place in their estates was particularly difficult.

129. Both in North and South Bhagalpur, records of right were prepared for estates formed out of resumed invalid jagirs. The history of these jagirs has already been given in Part I of this report. They were originally granted to invalid and pensioned sepoys of the East India Company and after the death of the original grantees, were resumed and settled permanently on favourable terms with their heirs. In calculating the revenue to be paid, the area occupied by the houses which the jagirdars had built for themselves was not taken into account. There was therefore some doubt as to whether this area should not be recorded as revenue-free, and some of the present owners of these lands actually claimed them as such. But as they had never been recognised as revenue-free by the Collector, the claim was disallowed, and they were treated as portions of the permanently settled estates into which the jagirs were formed. It was found that while some of the jagirs have passed out of the hands of the original grantees into the hands of strangers, the greater number are held by descendants of those to whom they were first granted. Even where the estate has been sold, the *khanabari* or house site in many cases still remains in possession of the jagirdar's family. In such cases the occupier was recorded as a rent-free holder under the proprietor of the revenue-paying estate of which the *khanabari* is a part. Some instances were found where it was impossible to ascertain to which of the jagirs in a village a certain *khanabari* originally belonged, so many transfers having taken place that all trace of the connection between them had been lost. Such *khanabari* lands were recorded as held rent-free by the present occupant under Government. This method of recording the facts is no doubt open to objection, but in the absence of any indication as to which resumed jagir the land really belongs to, it seems the only course which it is possible to adopt.

130. The origin of these tenures has already been explained in Part I of the report. Next to the Lachmipur *ghatwali* which is now a separate revenue-paying estate, the most important is that of Kakwara which is held by a branch of the Rajput family who are settled at Sabalpur and Panjwara. This *ghatwali* consists of four revenue survey villages, Bishunpur, Kakna, Kakwara and Dudhari, all lying in thana Banka and covering an area of about 63 square miles. It has probably existed from very ancient times. In 1775 A.D. the then Ghatwals Rangh and Bhairu Singh were granted a *sanad* by Captain James Brown in which their duties to Government were defined. They were ordered to pay a fixed yearly rent of Rs. 245-12-5 direct to Government. This *sanad* was given at the time when Captain Brown was trying to bring the *ghatwals* directly under the control of Government. Yet in 1780 we find Raja Kadir Ali of Kharagpur granting another *sanad* to the same *ghatwal*. When the permanent settlement was made, this *ghatwal* was included in the Kharagpur estate, the *ghatwal* being ordered to pay to the proprietor the amount fixed as his rent in the *sanad* of 1780. It was this *ghatwal* who successfully resisted the attempt of the proprietor to resume his *ghatwali* lands in 1873. He still pays Rs. 245 as rent and at present collects about Rs. 26,000 from his tenants. He is no longer bound to render to Government those services which he bound himself to perform when his rent was originally

fixed. Yet owing to the fact that when the permanent settlement was made no precautions were taken to make it clear that these lands were held on special conditions, Government is now unable either to resume the lands or increase the rent.

The property of Thakur Jamuna Prasad of Katoria is also a *ghatwali* for which a fixed rent is paid to the proprietor of Mahalat Kharagpur.

The petty *ghatwals* of whom there are a number in the Baneli, Kharhara and other estates, are in the same position towards their superior landlords as the Kakwara and Katoria *ghatwals*. They pay a fixed yearly rent and their status has been recorded as *ghatwali mokarari istamrari*. A *ghatwali* is usually looked on as a service tenure, hereditary, impartible and non-transferable, which on the death of one *ghatwal* is inherited by his eldest son. How far this applies to the Bhagalpur *ghatwals* who have ceased to be liable to perform any services either for their proprietor or for Government, is very doubtful. Instances have occurred of a portion of a *ghatwali* being sold. Mr. Dip Narayan Singh purchased in 1885 at a Civil Court sale and still holds a six annas share in village Bishunpur which is a *ghatwali* in the estate of Babu Nandlal Chaudhri of Khanpura.

The term *ghatwal* which was originally given to those who guarded the passes over the hills has now become a caste name. Those who bear it wear the sacred thread and are no doubt on the way to become Rajputs, but their appearance and habits plainly stamp them as aborigines.

141. Reference has already been made in this chapter to the abolition

The mustajiri or thikadari system. of the *mustajiri* system in the Lachhmipur, Panjwara and Sabalpur estates.

This system and its effects came more prominently into notice in the season 1907-08 when the attestation of thana Katoria was taken up. In the same season, attestation was also being done in the adjacent thanas of Chakai and Jamui in south Monghyr, and in all these thanas as well as in parts of thana Banka, many of the difficulties experienced by the attestation officers were due to the prevalence of that system. Much of the land now under cultivation in the extreme south of Monghyr and Bhagalpur seems to have been reclaimed from jungle within the last sixty or seventy years. The credit of having reclaimed it is chiefly due to the Santals who are found wherever jungle exists, which is capable of being turned into cultivated land.

They usually emigrate from their own district, the Santal Parganas, in small communities and settle down in some locality where they erect their huts and begin clearing the forest. They retain their tribal customs, and each village has its headman who represents the community in their dealings with the proprietor whose land they cultivate. A contract is usually entered into by the headman, by which a certain area defined by boundaries is given to him to bring under cultivation. This tenancy is known as a *chakband* and most of the tolas or villages scattered over the hilly portions of Katoria and Chakai have grown out of such *chakbands*. A rent is agreed on, which is paid by the village community through the headman, each family contributing its share in proportion to the area of land which it cultivates. When these leases were first granted it is probable that no future enhancements of rent were contemplated. As the land came under cultivation, however, the profits of the cultivators grew and the landlord naturally wished to share in these. Within the last thirty or forty years the demand for land has everywhere increased, and the landlords discovered that they could find other raiyats, mostly Hindus, who were willing to give higher rents for the lands reclaimed by the Santals than the latter were paying. The *chakbandars* had very little idea of their legal rights and even if they had known of them, would have been unable to defend them. They gave the enhancements of rent which the landlord demanded.

In recent times, for the last thirty or forty years, practically no new *chakbands* have been created. Such as still exist, survive from an earlier date. Nowadays when settlements of land are being made for the purpose of having the jungle cleared, the settlement is made for a period of years, usually seven, and the lessee is called a thikadar or mustajir. This disguises the real nature of the transaction, gives it the appearance of being a mere settlement with a tenure holder of the right to collect rents, and prevents the lessee from

setting up any claim to remain in possession of the land after the expiry of the lease. When the lease is renewed the rent of the lessee is enhanced, and this is tacitly assumed by all concerned to be equivalent to enhancing the rent of the raiyats whom he represents. This thikadari or mustajiri system is probably as old as the *chakband* system and has in recent years completely displaced it. It corresponds to the *pradhan* system which is found in the Santal Parganas, but being without the safeguards which are provided by the special laws in force in that district, is in the hands of a grasping landlord a most effective means of procuring regular enhancements of rent. As the mustajiri system was extended, most of the *chakbands* previously in existence were turned into mustajiris. Agreements were taken from the holders of the *chakbands* in which the latter were treated as mere temporary lease-holders. Their rents were enhanced at the same time. Except in portion of the Baneli estate in Monghyr, in which practically no enhancements of rent have been made, comparatively few *chakbands* now survive.

So long as further extension of cultivation was possible the Santals agreed to the enhancements of rent demanded from them. As soon as all the land which liberally repaid the labour bestowed on it had been brought under cultivation, and nothing was left except the *tanr* lands which can only be made to yield a crop of kulthi once in two or three years, they began to object to having their rents raised. Their headmen were then replaced by outsiders who willingly undertook to collect these rents which could not be collected through the headmen. Many of these outsiders are employees of the landlord. In Lachhmipur, for instance, the dewan of the proprietor holds thika leases of a large number of tolas. Others are money-lenders, and well-to-do Hindu cultivators, but the business of all is to pay to the landlord the rent agreed on and to make as much profit as possible for themselves. The village headmen whom they succeeded rarely made any money profits from their position and paid rent for the lands in their own cultivation at the same rate as their fellow-raiyats. The Santals as a rule do not remain long in the village after it is handed over to these thikadars. The latter take their best lands, and settle them with outsiders, and demand high rents for the remaining lands. The Santal differs from the low-caste Hindu in the fact that he will not endure such treatment for long and when it reaches a certain pitch, the whole community often abandon their lands and set out for some other place to begin again their work of reclaiming the jungle.

A considerable part of thana Banka and the whole of Katoria appear to have been reclaimed in this way. At the present day the mustajiri system has been practically abolished in Banka, where most of the proprietors have themselves resumed direct possession of their villages. In Katoria the system is still generally in force, and it was in this thana that most of the difficulties connected with the preparation of a record-of-rights in villages held by *thikadars* were experienced.

The question of the status of the village headmen was the first which had to be solved. It was clear that they were not mere temporary tenure-holders like the ordinary *thikadars*. Had they been recorded as tenure-holders they would have been debarred by section 22 of the Tenancy Act from acquiring occupancy rights in the lands which they had themselves brought under cultivation. Had they been recorded as raiyats in respect of the whole area with regard to which they had entered into a contract with their landlord, the other cultivators of the village would have had to be recorded as under-raiyats. The case was in fact somewhat similar to that of the *chakladars* in village Gangapur in thana Kishanganj referred to in paragraph 102. Finally it was decided that each cultivator should be treated as a raiyat in respect of the lands cultivated by him, that the rent payable to the proprietor should be recorded in the *khatian* of the head raiyat and that a note should be made on each of the other *khatians* mentioning the amount of rent payable by the raiyat, to whom it referred and stating that it was paid to the proprietor through the head raiyat.

The waste land of the village was entered in a separate *khatian* in which was noted the fact that the raiyats of the tola and the right to bring it under cultivation and appropriate the profits of doing so until the period of the present lease expired. It was also recorded that at the end of that time the

rent for the newly reclaimed land would be assessed by the proprietor at fair and equitable rates. This record should enable the tenants to resist any exorbitant demand for enhancement on the expiry of the present leases but it still remains to be seen, whether they will make any greater effort to assert their rights than they have made in the past.

The next question which had to be decided was that of the rent payable by these raiyats. The decision of this point involved an enquiry into the legality of the enhancements made in the past. These enhancements had been made at regular intervals of seven or eight years, but in the majority of cases no details could be obtained except for the last enhancement and in some instances for the one which preceded it. These enhancements usually exceeded two annas in the rupee, and were said to be justified by the extension of cultivation which had taken place, but the documentary evidence which would have enabled the attestation officer to enquire into the truth of the allegation was withheld. So far as could be ascertained, however, the increase of rent was altogether out of proportion to the increase of cultivation and involved enhancements of rate. The principle followed elsewhere in the district was adhered to, and the rents in force previous to the illegal enhancement so far as they could be ascertained were recorded as the rents payable. In very many cases however no information as to these rents could be obtained and the present rents had to be accepted.

In the villages held by genuine *thikadars* there was generally no difficulty about status. The *thikadars* were recorded as temporary tenure-holders and their tenants as ordinary raiyats. The land, if any, in the possession of the tenure-holder was recorded as *bakasht thikadar* and if the latter claimed an occupancy right in it he was called on to prove that this right had been acquired before he became *thikadar*. Some of these *thikadars*, however, claimed a permanent interest in the land superior to that of an ordinary *thikadar*. Inquiry showed that in a few cases the same family had held lease of the same *tola* for several generations under circumstances which pointed to the conclusion that although they were called *thikadars* their interest in the land was not really that of a temporary tenure-holder, and that they had a right to resettlement at the expiry of the lease in force for the time being. Such *thikadars*—they were comparatively few in number—were recorded as permanent tenure-holders whose rents were liable to enhancement. No objection to this entry was raised by the landlords under section 103A or section 106.

In those cases where the rents of raiyats holding under *thikadars* have been reduced on the ground of having been illegally enhanced, the position of the *thikadars* is now rather difficult. Their rents were enhanced at the same time as those of the raiyats'. There is however no restriction on the enhancement by contract of tenure-holders' rents and the rents of the *thikadars* were consequently not reduced during attestation. It will therefore be impossible for them to fulfil their contract with the proprietor if they abide by the record-of-rights. None of them applied for reduction of rent under section 105 and even if they had done so, it is doubtful whether any reduction could have been allowed. It is more than probable, however, that they will force the raiyats to pay them the old rates and ignore the record-of-rights altogether.

142. One question that was frequently raised during attestation, although it hardly came within the province of the attestation officer, was the length of the village

The *Laggi* question.
laggi. The attestation officer makes a note on the subject in the village-note, but the point only becomes of importance when the landlord sues the raiyats for enhancement of rents on the ground that they are holding more lands than they pay rent for. Then the question of the length of the *laggi* by which the holdings were measured when settled, becomes important. Each party usually endeavours to get the attestation officer to record an opinion in his favour, believing that this will be useful afterwards.

It was found, as in the other districts, there is no such thing as the *pargana laggi*. There may have been such a thing when the whole *pargana* belonged to one landlord but there is certainly not at present. Not only do different standards of measurement prevail in different villages, but different

standards are used by different landlords in the same village. The standards used in measuring rent-paying lands and barhmottar land are often different. The standard in revenue-free villages is different from that in revenue-paying villages belonging to the same landlord.

Each landlord, however, does his best to establish one standard of measurement throughout his property. The *laggi* he adopts is usually the shortest of those in use. The change is rarely effected in an open and an undisguised manner. The usual method is for the landlord to allege that the standard which he uses to adopt has been in force previously, and that the last measurement was made by it. This claim if allowed would make it appear that the tenants are holding more land than they are paying rent for and would in consequence prove that their rents are liable to enhancement. Rai Ganpat Singh Bahadur of Murshidabad is proprietor of the Harawat Estate and has also bought the proprietary right in some isolated villages Gondha, Parsahi, Guni, Laharnia. In these villages the *laggi* formerly consisted of six and a half *haths* but the landlord is attempting to introduce the Harawat six-*hath laggi* in the manner just mentioned. Throughout the pargana Dhapahar which belongs to the Srinagar-Baneli Estate the length of the *laggi* is nine and a-half *ha'hs*, the longest *laggi* in use in the district. One bigha measured by this *laggi* contains 1.86 acres.

In South Bhagalpur the *lagga* question was complicated by the existence of the *Kamarband* system of measurement, an account of which is given in paragraph 154. In this system, a rope was generally used, each end of which was held by a peon who wound the end round his waist. Hence the term *Kamarband*. Later on, the measurement was made with a rope eighteen *laggis* long, which was treated as if it were twenty *laggis* long. The effect is just as if one cut off an inch from each end of a foot-rule before using it to measure with. This system of measurement was claimed, without shame, by many proprietors, and attempts have been made even in recent times to introduce it into villages where it did not exist previously. On the proposal of Mr. Cumming, areas have been shown in acres only in the records of Purnea district. This precedent has been followed in South Bhagalpur and in consequence the areas of holdings have not been expressed in local bighas and kathas. This omission no doubt may sometimes be found inconvenient by persons referring to the records, but I am convinced that the entry of local bighas in the records does, on the whole, more harm than good. If the wrong *laggi* is used in converting acres to bighas it may lead to serious misunderstanding, and in Bhagalpur the task of ascertaining the correct *laggi* would in many cases have been very difficult. Moreover, landlord's measurements are almost always incorrect, the lands of some raiyats being over-measured and those of others undermeasured. Had the Settlement Courts power to settle rents in all such cases, no harm would be done by bringing the facts to the notice of the parties, but as the law stands, it is left to the parties to wrangle amongst themselves over the matter. Those landlords who apply under section 105 for settlement of rents, invariably ignore the cases in which the raiyat appears entitled to reduction and the raiyats themselves rarely move in the matter.

DRAFT PUBLICATION.

143. After attestation, draft publication of each record was done in the village by kanungos attached to the attestation camps. The work was inspected by the attestation officer, who made surprise visits to see if it was being done properly and if the raiyats were attending. The more intelligent raiyats come to hear the records read out, and are anxious to bring all mistakes to the notice of the kanungo, but the lower caste and illiterate raiyats are usually contented with having the record explained to them during attestation. Draft publication takes place about a week after the completion of attestation, and the record is kept in the camp for a month afterwards to enable those who wish to inspect it and to take notes of any entries which they mean to contest under section 103A. If any one wishes to take copies, he is allowed free access to the record, under the supervision of a moharrir

appointed for the purpose, and paid for by the person who wants the copy. The only restriction enforced is that the persons who examine the record may take pencil copies only, and must not have pens or ink in their possession. The object of this is to prevent tampering with the record.

OBJECTIONS UNDER SECTION 103A.

144. Objections under section 103A are received in the attestation camps if filed within a month from the date of draft publication, and are disposed of as soon as the attestation work of each camp is finished. The officer who has done attestation work in one camp usually deals with the objections filed in an adjacent camp.

In North Bhagalpur the objectors had to make their own arrangements for getting their petitions of objection written, but in South Bhagalpur a petition-writer was attached to each camp. Each person who got his objection written by him was charged four annas, which he paid by affixing a twelve annas Court-fee stamp to the objection in place of the usual fee of eight annas.

Their distribution. The following statement shows the number of objections filed in each thana :—

Thana.	Number of objections filed.	Area in sq. miles.	Number per sq. mile.
Partabganj ...	3,104	184	17
Supaul ...	9,268	571	16
Madhipura ...	7,122	450	16
Bangaon ...	3,809	132	29
Kishanganj ...	2,269	219	10
Bihpur ...	633	173	4
Total North Bhagalpur	26,205	1,729	15
Bhagalpur ...	862	139	6
Sultanganj ...	759	135	5
Colgong ...	3,339	343	9
Amarpur ...	2,326	240	9
Banka ...	2,989	402	7
Katoria ...	1,127	524	2
Total South Bhagalpur	11,402	1,783	6
District Total ...	37,607	3,512	10

The number per square mile, particularly in South Bhagalpur, is much less than in the other districts in which settlement operations have been completed. The explanation is to be found in the fact that ordinary possession disputes, which are usually the subject of objection under this section were not so common in Bhagalpur as in the other Bihar districts. The raiyats are not so litigious and petty proprietors are not so numerous. This, however, is not true of Thana Bangaon where Maithala Brahmans abound and where the number of disputes per square mile was much greater than in any other thana. Most of the difficulties of the attestation officers were connected with illegal enhancements of rent, and as every case of general enhancement was referred to the Settlement Officer for orders during attestation, many of the landlords whose rents were declared illegal, did not contest the point either under section 103A or under section 106, but preferred to sue their tenants in the Civil Courts for arrears at the rate at which rent was being paid previous to the settlement operations.

A statement showing the classification of the objections and the number of each kind allowed and disallowed in each thana is given among the appendices.

145. The following statement shows the classification of the disputes in North Bhagalpur:—

Nature of objection.	Number of objections allowed.	Number of objections disallowed	Total number.	Per cent- age.
Claim to zirat	...	2	2	...
Possession	2,433	4,569	7,002	26.7
Money rent	3,857	9,859	13,716	52.4
Produce rent	365	818	1,183	4.6
Status	619	1,441	2,060	7.9
Title	143	371	514	1.9
Trees	549	954	1,503	5.7
Miscellaneous	139	86	225	.8
Total	8,105	18,100	26,205	100

This shows that more than half the objection related to money rents. If all the landlords whose rents were cut down had filed objections under this section, the proportion would have been much greater. Genuine rent disputes between petty landlords and their tenants were most common in Bangaon where more than half the objections related to money rents. The objections regarding produce rents nearly all arose from disputes regarding the payment of *manhunda* rent for *kamat* lands. Only two claims to zirat lands were raised under this section. Both were disallowed. Considering the large area which is locally known as *kamat* it is surprising that so few landlords were able to produce sufficient proof to get their *kamat* lands recorded as proprietor's private lands as defined in the Tenancy Act.

Status disputes were most numerous in Partabganj thana, where Rai Ganpat Singh Bahadur of Harawat objected to settled raiyats being recorded as having occupancy rights in any lands which they had held for less than twelve years. As the Tenancy Act declares that a settled raiyat of a village shall have a right of occupancy in all land held by him as a raiyat, these objections were disallowed. Claims to hold at fixed rates of rent were almost unknown. It was easy for landlords to prove that they had enhanced rents in the past and were therefore entitled to enhance in the future.

Objections regarding trees were instituted by many of the tenants of the Maharaja of Darbhanga who objected to the entry of the proprietor's right to nine-sixteenth of the wood of all trees.

Of the total number of objections filed in North Bhagalpur thirty-one per cent. were allowed.

Classification of the disputes in South Bhagalpur.

146. The classification of the objections filed in South Bhagalpur is shown below:—

Nature of objections.	Number of objections allowed.	Number of objections disallowed.	Total number.	Percent- age.
Claims to zirat	...	...	...	...
Possession	831	2,051	2,882	26
Money rent	585	2,195	2,780	24
Produce rent	116	148	264	3
Status	258	923	1,181	10
Title	203	641	844	7
Trees	743	1,096	1,839	16
Miscellaneous	634	978	1,612	14
Total	3,370	8,032	11,402	100

From this it will be seen that possession disputes were even less numerous than in North Bhagalpur. Objections about money rent, in which are included cases where the raiyats claimed to be recorded as holding on a money rent, and the landlord wished produce rent to be entered, were also remarkably few in number. The reason for this is, that general disputes between the landlord of a village and the general body of the raiyats about the system or rate of rent, were made the subject of careful inquiry during attestation, and were in the majority of cases referred for orders to the Settlement Officer. The parties did not as a rule reopen such disputes under section 103A.

Status disputes came mostly from Colgong thana, where many of the raiyats of the estate known as Tappa Madhuban, who are on bad terms with their landlord, claimed to be recorded as being entitled to hold at fixed rates of rent. They based their claim on the fact that their rents had not been enhanced for over twenty years, and that they were therefore entitled to be presumed to have held at the same rate since the time of the Permanent Settlement. Their claim was disallowed as the raiyats who made it have all come from the western Bihar districts and settled on the estate in comparatively recent times.

Disputes about trees numbered ten per cent. of the total. The landlord's right to half of the wood of trees when cut is fairly generally admitted, but in some villages where the raiyats are not on good terms with their landlords or where the latter have made little attempt to enforce his right, the raiyats claimed the whole.

Miscellaneous objections included among other kinds, a large number of claims by raiyats to have their homestead lands recorded as rent-paying, the landlords claiming them to be non-rent-paying. The point of the dispute is that there is a general impression that a raiyat has a less secure title to a house the site of which he holds without payment of rent than to one built on land included in his rent-paying holding. Most raiyats, even those who have built their houses on land which is not assessed to rent, pay *basaurhi* or house-tax, but this, it is thought, does not secure them against arbitrary eviction. This impression seems to have arisen during the settlement proceedings, for it is found that as a matter of fact all agricultural raiyats are by local custom entitled to retain possession of their houses so long as they retain their holdings whether the former are included in their holdings or not. Practically, therefore, it does not matter to a raiyat whether his house be recorded *belagan* or otherwise, but it was found impossible to make them believe that this was the case.

In twenty-nine per cent. of the total number of objections, the order passed by the attestation officer was reversed and the record-of-rights corrected.

OFFICE WORK.

147. Owing to the impossibility of obtaining suitable office accommodation in North Bhagalpur itself, the office work of the North Bhagalpur records was done in Purnea. As settlement was going on in Purnea district at the same time, it was convenient in many ways to have the recess work of both districts concentrated at one place. Moreover, at Purnea there were a number of empty bungalows conveniently situated which were leased as offices at a moderate rent. In the compounds attached to these, sheds made of bamboos and thatching grass were erected, in which most of the checking, copying, and comparing of the records was carried on. Such suitable accommodation could not at that time have been obtained either at Bhagalpur or Monghyr, nor were either of these places more accessible from North Bhagalpur before the construction of the Mansi-Bhaptiahi railway than Purnea was.

In October 1904, when the cadastral survey and record writing of South Bhagalpur was being taken up, a bungalow in Bhagalpur belonging to the Banali Raj Estate, was rented and used as a head-quarters office for the South Bhagalpur work. In December 1906, the office was transferred to Cleveland House, the Banali bungalow being found too small. In December 1907 the old District Jail which had been used as a Police Training School until

January 1907, was with the sanction of Government made over to the Settlement Department to be used as an office. This office is much larger than any previously occupied. Since the control of the cadastral survey was given to the Settlement Officer in October 1907, it became necessary to find an office which could, during recess, accommodate both the survey and settlement staff. The new office is able to do this, and as it also possesses a number of very large rooms it is now possible to collect into one room the whole of the staff engaged on one particular class of work, thereby enabling the officer in charge of that section to supervise much more efficiently than is possible when the men under his charge are scattered over a number of different rooms in different bungalows, as has hitherto been the case. The result has been a distinct improvement in the quality of the copying and comparison work.

The stages through which a record passes after all objections under section 103A have been disposed of, and before final publication, have been sufficiently described in other settlement reports. So also have the extent and variety of the work done in the head-quarters office. It is sufficient to say that no important changes were made in the system while the Bhagalpur records were being dealt with.

One variation introduced when the South Bhagalpur records were being made over to the Collector was, instead of making over the *khesra*, to prepare a plot index showing the serial number of the *khatian* in which each field is entered. Criminal or Civil Courts engaged in searching through the record-of-rights for any particular plot will find this index of great assistance. Its preparation is also useful from another point of view, *viz.*, that it eliminates the possibility of any plot being either omitted altogether from the record, or being entered more than once.

148. An abstract of the proprietary *khewat* of each village in the form used for Collector's Register C has also been prepared and made over to the Collector. These abstracts have been bound together in book form and constitute in fact a new Register C. Under the orders of the Board of Revenue, however, they are not to supersede old Register C which is still to be retained. The new Register C shows the names and *tauzi* numbers of all revenue-paying estates and the names and B and C numbers of all revenue-free estates lying in each village. The area of each estate in acres and the rental paid by the *rai*yats are also shown. These figures are taken from entries in the record-of-rights and the areas shown are the areas which the proprietors of the estates were actually in possession of at the time of the settlement operations. The entries in old Register C are supposed to represent the area originally settled with the proprietors at the time of the Permanent Settlement, but as that settlement was not based on detailed survey, any accurate estimate of the area of each estate was at the time impossible. Moreover, it appears that the area in Collectorate registers were made long after the Permanent Settlement and were taken, not from the Permanent settlement records, but from the Revenue Survey figures. They give no more reliable indication of the area which was originally included in any estate than do the entries in the settlement records. It cannot even be said that they represent correctly the areas in possession of the proprietors at the time of the Revenue Survey. The procedure adopted in that survey has already been described. Detailed survey of estate boundaries within a village was only undertaken when it was ascertained that it contained more than one estate, and there is little doubt that the circumstance that small portions of a village belonged to a different estate from the remainder, often escaped notice. This accounts for the fact that it is common to find an estate having lands in several villages of which Register C makes no mention. Moreover, even when estate boundaries within a village were mapped during the Revenue Survey the survey was not done on the professional maps, but on the rough maps prepared by the Civil authorities. No entry of areas based on such a survey can be regarded as above suspicion. Even when the Collectorate registers correctly name all the villages in which lands of an estate lie, it is found that the areas shown in the Collectorate registers usually differ from the areas which the proprietors are now in possession of. The differences are sometimes very great. No general comparison of the areas was made in Bhagalpur, but a few cases were taken up and the

proprietors of some estates the areas of which had apparently altered since the revenue survey were summoned and asked if they could explain the fact. They were absolutely unable to do so, and stated that they were unaware of having lost or gained any land. In such cases it is practically certain that the revenue survey areas are wrong, for it is impossible that large areas should have been transferred from one proprietor to another without the loser being aware of it. Isolated cases of course are found in which small estates have been swallowed up by neighbouring proprietors. These are chiefly *diara* estates, but a few small upland estates have also disappeared in the same manner. The records-of-right being prepared according to possession, naturally contain no mention of such estates. A few instances will no doubt be found in which the lands of one estate have been recorded as forming part of another estate belonging to the same proprietor. This occurs chiefly with small estates owned by important zamindars and lying within the bigger estates owned by the same zamindars. Their *amla* sometimes forget the existence of these estates, which were in consequence treated as portions of the surrounding estates. But the number of such omissions and mistakes in the settlement records must on the whole be far less than in the registers based on the revenue survey.

149. After all section 103A objections had been decided, steps were taken to have the proprietary *khewats* compared with Land Register D, in order that the Register might be brought up to date as regards the names and shares of proprietors. For a long time, the Collectorate authorities refused to take action under section 28, and notices under section 65 were issued to the unregistered proprietors, directing them to apply for registration of their names. The great majority did not comply with this order at first. Possibly as is the case with so many land registration notices, the notices were not properly served. Notices imposing fines were then issued. Even after this many did not appear or take any steps until certificates had been drawn up and distress warrants issued for the realisation of the fine. Even when they did appear, further difficulties arose. Some filed petitions for registration of their names and went home satisfied with having performed a troublesome duty. But when the applications came to be examined it was often found that the name of the person in whose place registration was asked for did not appear in Register D. A fresh notice was then issued ordering the applicant to explain from which of the recorded proprietors and in what manner he derived his title. This notice like the first was usually ignored until a fresh fine was imposed. When the explanation was obtained it was usually found that the applicant had inserted in his petition the correct name of the person from whom he derived his title, but that this person had never had his name registered. Register D in fact represented the state of things which existed many years ago. Consequently where a few non-registered proprietors had applied for registration of their names in obedience to a notice under section 65 the whole of the proprietors had sometimes to be summoned in order that they might be called on to trace the connection between the recorded proprietors and those entered in the settlement *khewat*. Where the proprietors were numerous, it was found practically impossible to get them all to attend. Those who did appear did not at all appear on the same date. The results were, more fines, and in some cases the striking off of the application for registration. All this indicated that action under section 65 is, as has been pointed out in other settlement reports, absolutely unsuitable for the purpose of correcting the entries in Register D throughout a whole district in accordance with the settlement records. The objection to using section 28 of the Land Registration Act is based on the assumption that the settlement *khewats* contain mistakes, and that no entry in them differing from the entry in the Register D should be accepted unless the proprietor in whose favour the change is, applies for the correction of the register. Mistakes are undoubtedly to be found in the *khewats* and seeing that about 40,000 proprietors' names have been recorded it would be surprising if there were none. But the mistakes in Register D are very much more numerous and if the register were completely re-written in accordance with the *khewats* the change would on the whole be very much for the better.

Some proprietors on being fined for not getting their names registered in accordance with the settlement *khewat*, which showed them to be in possession of a greater share than they were registered for, filed petitions to the effect that the *khewat*, was wrong and the register correct. Such cases were reported to the Settlement Officer in order that the *khewat* might be amended under section 108A. In a few cases which came to my notice the proprietors when summoned for this purpose, put in fresh petitions saying that the *khewat* was correct and that the former petitions have been put in by mistake. There is no doubt that petty proprietors living at a distance from the district head-quarters are most unwilling to undergo the expense of putting in applications for correction of Register D, and attending whenever called on to explain the "discrepancies" which are found in such a great proportion of petitions. To avoid this, they would rather declare that the register did not require correction. When the *khewats* of South Bhagalpur were made over to the Collector these facts were recognised, and the Collector Mr. Lyul agreed to adopt the more expeditious procedure provided by section 28. Notices were issued to all recorded proprietors and to all new proprietors mentioned in the *khewat*, explaining the changes which it was proposed to make, and calling on those who wished to file objections to do so before a certain date. If no objection was raised within the time specified, the register was corrected in accordance with the settlement records. This system, in my opinion, gives equally good results as the employment of section 65 and is much cheaper and more expeditious, besides involving less harassment to the landlords concerned.

FINAL PUBLICATION.

150. The following statement shows the progress made year by year in final publication:—

Year.		Number of villages.	Number of plots.	
1903-04	...	468	626,919	North Bhagalpur.
1904-05	...	553	1,215,734	
1905-06	...	108	181,593	
1906-07	...	1,670	640,167	South Bhagalpur.
1907-08	...	717	314,594	
1908-09	...	202	335,056	
Total		3,718		

The record is finally published by a kanungo, who takes it to the village concerned and reads it out in the presence of those who care to attend. There is no means of inspecting him or seeing that his work is done properly. Little interest is taken in this stage of the proceedings, except by those who wish to file applications for settlement of fair rents under section 105 or to object to entries in the record under section 106. Their interest even is limited to ascertaining the date on which the final publication takes place, knowing which enables them to file their application or suit in time. But no one relies on final publication to enable him to ascertain how the record has been framed. Every person interested has had ample opportunity of learning this long before, and those few whose interest in the operation has been so slight that they have failed to attend or send any representative during Khanapuri or attestation, are not likely to await with any anxiety the coming of the final publication kanungo. The bigger landlords invariably arrange to take copies of the record before or after attestation. Every facility is given to them for doing so. They are allowed to employ their own muharrirs to take the copies under the supervision of a clerk of the Settlement Office whose pay is deposited by the landlord. The only restriction imposed is that the copyists can take pencil copies only, and are not allowed to have in their possession pens or ink. This precaution is intended to prevent tampering with the record. Having these copies they know beforehand what suits they

mean to institute and only require to know the date of final publication. Since 1905 the principal landlords have been supplied with copies of the final publication programmes. These programmes are also hung up outside the Settlement Office where the public can inspect them. In consequence final publication has become, if possible, of less public interest than before.

SETTLEMENT OF FAIR RENTS.

151. In North Bhagalpur the bulk of the applications under section 105 and of the suits under section 106 were filed in the cold weather of 1904-05 after the records attested in 1903-04 had been finally published. These were disposed of locally in the recess of 1905. Those cases which came from the area attested in the season 1904-05 were disposed of at Bhagalpur in the cold weather of 1905.

The re-attestation of the records of the Pachgachhia Estate delayed the final publication, and also the institution of section 105 and section 106 cases in the villages belonging to it. The case work of this estate was dealt with by one officer in the recess of 1906.

In South Bhagalpur the institution of cases under section 105 and section 106 began in the cold weather of 1906 and continued until the end of 1908. They were disposed of in the recess seasons of 1907, 1908 and 1909 at Bhagalpur.

152. The following table shows the general results of the settlement of rents in the district:—

THANA.	Total number of raiyati holdings excluding rent-free holdings.	Number of holdings for which applications under section 105 were received.	Number of holdings for which fair rents were settled.	Percentage of column 3 to column 2.	Percentage of column 4 to column 2.	Total rental of thana before settlement of fair rents.	Total previous rental of holdings for which fair rents were settled.	Total enhancement of rent given.	Percentage by which rents of holdings shown in column 4 were enhanced (3 to 6).	Percentage by which total rental of thana was enhanced (3 to 7).
Partabganj	22,429	8,997	4,840	51.20	21.68	Rs. 2,60,385	Rs. 51,483	Rs. 5,595	11.03	2.84
Supaul	74,194	15,581	13,502	21.00	18.00	7,64,384	1,84,887	15,635	8.46	2.04
Madnepura	59,848	4,645	5,194	7.80	8.50	6,37,706	46,937	6,353	13.49	1.18
Bangson	44,662	1,763	1,616	3.96	3.63	2,23,176	11,577	2,027	17.51	0.91
Kishanganj	32,901	650	270	1.98	.82	2,05,106	3,081	346	11.23	0.17
Bihpur	23,333	1,045	430	4.45	1.81	1,59,481	7,929	710	8.89	0.46
Total North Bhagalpur	256,970	30,681	29,532	11.94	9.28	20,90,271	3,85,904	30,716	9.14	1.47
Colgong	37,281	8,032	7,284	21.64	19.54	4,54,768	1,42,919	16,636	11.64	3.66
Sultanganj	20,394	3,101	2,724	16.21	13.38	2,52,804	73,544	5,017	7.11	1.93
Bhagalpur	21,976	1,758	1,585	8.09	7.21	2,52,413	28,942	2,792	9.65	1.11
Amarpur	33,645	4,888	4,210	14.53	12.51	4,47,819	99,067	9,220	9.31	2.06
Bauka	38,732	1,840	1,616	5.45	4.77	3,66,331	31,554	3,778	10.94	1.03
Katoria	23,477	2,118	2,063	9.11	8.79	1,40,201	37,829	3,721	9.84	2.06
Total South Bhagalpur	170,594	21,787	19,436	12.77	11.42	19,64,324	3,83,245	41,165	10.72	2.11
GRAND TOTAL	427,474	52,468	48,968	12.27	10.14	40,44,595	7,19,749	71,881	9.99	1.78

Most of the applications for settlement of fair rent were received from the big landlords of the district. The Maharajas of Darbhanga and Sonbarsa, Rai Ganpat Singh Bahadur and the Pachgachhia Babus in the north, and Mr. Tilakdhari Lal, Mr. Dip Narain Singh, Mahashoy Tarak Nath Ghosh and others in the south, all filed large numbers. Applications were received in respect of twelve per cent. of the total number of tenancies, and fair rents were settled for somewhat over ten per cent. In Partabganj and Supaul applications were received in respect of one tenancy out of every four, a result due to the fact that a large proportion of the area of these thanas is held by the Maharaja of Darbhanga and Rai Ganpat Singh Bahadur. In Colgong thana, where the percentage is almost as high, applications were filed by the Manager of Colgong factory to have fair rents settled for nearly all the raiyats in the estate Tappa Madhuban which is in lease to the factory. A fair number of the applications which were filed in North Bhagalpur were withdrawn before fair rents were settled. In Kishanganj and Bihpur thanas many petty proprietors appear to have instituted cases without ever intending to proceed with them. They withdrew them as soon as the raiyats agreed to pay a *salami*. In Partabganj and Madhipura many cases were withdrawn as soon as the landlord realized that the proofs in his possession would not entitle him

to get an enhancement on the ground of excess area, and it is probable that enhancement suits have since been instituted in the Civil Courts against the raiyats concerned.

In North Bhagalpur rents were enhanced by Rs. 30,716 and in South Bhagalpur by Rs. 42,283. The average enhancement given was about ten per cent. of the previous rental of the holdings for which fair rents were settled. But in North Bhagalpur nearly eighty per cent. of the increase of rent was due to assessment of excess area, whereas in South Bhagalpur only 45 per cent. of the total increase was given on that ground. The reason for this difference is that in North Bhagalpur the Maharaja of Darbhanga was able to produce for nearly all his villages, the measurement papers prepared when his estate was under the management of the Court of Wards, and consequently had no difficulty in proving that the raiyats had encroached on parti lands, whereas most of the other landlords could produce measurement papers for a few villages only. Moreover, in South Bhagalpur land is more valuable than in the north, and the prevalence of the system of taking rent by appraisalment of crops gives the raiyat less opportunity of encroaching on waste lands without the knowledge of his landlord's servants.

153. Before allowing enhancement on the ground of excess area, proof that the *jamabandi* areas were based on a previous measurement, was always insisted on. Where the previous measurement was made with a laggi, the usual allowance of two kathas per bigha was deducted from the present area, before calculating area on which additional rent should be assessed. In the Darbhanga estate where the previous measurement had been made with a chain, an allowance of one katha only was given.

Rai Ganpat Singh Bahadur was generally unable to produce evidence of previous measurement. He relied mainly on the fact that in making settlements of land, registered agreements had been taken from the raiyats to the effect that they would be liable to pay additional rent of their holdings when measured by a lagga of a certain length were found to exceed the area mentioned in the *kabuliyat* as the area on which rent was calculated. The boundaries of the land were given in these *kabuliyats*, and in many cases it was quite evident that the area had previously been underestimated and that the raiyat had not encroached on waste land. In such cases the officer fixing fair rents refused to give any enhancement but his decision was reversed on appeal by the Special Judge, Mr. Hamilton. A few similar cases of Kharagpur thana in Monghyr have recently been decided by Mr. Twidell, who has taken the opposite view, and has held that when it is clear from the boundaries given in the *kabuliyat* that no encroachment was possible, no enhancement of rent can be given.

154. The most important decision given in connection with the granting of enhancement of rent under section 52A, on the ground that a tenant is holding an area in excess of what he is paying for, was delivered by the Special Judge, Mr. J. C. Twidell, in appeals Nos. 149 to 152, 189, 190, 192 and 193 of 1908 from original suits Nos. 130, 114, 153, 203 and 180 of thana Colgong. This decision has reference to the question of the *kamarbandh lagga*. In the cases mentioned above, Mr. W. M. Grant, proprietor of Colgong indigo factory, applied under section 105 for enhancement of the rent of his tenants in the estate known as Tappa Madhuban. Mr. Grant is not proprietor of the estate, but holds a 16 annas lease as *thikadar*. He sought for enhancement of rent (1) on the ground that the tenants held land in excess of what they were paying for, (2) on the ground of rise in prices of staple food crops during the currency of the existing rent.

The question of the rise in the price of staple food crops was decided by reference to the *Calcutta Gazette* and an enhancement of one anna in the rupee was given in the case of tenants who held *bhit* lands only, and one anna pies six when the lands which they held were partly or wholly *dhanahar* lands.

The real dispute between the parties was with regard to excess area. The landlord claimed that the areas entered in his *zamindari* papers had been made in the year 1290 *fasli*, that the system of measurement employed was the *kamarbandh* system, a rope or *rasi* twenty laggas long being used instead

of a pole. Each lagga, it was said, was, $4\frac{1}{2}$ haths in length. It was further claimed that when the rope was being used to measure the length of a field it was held by two peons each of whom wound an end round his waist (hence the term *rasi kamarbandh*) in such a way that its effective length for measuring purposes became eighteen laggas instead of twenty.

The raiyats denied that there had ever been a measurement and alleged that the prevailing lagga in the village was $5\frac{1}{2}$ haths and that a bigha was measured in the ordinary way. Their denial of the measurement simply meant of course that they challenged the landlord to produce his measurement papers and show how the measurement had been made. The question of the length of the lagga in the village of this estate (Tappa Madhuban) had previously arisen during attestation. The landlord had then made the same claim and alleged that the area of a field as measured by the *kamarbandh* system, bears its area as measured in the ordinary way the same proportion as 20 by 20 bears to 18 by 18. When called on to establish this by producing his measurement papers during attestation he failed to do so. I may here note that there is another system of measurement in which one peon only winds the end of the rope around his waist. The landlords of the villages where this second system prevails allege that the area of any field measured by it, bears to its area measured in the ordinary way, the proportion which 20 by 20 bears to 19 by 19. When the application for fixing fair rents came on for hearing, the landlord produced before the Revenue Officer the measurement *khesras* which he had previously failed to produce. These showed undoubtedly that a measurement had been made on the *kamarbandh* system by a $4\frac{1}{2}$ hath laggi. The Revenue Officer (Babu Mahendra Nath Gupta) held that the papers did not show clearly which of the two systems mentioned above had been adopted in measuring the village. He accordingly assumed that the second system in which a field 19 laggas long by 19 laggas broad was measured as a bigha, had been used. He therefore directed that after converting the present areas of the holding into bighas and cottahs on this system, ten per cent. should be deducted therefrom and the result compared with the *jamabandi* areas. The rent of the holding, he ordered, should be increased or decreased proportionately to the difference. Against this decision both parties appealed to the Special Judge. The Special Judge held that the evidence showed beyond doubt that the 18 by 18 lagga system each *lagga* being equal to $4\frac{1}{2}$ haths had been used, but he also after analysing the *kamarbandh* system of measurement came to the conclusion that it was impossible to compare the areas obtained by measuring any field on this system with the area obtained by measuring the same field in the ordinary way.

The following extract from his judgment gives his reasons for coming to this conclusion :—

* * * * *

“I have no hesitation in finding that the $4\frac{1}{2}$ cubit lagga *rassi kamarbandh*, is prevalent in Tappa Madhuban for raiyati lands comprised in Mr. Grant's lease. It is highly improbable that any other standard was used in the *surbasta* measurement of 1290. Hence, I accept the evidence that measurement was made by the prevalent standard. I have no doubt as above stated of the genuineness of the *khesras* of that measurement which are on the record.

“But although I agree with the Assistant Settlement Officer so far, I cannot agree with him in his treatment of the *kamarbandh* system. He has taken the *kamarbandh* bigha as equivalent to 19 laggas by 19 laggas. But this is quite contrary to the evidence which is all through to the effect that the bigha is 18 laggas by 18 laggas. The *khesras* themselves do not give the standard, and unfortunately the actual writers of the *khesras* have not been examined. They are all dead except one man who is old, blind, deaf and a leper. But men who pulled the *russi* at the *surbasta* measurement have been called, and they unhesitatingly say that one lagga at each end was taken up, and that the standard was 18×18 laggas. I have had a *russi* produced before me and actually used in measuring in my presence. After seeing it I have not the slightest doubt that the witnesses cannot have made any mistake on the point.

It is not possible that the measurement was made by the 19×19 laggas standard. I have also during the pendency of the appeals examined a witness who knows about the *kamarbandh* system of measurement.

"The Assistant Settlement Officer adopts the 19×19 standard simply because the Manager of Mr. Grant agreed in consultation with the Settlement authorities to accept it. But an admission, which is directly opposed to the evidence, cannot be accepted as deciding a question of fact. I find no facts which can support a 19×19 laggas standard. No doubt it was adopted to avoid the inconveniences which will result from taking an 18×18 laggas standard. The latter in fact produced an increase of area which was *prima facie* disproportionate and improbable. The following table will show the increases in the four villages:—

Jamabandi area according to surbasta measurement.		Area according to 18×18 lagga standard.	Percentage of Increase.
Khushalpur	... 1,835 bighas	2,681 bighas.	48
Gauripur	... 324 "	432 "	33
Hurla	... 353 "	506 "	43
Duldullia	... 404 "	588 "	45

"These are averages for whole villages. In individual cases the increases will run in many cases very high. There is no evidence on the record which points to any cause for such high increases. Hence *prima facie* the results of comparing the jamabandi areas with the cadastral survey areas are not at all satisfactory and the comparison must be viewed with great suspicion.

Further, the *kamarbandh* system, when that system is actually used in measuring on the ground, as appears from the evidence to have been done in 1290, produces results which are not constant and uniform. I have hitherto treated the *kamarbandh* system as being comparable with the ordinary (or *kamarkhole*) system by taking the bigha as being equivalent to 18×18 laggas *i. e.*, 16 Cot., 4 Dhurs, or to 19×19 laggas, *i. e.*, 18 Cot., 1 Dhur. But this calculation is not really correct, as a little examination of the *kamarbandh* system will show. I take the 18×18 system, as the evidence shows that that system is the prevalent system in Tappa Madhuban. The rope produced before me had pieces of leather tied so as to mark off each lagga. It was 20 laggas long, so that there were such marks at lagga 1, lagga 2, lagga 3 and so on up to lagga 19, the end of the rope being lagga 20. A loop was tied at each end of the rope and this was passed over the bodies of the leader and the follower who held the rope in making the measurement. The follower held the 1 lagga mark in his hand and the measurements were made with this as the starting point. The leader held the 19 lagga mark over his shoulder and stood in such a way that when a full russi was measured the 19 lagga mark has the end of the russi. The measurements were not very accurate even according to the system. But that would not matter very much. The system itself is to be considered. In writing the measurements the number of the lagga reached is written down, *i. e.*, when one lagga on the ground is measured the 2 lagga mark is reached and 2 laggas are written, when 2 laggas measured 3 laggas are written, when 3 laggas are measured, 4 are written, and so on. One lagga is in fact added to all the measurements till the 19 lagga mark, which completes the rassi, is reached. Then 1 russi is written. Thus 1 russi is only 18 laggas, one lagga being cut off at each end. The evidence recorded by me shows that measurements between 17½ and 18 laggas are recorded as 19 laggas. This is the only break in the system by which 1 lagga is added to each measurement below 18. After the rassi is reached, measurement begins again from the 1 lagga mark, so that 19 laggas, actual measurement will be written 1 russi 2 laggas, 20 laggas will be written 1 rassi 3 laggas, and so on.

In calculating areas the lengths and breadths of the field taken on this system are multiplied together; but 20 dhurs are taken as making one kotta and 20 kottas as one bigha. Dhurs are not written down, *i. e.*, 1 kotta 5 dhurs is written as 1 kotta; and 1 kotta 15 dhurs is written as 2 kottas. The nearest kotta is taken according to the following system:—1 kotta 9 dhurs is written 1 kotta, but 1 kotta 10 dhurs is written 2 kottas, any measurement from

1 kotta 10 dhurs up to 2 kottas 8 dhurs is written as 2 kottas, and similarly for higher measurements.

"A few instances will show the results of this system:—

- (a) Actual measurement 4 laggas \times 5 laggas = 20 dhurs, i.e., 1 kotta, is written down on the *kamarband* system 5 laggas \times 6 laggas = 30 dhurs, and this is written as 2 kottas in the *khesra*.
- (b) Actual measurement 4 laggas \times 10 laggas = 40 dhurs, i.e., 2 kottas, is written down on the *kamarband* system 5 laggas \times 11 laggas = 55 dhurs, which appears in the *khesra* as 3 kottas. But this area is really exactly double of the last.
- (c) Again, actual 4 \times 20 laggas = 80 dhurs = 4 kottas *kamarband*, 5 laggas \times 1 rassi 3 laggas = 5 \times 23 = 115 dhurs, which is written 6 kottas.
- (d) Again, actual 4 \times 40 laggas = 160 dhurs = 8 kottas *kamarband*, 5 \times 2 rassis 5 laggas = 5 \times 55 = 225 dhurs, which is written 11 kottas. Each of the areas is really double of that which precedes it.

"Take another set of examples:—

- (a) $\left\{ \begin{array}{l} \text{Actual} \quad \dots 11 \times 7 = 77 \text{ dhurs.} \\ \text{Kamarband} \quad \dots 12 \times 8 = 96 \text{ dhurs written } 5 \text{ kottas.} \end{array} \right.$
- (b) $\left\{ \begin{array}{l} \text{Actual} \quad \dots 11 \times 14 = 154 \text{ dhurs.} \\ \text{Kamarband} \quad \dots 12 \times 15 = 180 \text{ dhurs written } 9 \text{ kottas.} \end{array} \right.$
- (c) $\left\{ \begin{array}{l} \text{Actual} \quad \dots 11 \times 28 = 308 \text{ dhurs.} \\ \text{Kamarband} \quad \dots 12 \times 31 = 372 \text{ dhurs written } 19 \text{ kottas.} \end{array} \right.$
- (d) $\left\{ \begin{array}{l} \text{Actual} \quad \dots 11 \times 56 = 616 \text{ dhurs.} \\ \text{Kamarband} \quad \dots 12 \times 64 = 768 \text{ dhurs written } 38 \text{ kottas.} \end{array} \right.$

"Each area is really double of the last.

"A more curious result may be obtained by taking the same area measured in different ways, e. g., 48 dhurs may be measured in 5 different ways.

Actual.

- | | | | |
|-----|--|--|----------------|
| (a) | 6 \times 8 laggas = 48 dhurs equivalent to | 7 \times 9 = 63 dhurs <i>kamarband</i> . | written 3 kts. |
| (b) | 4 \times 12 " = 48 " " " | 5 \times 13 = 65 " " " | " 3 " |
| (c) | 3 \times 16 " = 48 " " " | 4 \times 17 = 68 " " " | " 3 " |
| (d) | 2 \times 24 " = 48 " " " | 3 \times 27 = 81 " " " | " 4 " |
| (e) | 1 \times 48 " = 48 " " " | 2 \times 53 = 106 " " " | " 5 " |

"These results are not uniform and constant; they show that the ratio of comparison cannot always or indeed very often be $16\frac{1}{2}:20$ and though it is possible that there might, by taking averages, be some standard of comparison of *kamarband* and ordinary measurement for longer areas, yet when individual fields are in question there must be hardship in many cases if the *kamarbandh* system is compared with the scientific and accurate measurements of the cadastral survey. It is obvious that on the *kamarbandh* system the measurements will approximate more closely to the true measurements the larger they are up to 17 laggas, while the nearer they are to 1 the more inaccurate they will be. The small fields will in fact have a different standard from those which are larger. I therefore hold that it is impossible to make any proper comparison of individual holdings, between the *surbasta* measurement of 1290 and the Cadastral Survey measurements. Unless each individual field were again measured in the same way as was done in 1290, it could not be said whether there were any increase in area or not; and such a measurement would be clearly impossible.

"I accordingly hold that the finding of the Assistant Settlement Officer allowing additional rent for increase of area cannot be supported. Under this head the appeals must be allowed. This finding further implies that in cases where abatements have been allowed for deficiency in area these abatements will also be disallowed."

A second appeal against this decision is, I understand, being made to the High Court. The argument which will probably be used by the landlords is to the effect that if a raiyat's land as measured by the *kamarbandh* system in 1290 F. S. was estimated at eight bighas, the area actually in his possession must have been less than that, and consequently if he is now found in possession of ten bighas by a proper measurement, he is *at least* liable to pay excess

rent for the difference of two bighas. If excess area were calculated on this principle the excess area in the villages Khusalpur, Gauripur, Harla and Duldulia mentioned in the judgment would be reduced from 46, 33, 43 and 45 per cent. to 18, 7, 15 and 17 per cent. respectively. On the other hand it must be remembered that after the measurement was made in 1290 and for many years subsequently, the raiyats must have been paying rent for at least twenty-five per cent. more land than they actually cultivated and in assessing rent on the area which they have since encroached on this should be taken into account. If the result of the appeal to the High Court should be that the judgment of the Special Judge is upheld and that a measurement on the *kamarbandh* system is declared to be valueless as a basis of comparison with a subsequent measurement for the purpose of assessing rent on excess area, the landlords who have maintained this absurd and inequitable system of measurement will be entitled to little sympathy.

155. The Manager of the Banaili Estate did not generally submit his claims to rent for excess area to the Settlement Courts. These have, I understand, been reserved for the Civil Courts. In some of the villages of this estate it is claimed that the *kamarbandh* system of measurement prevails, and in many no measurement papers are forthcoming. These facts probably account for his decision. In the Lachhimpur estate no applications for settlement of fair rents were instituted. In that estate a general enhancement was made in 1802 and the manager did not consider it fair or equitable to ask for further enhancement until at least fifteen years had elapsed. Had applications for settlement of fair rents been instituted, it is probable that the existing rents would have been declared to be fair and equitable.

156. Generally speaking, landlords were unable to show what was the prevailing rate for any particular kind of land and therefore enhancements were granted under section 30 (a). The classification of land given in the landlord's *jamabandi*, at least in North Bihar, rarely corresponds with the facts and in many estates the landlord's *amla* are unable to say what rate of rent a raiyat pays for any particular field. The only estate in which large enhancements were granted under this section is the Pachgachhia estate the history of the attestation of which has been given in paragraph 88.

The Manager of Sonbarsa applied to have those rents which had been reduced during attestation restored, on the ground that the attested rents were below the prevailing rate. In some villages where the rents of a few raiyats only had been reduced, and where the tenants agreed the application was allowed, but in most cases the tenants refused to come to any compromise, or would only give a small enhancement, which was allowed in order to put a stop to all future dispute about the rent. I have not been able to ascertain for certain whether the proprietor abided by these decisions.

In the Sukhpur estate, in North Bhagalpur, a peculiar class of tenants was found, for whom fair rents had to be fixed. These lived mostly in Sukhpur village itself, and it was difficult to say on what terms they held their lands. They included dependents relatives, and servants of the proprietors. They paid no fixed rent but occasionally contributed something, sometimes cash, sometimes grain or *ghi*, but these contributions were made rather by way of acknowledging allegiance to their landlords than as payment of rent. They were in fact the landlord's retainers and held their land as such. A similar class of tenants was found in two other Rajput villages in the south of the district, *viz.*, Panjawara and Sabalpur.

When the attestation of the records of Sukhpur was being done, the landlords and tenants were called on to state what rents were payable. The tenants did not claim to be entitled to hold their lands rent-free, nor did the landlords claim that they were held on the condition of rendering any specific services. Both parties alleged that their lands were ordinary cash rent paying holdings. The landlords claimed excessively high rents which, they were unable to prove, had ever been collected. The tenants stated low rents and as they had been paying little or nothing there was no option but to attest rents in accordance with their statements. The landlords applied to have these rents enhanced on the ground that they were below the prevailing

rates and as it was quite clear that they were much below the average rates in the neighbourhood, the application was allowed, reasonable rates being fixed which were accepted by the tenants.

157. In recent years landlords have discovered that where rents have not been altered for about fifteen years, it is a comparatively simple matter to obtain enhancement on the ground that the prices of staple food-crops have risen since the current rent was fixed. The abnormal rise in prices which culminated in 1908 and 1909 increased the amount of enhancement allowable on this ground. In North Bhagalpur twenty and in South Bhagalpur sixty-five per cent. of the total enhancement of rent allowed was granted on this ground. Schedules were prepared showing the average prices of the staple food-crops in each subdivision since 1888, the first year in which price lists were published in the *Calcutta Gazette*. From these schedules the amount of enhancement allowable was calculated in the manner prescribed in section 320. On the average the existing rents which were enhanced, were increased by about two annas in the rupee.

158. Previously unassessed holdings, 1,872 acres in area, were assessed to rent at an average rate of Re. 1-12 per acre. In North Bhagalpur the average rate assessed was Re. 1-10 and in South Bhagalpur Rs. 2 per acre.

159. Reduction amounting to Rs. 1,351 were made in the rents of raiyats who were found to be holding less land than they were paying rent for. In very few of these cases were applications for reduction put in by the raiyats themselves. In most of them the landlord had applied for settlement of fair rent, but it was discovered on comparing the jamabandi and the survey areas, that the raiyat was entitled to have his rent reduced.

160. Appeals were instituted in 437 cases out of the 2,941 decided. Up to the present 437 of these have been disposed of. In 291, the original orders have been upheld, in 77 they have been modified and in 69 reversed.

Except in the cases of Tappa Madhuban and in those instituted by Rai Ganpat Singh Bahadur, both of which have been previously referred to, the Special Judges approved of the principles on which the settlement of fair rents had been done. The right of the Revenue Officers to scrutinize petitions of compromise and to refuse to accept them if they appeared to be inequitable has been fully recognized. In the cases where the original decisions have been modified or reversed the Special Judge has usually differed from the Assistant Settlement Officer not in any important question of law or principle but as to whether the evidence produced was or was not sufficient to establish some fact, such as whether a measurement had taken place or not.

161. *Disputes under section 106.*—The following statement shows the number of rents under section 106 filed in each thana of the district:—

Thana.	Number of suits.	Percentage to total number of holdings.
Partabganj	260	1·0
Supaul	901	1·1
Madhipura	612	1·0
Bangaon	656	1·2
Kishanganj	58	0·16
Bihpur	83	0·32
Colgong	449	1·00
Sultanganj	42	0·20
Bhagalpur	93	0·35
Amarpur	91	0·24
Banka	48	0·12
Katoria	31	0·12
Total	3,327	0·70

162. In North Bhagalpur the proportion which the number of cases filed bears to the number of holdings is higher than in Darbhanga. In South Bhagalpur, the percentage of Landlords resort to the Civil Courts, is much lower and is almost the same as in North Monghyr. In most of the suits instituted no important questions of principle were raised. Those landlords whose rents had been found to be illegally enhanced did not attempt to dispute this finding by bringing a suit to have the record-of-rights altered. As Mr. Coupland remarks in his report on the North Monghyr operations, they were fully justified in assuming that they had more chance of contesting the point successfully in the Civil Courts. The only important cases in which the question of the legality of enhancements had to be decided, were those instituted by the raiyats of a portion of the Pachgachhia estate, in which it had been held as a result of a special enquiry made after attestation that certain enhancements of rent made by the proprietors were not illegal. Many of the raiyats contested this finding under section 106, but without success. The legality of the recorded rents was affirmed by the officer who disposed of their objections and his finding was upheld on appeal by the Special Judge.

The Maharaja of Sonbarsa, Babu Janeshwar Singh of Shankarpur, Ras Bihari Mandar of Murho, Rajendar Narain Singh of Koriapatti, and other landlords both in the north and south of the district did not institute suits under section 106 in respect of the cutting down of the illegally enhanced rents. The estate of the Maharaja of Sonbarsa and that of Ras Bihari Mandar have since come under the management of the Court of Wards, and it has been ascertained that these two landlords found no difficulty in obtaining from the Civil Courts decrees against their raiyats for the old rents which were being realized before settlement operations began. Many of these decrees were obtained *ex parte*, many were by agreement and some were contested. The zamindari papers of these two estates, which are now in the possession of the Court of Wards, also indicate that many of the raiyats against whom decrees for arrears of rent were obtained had already paid the rents for which they were sued. These papers were of course not produced in Court, another set of papers kept specially for the purpose, which showed no realization of rent for the years in suit, were used instead, and on the basis of these forged papers, in spite of the protests of the raiyats, decrees were given for the amount claimed. After the most refractory raiyats had been treated in this way little difficulty was found in persuading the others to agree to pay the enhanced rents, and as soon as the raiyats put in petitions of compromise no further regard was paid by the courts to the record-of rights.

Although no one who has had any dealings with him will be surprised to hear that Ras Bihari Mandar has used forgery and fraud in fighting his raiyats, it may be a shock to many persons to learn that a man of the position of the late Maharaja of Sonbarsa did not scruple to employ the same weapons. It is to be feared however that such conduct is not uncommon on the part of zamindars who are generally regarded as above suspicion, and that it involves no more disgrace or loss of reputation among their fellow-landlords than it did a hundred years ago.

The zamindari papers of these estates which are now in the possession of the Court of Wards, indicate the means employed to subdue refractory tenants. If a raiyat refused to agree to the rent claimed by the proprietor he was sued in the Civil Court for arrears of rent which he had already paid but for which no receipt had been given to him. Numerous cases have come to the notice of Settlement Officers in which there is grave reason to suspect that documents produced in evidence before them are forged, where the want of positive evidence of their falsity, along with the respectability of the person on whose behalf they are produced, renders it impossible to institute a criminal prosecution. If access could be had to the zamindari offices in which the genuine accounts are kept many sensational revelations would probably follow. In both the estates referred to above it seems as though all the labour of the attestation officers has been completely wasted, and that the record-of-rights prepared by them has not been of the slightest protection to the raiyats. In the case of the Maharaja of Sonbarsa the evidence which showed that his rents were illegal was obtained from the zamindari papers which he himself produced,

and had any attempt been made in the Civil Court to investigate the legality of his rents the Court must inevitably have come to the conclusion that the rent entered in the record-of-rights was the rent legally recoverable. I have no information as to what extent the other landlords of the district have followed the example of the Maharaja of Sonbarsa, but there is little reason to doubt that all those who had like him ignored the provisions of section 29 of the Tenancy Act and had received similar treatment during settlement, look with confidence to the Civil Courts to restore their old rents provided they can induce their raiyats not to object. In North Bhagalpur, most of the suits instituted with a view to nullifying the record-of-rights were instituted in 1904, 1905 and 1906. In 1907 the Tenancy Act was amended by the insertion of section 147A and 147B. The latter section makes it incumbent on Civil Courts in suits between landlord and tenants to refer to the record-of-rights and the former forbids them to accept without investigation agreements or compromises declaring the record-of-rights to be wrong. I am unable to say what effect this amendment has had in preventing the record-of-rights framed for South Bhagalpur being treated as was that prepared for North Bhagalpur. Reports received from Munsiffs indicate that the number of cases in which the record has been set aside are comparatively few, but no case has yet come to my notice in which a Bhagalpur Munsiff has refused to act on a petition of compromise filed before him.

163. In Appendix O full details of the nature of the cases dealt with will be found. Of the total number 1,243 were successful and 2,084 unsuccessful. Disputes about money rent were the most common and numbered 1,595 or nearly 50 per cent. of the whole. Many of these were from the Pachgaehria estate and have already been referred to. The remainder were mostly petty disputes of no general importance where the only question for decision was the amount of rent paid by a particular raiyat. Neither landlord nor raiyats had any hesitation in submitting such cases for final decision to the Settlement Courts. Possession disputes numbered 699 of which 299 were successful. None of these were of any particular interest. Status disputes were most numerous in Thana Colgong where a number of tenants claimed to be entitled to hold at fixed rates.

164. In 239 cases appeals were filed before the Special Judge out of which 225 have been decided. The decision of the Revenue Officers was upheld in 155 cases, modified in one and reversed in 47. Twenty-two cases were remanded for re-hearing.

Most of the cases in which the original decisions were reversed are of village Deyalpur in Thana Colgong, in which one of the landlords, the proprietor of an indigo factory, claimed raiyati right in a large area. This claim was disallowed in the Settlement Courts, the Revenue Officer being of the opinion that it had not been proved that the tenancy in question was raiyati in origin. Mr. Hamilton, the Special Judge, held that the papers of the indigo factory showed that the land had formerly been cultivated by the claimant and had only been sublet when indigo cultivation was given up. He therefore held that the Tenancy was raiyati and that the cultivators of the land should be recorded as under-raiyats of the claimant.

None of the other appeals are of any special interest or involve questions of general principle.

COMMUTATION OF PRODUCE RENT.

165. During the settlement operations 4,414 applications for commutation of produce rents to cash were presented by raiyats. Of these 487 were subsequently withdrawn, 1,070 were disallowed, and in 2,883 the applications were allowed. In addition to the above 921 applications, which were received too late to be dealt with by the settlement staff, were made over to the Collector for disposal.

The bulk of the applications, as might be expected, came from the southern thanas. Only 129 were from the area north of the Ganges.

166. The question of what stage of the operations is most convenient for dealing with these applications is one of some difficulty. They may be instituted at any time—from the beginning of survey up to the time when the settlement operations, including settlement of fair rents, are completed. In South Bihar, where these applications are numerous, it has been found necessary to refuse to accept those which are presented after the notification under section 103B is issued. Those wishing to file applications after that date are referred to the Collector. From many points of view, including that of economy, it would be most convenient to wait until the time for filing applications had expired, and then to deal with all the cases of one village at the same time. This method would render it easy to estimate the number of officers required for the work. It has its drawbacks, however. As a rule only a small proportion of the raiyats who want their rents commuted put in applications at first. The others wait to see the result of these. To postpone dealing with the first batch until the time for receiving applications has expired would deprive a number of raiyats of the opportunity of applying for commutation of rent to the settlement officer. The extra cost involved hinders many of them from going to the district authorities. On the other hand, it is found impracticable to deal with the applications as they are instituted, by having those presented at each stage of the operations dealt with at the same or during the next subsequent stage. To do so would delay the early stages of the work considerably. The applications cannot be dealt with during attestation recess, as the records are then required in the head-quarters office. In South Bhagalpur, Monghyr and Patna, therefore, they have been taken up while the case work under sections 105 and 106 was being disposed of. To postpone them until this stage means that the applications presented during survey are not dealt with for two years, during which time the petty proprietors, by instituting civil suits for alleged arrears of produce rent, endeavour to compel the raiyats to withdraw their applications. Case work, moreover, is generally done between May and November, so that the officers who disposed of the South Bihar applications for commutation have not had the opportunity of seeing the raiyats' fields while the crops were standing on them. This is a serious disadvantage, but it could not have been avoided without employing during the cold weather a larger number of officers than could have been spared.

167. The result of the cases dealt with is shown in the following statement:—

Serial No.	NAME OF THANA.	Total number of cases instituted.	TOTAL NUMBER OF CASES DECIDED.				Area in acres for column 4.	Rent commuted for column 4.	Average rate of rent per acre.	Average rate of rent of occupancy raiyat as per gahwara.
			Allowed.	Rejected.	Withdrawn.	Total.				
1	2	3	4	5	6	7	8	9	10	11
								Rs.	Rs. A. P.	Rs. A. P.
1	Partabganj ...	2	...	2	...	2	...	...	4 12 8	1 9 8
2	Supaul ...	76	58	18	...	76	63	302	3 11 3	2 0 4
3	Bangaon ...	51	50	1	...	51	98	363	5 10 9	3 4 1
4	Colgong ...	1,236	814	263	159	1,236	2,929	16,621	7 6 1	5 2 10
5	Sultanganj ...	1,199	765	244	190	1,199	2,818	20,811	7 2 9	5 3 11
6	Bhagalpur ...	218	149	48	21	218	608	4,360	5 8 9	4 11 6
7	Amarpur ...	975	671	267	87	975	3,422	18,991	5 5 6	2 9 5
8	Banka ...	331	159	109	63	331	611	3,266	4 3 3	1 7 11
9	Katauria ...	326	191	118	17	326	140	589		
	Total ...	4,414	2,857	1,070	487	4,414	10,689	65,303	6 1 7	2 10 6

The average rate of rent fixed is a little over Rs. 6 per acre, or almost two and a half times the average rate paid for land already held on cash rent.

In the North Bhagalpur cases the average is only Rs. 4.2. The highest average rates fixed are in Sultanganj Rs. 7-6-1 and Bhagalpur Rs. 7-2-9.

168. The procedure generally adopted in fixing cash rents was as follows:—

Procedure adopted in fixing rents. The lands were classified, and where possible, the average rates paid for similar classes of land in the vicinity were ascertained. In many cases this was not possible, as the rates paid bore little or no reference to the class of the land. In such cases the average cash rate paid in the village for all lands was taken. The average annual value of the produce rent realized by the landlord in the previous ten years was also calculated, and the mean between this and the rental calculated at the average rate or rates was taken as a fair rent. As a rule the average annual value of the produce rents was greater than the rent calculated at the prevailing cash rates, and hence the landlord generally stood to lose by the commutation. In many of the villages belonging to the Baneli estate, however, the opposite was the case. In these the result of the commutation proceedings was to increase the landlords' income by about 20 per cent. Strange to say the only objection was raised by the landlords themselves, who were not satisfied and asked for more. The raiyats were quite willing to pay the enhanced rents. This is instructive, as it indicates that the persons chiefly interested in the maintenance of the produce rent system are the landlords' servants who find in it unlimited opportunities for blackmail. The manager of this estate is clearly aware of this, for in recent years he has himself commuted the rents of large numbers of holdings. The only objection to commutation through the settlement courts appears to be that the landlord does not get the *salami*, which is usually paid when the commutation is done by private agreement.

169. There is reason to believe that most of the chief landlords of South Bhagalpur would really be glad if their produce rents were changed to cash. They naturally, however, insist on obtaining as high a cash rent as possible, and this attitude, combined with the opposition of their *amla* to the change, prevents any commutation of rents by private agreement on a large scale. The raiyats would willingly submit their case to the arbitration of the courts, but the expense involved prevents many of them from doing so. The landlords knowing this refrain from putting in applications, hoping that the raiyats will in the end be compelled to agree to their demands.

Landlord's attitude towards commutation. Arrangements for maintenance of irrigation channels after commutation. In all the cases where rent was commuted by the Settlement Department, the burden of maintaining in repair the existing means of irrigation was left on the landlord. The more enlightened landlords will see that their interest in doing so is no less than it was before, but some of the smaller proprietors, when they are short of money, may, in the absence of a prospect of a direct and immediate return for their expenditure, be inclined to neglect their obligations in this respect. The danger, however, is not so much that they may neglect altogether to keep their embankments and water channels in repair, as that they may cease to exercise the constant vigilance and promptness in dealing with small damages occurring during the rainy season, which, if attended to at once, cost but little to put right, but if neglected may result in injury involving expenditure beyond their means. The interest of the raiyats in seeing that the repairs are quickly and properly done is, however, increased; and as at present, they themselves, under the direction of the landlord, supply free, or at a very low cost, the greater part of the labour required for the purpose, the danger on this head is thereby lessened. It is necessary, however, that some form of compulsion should be available to meet the case of those landlords who deliberately refuse to carry out their obligations.

170. During the hearing of the applications many doubtful points arose. These were originally decided by the assistant settlement officers, but as the latter, in dealing with them were guided by the advice of the Settlement Officer, Mr. M. C. McAlpin was specially appointed as an Additional Settlement Officer for the purpose of dealing with the appeals which were filed as a result of the first season's working. These, in the ordinary course, would have been disposed of by the Settlement Officer himself.

Decision of appeals.

In all the important points raised on appeal the Additional Settlement Officer upheld the decisions of the Assistant Settlement Officers. Most of these points were made the subject of second appeals to the Board of Revenue with the same result.

171. The most important points raised were:—

(1) In calculating the average rate per bigha or per acre paid for the cash rented lands of the village, the custom was to take the total cash rental and divide it by the total area of the holdings as ascertained by the survey measurement. The landlords objected to this, and claimed that the rate should be calculated by dividing the total rental by the total area of the holdings as given in their zamindari papers. As the former area always exceeded the latter, they would gain by this. Their contention was, of course, that the raiyats were holding land in excess of what they were paying rent for. It was held that they should have instituted suits under section 105 to prove this, and to have additional rent assessed on these lands. When this had been done the total rent assessed would be taken into account, but otherwise it would be presumed that the difference in area was due, not to encroachment, but to a difference in the method of measurement.

(2) In calculating the average annual value of the produce rent realized in the past, it was pointed out by the landlords that the average area cultivated each year by any raiyat was always less than the area of his holding as ascertained by the survey measurement. They claimed that for the purposes of calculating a fair rent, the average annual value of the produce rent should be increased proportionately. It was obvious, however, that the difference between the areas arose from two causes. The first is that in the ordinary course of things a raiyat leaves a small portion of his holding fallow every year. Secondly, that the discrepancy between the malik's estimate of the area of the *bhaoli* holdings and their actual area is probably due to the same cause as in the case of the cash-rent paying holdings referred to in (1), viz., to a difference in the method of measurement. As the landlords' produce rent papers show in each year the area of each field on which crops are grown, it would be quite a simple matter for them to show, if it were true, that the difference in area was due to the omission of some fields from assessment. In fact, however, the area of each field as shown in these papers was slightly less than the true area, the whole difference being thus accounted for. Some cases, however, were shown in which particular raiyats of a village had been favoured at the expense of others, when the crops were being assessed. By conspiring with the estate subordinates, some of their lands had escaped assessment. In their cases the discrepancy between the areas was proportionately much greater than in that of the other raiyats. It was held that only in such cases should any allowance, such as the landlord suggested, be made.

(3) Section 40 lays down that the officer commuting produce rents shall have regard to the charges incurred by the landlord in respect of irrigation. The landlords claimed that after striking a mean between the average cash and produce rents the actual average annual cost of irrigation should be distributed rateably over the holdings and added to it. This would be equivalent to making the raiyats bear the whole cost of irrigation. It was pointed out to the landlord that in calculating the average prevailing cash rates similar and similarly irrigated lands had been taken for the purposes of comparison; and also, that if the irrigation channels maintained had been productive of any increase in the outturn of crops, this increase had already been included in the average value of the annual produce rent. Hence no separate allowance was made for irrigation charges. The action of the Settlement Department in this respect also was upheld by the Board of Revenue.

(4) The process of calculating the value of the produce rents realized was greatly simplified by the fact that most of the landlords who assess rent by appraisement of the produce realize its estimated value in cash. Where this was the case, all questions of the rate per maund at which the value of the produce should be calculated were avoided. And generally

in Bihar this is a point on which there is no dispute. When the raiyat wishes to make a payment, the rate is ascertained from the local bazaar; and if he pays in money, he is credited with so many maunds of produce corresponding to the amount of cash paid. Hence it occurs that in the Banali estate, for instance, although the raiyats actually pay in cash, they are given receipts for so much grain. In cases when the raiyats denied the correctness of the landlords papers and produced their receipts in support of their case, it would have saved much trouble if the amount actually paid in cash, as well as its equivalent in grain, had been noted on the receipt.

172. In many instances purchasers by private sale, who had not been recognized by the landlord, applied for commutation of produce rents. Their applications were disallowed, as were some filed by raiyats who had not acquired rights of occupancy.

173. In the estates owned by petty proprietors, the chief difficulty was to obtain papers showing correctly the amounts of produce rent realized by the landlord. The papers produced had as a rule been prepared for the occasion, and the Assistant Settlement Officer in such cases usually had to fix rents for the holdings at the average cash rates prevailing in the village. Such receipts, if any, as were given to the raiyats, were useless to the Assistant Settlement Officer. It may here be remarked that when the custom of division of crops obtains, receipts are rarely or never given.

174. The following statement shows the results of the appeals decided by the settlement officers.

Thana.		Total No. of appeals.	NUMBER IN WHICH THE ORIGINAL DECISION WAS—	
			Upheld.	Modified.
Colgong	...	62	62	...
Bhagalpur	...	27	26	1
Sultanganj	...	525	381	144
Amarpur	...	106	95	11
Banka	...	68	68	...
Katoria	...	31	22	9
		---	---	---
Total	...	819	654	165
		---	---	---

In most cases the modification made in the original decision was very slight, and had little effect on the rents fixed. In a few cases the Assistant Settlement Officers had added the irrigation charges to the raiyats' rents. These were cut out by the Settlement Officer.

EXPENDITURE AND RECOVERY OF COST.

175. Separate accounts were maintained for the operations in North and in South Bhagalpur. The following statement shows the expenditure under each head of work, and also the total miscellaneous receipts in cash and court-fee stamps which were adjusted as a set-off against the total expenditure, before calculating the amount recoverable from landlords' tenants.

The account is presented in a somewhat different form to that in which the accounts of the districts previously dealt with have been given, inasmuch

as the expenditure on supervision and on contingencies, instead of being shown separately, has been distributed proportionately over the other heads.

Serial No.	BRANCHES OF WORK.				North Bhagalpur area 1,881 miles.	South Bhagalpur area 1,681 miles.	Cost rate per square mile.	
	<i>A.—Survey.</i>				Rs.	Rs.	Rs.	Rs.
1	Traverse survey	...	...	...	59,889	62,545	32	38
2	Cadastral survey	...	...	...	1,28,770	1,30,480	74	80
3	Record-writing	...	...	...	1,30,963	1,23,291	69	76
	Total	...	...	...	3,29,622	3,16,316	175	194
	<i>B.—Settlement.</i>							
4	Supervision of <i>khanapuri</i>	...	...	...	38,506	63,236	20	40
5	Attestation	...	...	...	1,19,677	1,03,314	64	63
6	Case-work, section 103A	...	...	...	26,202	16,023	14	10
7	Office work and final publication	...	...	...	99,916	94,190	53	58
8	Case-work, sections 105 & 106	...	...	...	60,853	32,843	32	20
9	Computation and recovery of costs	...	...	...	25,698	19,099	14	12
10	Commutation of produce rent	...	...	...	...	11,247	...	7
11	Miscellaneous	...	...	...	...	9,345	...	6
	Total	...	...	...	3,70,652	3,52,297	197	216
12	Final reproduction of village maps for distribution.	...	...	...	..	27,150	...	15
	Total gross expenditure	...	...	...	7,00,274	6,95,763	372	425
	Miscellaneous receipts	...	...	...	1,20,891	85,723	64	52
	Net cost	...	...	...	5,79,383	6,10,040	308	373

176. The total gross expenditure on the district operations is Rs. 13,96,037, which gives an average cost of Rs. 397 per square mile. The normal cost rate is Rs. 420. The total net cost is Rs. 11,89,423, or Rs. 338 per square mile. The cost rate for survey in South Bhagalpur is almost exactly the same as the normal rate. That of North Bhagalpur is Rs. 18 below it. In South Bhagalpur the total settlement expenditure, excluding the cost of reproducing village maps for distribution, exceeds that of North Bhagalpur by Rs. 19. This is chiefly due to the fact that the cost of supervision of *khanapuri* in South Bhagalpur was Rs. 40 per square mile, or just double of that in North Bhagalpur. This I attribute to two circumstances. First, the staff employed in South Bhagalpur contained a larger number of senior officers. Secondly, the writing of *khewats* in South Bhagalpur was done by the settlement staff. This necessitated their beginning work in November, whereas in North Bhagalpur they did not take the field until January.

The cost of dealing with applications for commutation of produce rents in North Bhagalpur was comparatively small and has not been separately shown. In South Bhagalpur the expenditure incurred on this account comes to Rs. 7 per square mile when distributed over the whole area.

The cost of case-work under sections 103, 105 and 106 depends on the number of cases instituted. Hence the expenditure under this head is smaller in the case of South Bhagalpur. The fact that less cases under these sections were instituted caused the receipts from court-fee stamps to be also less. This accounts for the miscellaneous receipts in cash and court-fee stamps, amounting to only Rs. 52 per square mile as against Rs. 64 in North Bhagalpur.

In South Bhagalpur a copy of the village map was at the time of recovery of cost given to each landlord and each tenant. This was not done in the

north of the district. The cost incurred by the Bengal Drawing Office on the printing of these maps was Rs. 27,150, or Rs. 15 per square mile.

177. The following statement compares the survey and settlement cost rates of the different districts surveyed, with the normal cost rates :—

HEAD OF EXPENDITURE.	NORMAL RATES.		NORTH BHAGALPUR.		SOUTH BHAGALPUR.		PUENEA.		BURJAPUR.	
	Per square mile.	Per acre.	Per square mile.	Per acre.	Per square mile.	Per acre.	Per square mile.	Per acre.	Per square mile.	Per acre.
	Rs.	As. P.	Rs. A. P.	As. P.	Rs. A. P.	As. P.	Rs. A. P.	As. P.	Rs. A. P.	As. P.
Survey expenditure ...	193	4 9	175 3 4	4 5	193 15 1	4 10	183 2 0	4 7	288 11 2	6 0
Settlement expenditure ...	227	5 8	197 0 10	4 11	315 0 0	5 5	183 9 10	4 11	263 5 11	6 7
Map final reproducing ...	11	0 3	...	...	15 6 9	0 5	10 0 4	0 3	...	...
Total ...	431	10 8	372 4 3	9 4	425 5 10	10 8	386 12 2	9 9	562 1 1	12 7
Deduct receipts ...	31	0 9	64 4 4	1 7	51 6 8	1 8	71 0 0	1 9	42 5 0	1 1
Net cost ...	400	9 11	307 15 11	7 9	373 15 2	9 5	315 12 2	8 0	459 12 1	11 6

HEAD OF EXPENDITURE.	NORTH MONGHYR.		DARSHANGA.		SARAY.		MUZAFFARPUR.		CHAMPARAN.	
	Per square mile.	Per acre.	Per square mile.	Per acre.	Per square mile.	Per acre.	Per square mile.	Per acre.	Per square mile.	Per acre.
	Rs. A. P.	As. P.	Rs. A. P.	As. P.	Rs. A. P.	As. P.	Rs. A. P.	As. P.	Rs. A. P.	As. P.
Survey expenditure ...	185 13 4	4 1	236 1 8	5 9	217 7 0	5 5	162 15 0	4 1	140 0 0	3 8
Settlement expenditure ...	262 2 2	6 6	254 0 6	6 4	283 9 5	7 6	211 4 8	5 3	146 11 0	3 8
Map final reproducing ...	...	...	...	...	...	...	...	...	...	...
Total ...	447 15 6	10 7	490 2 2	12 1	501 0 5	12 11	374 3 8	9 4	286 11 0	7 2
Deduct receipts ...	34 8 2	0 10	61 18 0	1 7	62 3 2	1 7	27 2 9	0 8	30 9 6	0 9
Net cost ...	413 7 4	9 9	428 6 2	10 6	438 13 3	11 4	347 0 11	8 8	256 1 6	6 5

The normal cost rate for settlement given in the above statement does not include the cost of reproducing village maps for distribution. It was anticipated that this would amount to Rs. 11 per square mile, or 3 pies per acre. The actual cost has been Rs. 15 per square mile, or $4\frac{1}{2}$ pies per acre. It is not likely that the normal cost will be much less than this. In comparing the South Bhagalpur cost rate with the normal rate given in the statement, the latter should be increased by this amount.

178. The total amount recoverable from the landlords and tenants is calculated as follows. From the total gross cost (excluding the cost of reproducing maps for distribution), the value of the receipts in cash and court-fee stamps is deducted. Three-fourths of this figures is taken, to which is added the cost of reproduction of maps. The following shows the details of the calculation for both North and South Bhagalpur :—

	North Bhagalpur.		South Bhagalpur.	
	Rs.		Rs.	
Gross cost	7,00,274	...	6,68,613
Deduct receipts	1,20,891	...	85,723
Net cost	5,79,383	...	5,82,890
Deduct one-fourth, being the share payable by Government	1,44,846	...	1,45,722
Balance	4,34,537	...	4,37,168
Add cost of reproducing maps for distribution	27,150
Total	4,34,537	...	4,64,318

179. In North Bhagalpur an apportionment order was issued authorizing the recovery of cost at the rate of 6 annas per acre, Apportionment of cost. $3\frac{1}{2}$ annas to be payable by the landlords and $2\frac{1}{2}$ annas by the tenants. The total demand actually arrived at by applying these

rates to each holding was Rs. 4,90,284, of which Rs. 4,90,241 was actually recovered, the remainder Rs. 43 being remitted as irrecoverable. Government has therefore realized an excess amount of Rs. 55,706.

In South Bhagalpur costs were levied at the rate of 7 annas per acre, 4 annas from the landlords, and 3 annas from tenants. This rate gives a total demand of Rs. 4,60,764, of which Rs. 4,56,524 have actually been recovered up to 1st October 1911. In addition to this it must be remembered that the settlement operations of two villages in Patna, viz, Sadikpur Sarhan and Mekra, which were taken up before the rest of the district, were carried out along with the operations in South Bhagalpur, and their cost is included in the above figures. From the landlords of these villages a sum of Rs. 3,600 has been realized, which must be deducted from the amount recoverable in South Bhagalpur. Taking this into account, if the balance of the computed demand, Rs. 4,240, for the recovery of which steps are now being taken is recovered in full, Government will have collected an excess amount of Rs. 46.

180. Recovery of costs in North Bhagalpur was begun in January 1905 by Babu Nilmoni De and Babu Sri Mohan Das Gupta, who dealt with the whole of the area attested in the season 1903-04, except the villages of the Pachgachhia estate which, along with the area attested in the season 1904-05, were taken up in December 1905 by Babu Jotindra Kumar Ray. Of the amount, Rs. 4,90,241 recovered, 90 per cent. was paid by the parties on demand, and resort was had to the certificate procedure for the recovery of Rs. 19,461 only.

181. In South Bhagalpur recovery of costs would in the ordinary course have been begun in November or December 1908; but at the request of the Collector, it was postponed for a year, as the rice crop of 1908 had been almost a total failure owing to lack of rain. The work was actually begun in October 1909 by Babu Jagdish Chandra Lahiri, who completed his work in February 1910. Rupees 4,27,244 was recovered without recourse to certificate proceedings. Of the total demand of Rs. 4,60,764, only Rs. 4,240 now remains due. This sum is owed by the portion of the Banali estate which is under the management of the Court of Wards and will, it is expected, be shortly paid in full.

सत्यमेव जयते

STATISTICS.

182. The total area of the district is 4,158 square miles, which have been dealt with as follows:—

	Number of villages.	Area in square miles.
Area for which a record-of-rights under the Tenancy Act was prepared between 1903 and 1909	3,719	3,512
Area of Banali-Srinagar Estate for which a record-of-rights was prepared in 1887-89 ...	184	246
Area topographically surveyed for which no record-of-rights has been prepared ...	332	404
Total ...	4,235	4,158

Thanawar details of the whole area are given in Appendix M. This statement shows the number of villages and the area in each thana for which record-of-rights have been prepared in the recent survey, and in the Banali-Srinagar survey of 1887-89. It also shows the number of villages and the area excluded from settlement and gives details of plots and holdings.

183. Banka and Madhipura subdivisions are slightly larger than Bhagalpur and Supaul. The biggest thana is Supaul, 588 square miles, and the smallest Sultanganj, 160. The average size of a village is 626 acres. In the northern subdivisions of the district the average is 960 acres, in the

Average size of thana and village.

southern it is only 407. The most noticeable feature is the extraordinarily small size of the villages in Bhagalpur, Sultanganj and Amarpur, in which the average areas are 220, 300 and 253 acres, respectively. All these thanas contain a large number of so-called villages whose area is less than 50 acres, and which are absolutely unsuited for adoption as village units. These are not villages in the usual sense of the word, but are small blocks of land which were at the time of the revenue survey owned by proprietors other than those of the villages in which they lie. The owners of such small areas are anxious to have separate maps made for them; they imagine that it renders their title more secure than if they were shown on the same map as the surrounding lands of other proprietors; and the revenue surveyors appear to have done their best to satisfy this desire. In the three thanas mentioned above there are no less than 164 villages of less than 10 acres, and 418 of between 10 and 50 acres, the average area of the whole 582 being 20 acres each. Until the amendment of the Tenancy Act in 1907, the village unit for survey and settlement purposes was the revenue survey mauza, and it is only since 1907 that it has been possible for the Settlement Officer, with the approval of the Board of Revenue, to adopt any other unit. In the areas which have been surveyed since then these small mauzas have been amalgamated with the villages of which they form part, but in Bhagalpur this was not possible. These small villages have usually got very long names which are known only to the proprietors and their *amlas* and to some of the tenants. They are as a rule absolutely unknown to the ordinary raiyat who lives a few miles away. The consequence is that the standard maps of these thanas founded on the revenue survey, which show these names, are almost useless for the purpose of finding one's way about the district. All settlement officers who have worked in Bhagalpur have had experience of this.

In thana Katuria on the other hand the average size of the village is 1,659 acres, or $2\frac{1}{2}$ square miles. This is due to the fact that the hilly and jungly parts of this thana are divided into a number of very large villages to which reference has already been made in paragraph 125.

184. In the recent operations 449,946 tenancies containing 3,309,832 plots were dealt with. Adding to the figures for tenancies and plots dealt with in the Baneli-Srinagar settlement, it appears that altogether record-of-rights have been prepared for 3,524,914 plots contained in 479,325 tenancies and covering an area of 2,405,011 acres. This shows the average size of a plot to be .68 of an acre. The average plot is greatest in Bihpur (1.2 acres) and smallest in Supaul (.418 acre).

The average size of a holding is slightly over 5 acres. The average in different thanas varies from 3.06 in Bangaon to 11.19 in Katuria. These figures are very high when compared with those for the other Bihar districts. The explanation lies in the fact that among these holdings are included those which are composed of the waste and uncultivated lands of each estate. The average area of these unoccupied holdings is 22 acres, and of the occupied holdings 4 acres each.

185. The following statements were compiled for the area for which record-of-rights have been prepared :—

The statistical registers.

- (1) The *Milan Khasra*, or statement showing the details of cultivated and uncultivated, culturable and unculturable areas.
- (2) The *Jiniswar*, or crop statement, showing the area sown with each kind of crop in the year of survey and the details of the irrigated area.
- (3) The *Fard Hawala*, or agricultural stock statement. This was not prepared in the Baneli-Srinagar survey, and the figures given refer only to the area dealt with in the recent operations.
- (4) The *Goshwara*, or abstract of the record-of-rights showing the number of different kinds of tenancies, the area of the land included in each class, details of rents, etc.
- (5) Statistics of transfers of proprietary rights compiled for selected villages only.
- (6) Statistics of transfers of occupancy rights for all villages.

Statements (3), (5) and (6) were not prepared in the course of the Banoli-Srinagar settlement.

The statistical registers made over to the Collector are arranged by thanas. For instance, one volume is devoted to the *milan khasra* of thana Supaul, and in this register figures for each village in the thana are given, the villages being arranged in the order of their thana numbers. The figures given in this report show totals for each thana only. These totals include the figures for the Banoli-Srinagar villages. No statistics were compiled for the areas of which record-of-rights have not been prepared.

186. The following statement will show how the district compares with other Bihar districts as regards the percentage of the total area which has been brought under cultivation, and gives a general view of the agricultural condition of the district:—

The cropped area.

Comparison with other districts.

the total area which has been brought under cultivation, and gives a general view of the agricultural condition of the district:—

DISTRICT.	Total area (in acres) for which statistics have been compiled.	Net cropped area in acres.	Percentage of total area.	Bhadai area in acres.	Percentage of net cropped area.	Aghari area in acres.	Percentage of net cropped area.	Rabi area in acres.	Percentage of net cropped area.	Groves (a) area in acres.	Percentage of net cropped area.	Twice cropped area in acres.	Percentage of net cropped area.	Irrigated area in acres.	Percentage of net cropped area.
Bhagalpur	2,405,011	1,684,107	70	418,477	27	1,070,265	64	691,765	41	39,705	2	576,193	34	203,083	17
North Monohyr	974,520	675,468	69	288,682	43	198,094	29	444,707	66	...	...	265,025	38	17,475	3
Darbhangha	2,116,930	1,604,443	80	468,687	29	1,066,066	65	801,079	47	...	...	688,259	38	109,392	6
Muzaffarpur	1,841,254	1,565,291	85	594,668	38	747,606	48	636,039	40	...	...	728,022	46	29,838	2
Saran	1,633,435	1,284,010	79	525,118	41	445,169	34	791,188	62	...	...	477,495	37	194,414	15
Champaran	2,079,415	1,447,668	70	664,437	46	556,279	38	740,622	55	...	...	572,670	39	27,329	2
Purnea	2,935,425	1,824,308	61	619,879	34	1,027,779	56	705,171	39	...	...	628,461	29	26,777	1

(a) In districts surveyed before Bhagalpur groves were treated as uncultivated area.

The percentage of cultivated area (70) is almost the same as that of North Monohyr and Darbhanga and lower than that of any other North Bihar district. The actual cropped area is slightly less than that of Darbhanga, and is exceeded by no other district. At the time of the permanent settlement, nearly the whole of the district, with the exception of parganas Bhagalpur, Chhai and Colgong was in a very backward state, and the uncultivated area must have been many times greater than it now is. Definite figures are not available until the time of the revenue survey in 1850. The Revenue Surveyor's report gives figures showing the cultivated, uncultivated and unculturable areas for the parganas on the north of the river only. The report shows the following:—

PARGANA.		PERCENTAGE OF TOTAL AREA OF—			
		Cultivated.	Uncultivated.	Culturable waste.	Barren waste.
Malhani Gopal	...	77.5	22.5	12.4	10.1
Naredigar	...	80	20	13.6	6.4
Nisankhpur Kurha	...	80	20	14.4	5.6
Ohhai	...	75.3	24.7	15.5	9.2
Total	...	78.4	21.6	14.1	7.2

In the above figures the cultivated area is undoubtedly overestimated. There has certainly been some extension of cultivation since they were prepared. Yet in Madhipura thana, which is nearly altogether included in pargana Nisankhpur Kurha, the percentage of uncultivated area is at present 24, as compared with the Revenue Surveyor's estimate of 20 for that pargana. A comparison between thana Bihpur and pargana Chhai or between thana Sapaul and pargana Naredigar, gives a similar result. It must also be borne in mind that the revenue survey figures include the areas of diara villages in which the proportion of cultivated area must have been very small, whereas the statistics recently prepared are for upland villages only. No conclusions as to the extent to which cultivation has increased in the last 50 years can therefore be based on the revenue survey figures. That considerable areas have been brought under cultivation during that period, there is no doubt.

All the zamindari papers examined during the settlement operations indicate it, and the appearance of the country corroborates them, but it is impossible to estimate the increase in figures.

187. Of the uncultivated area of the district, which amounts to 720,904 acres, 355,594 acres, or nearly half, lie in Banka subdivision. Katoria thana itself accounts for 229,243 acres, or nearly one-third. The high percentage of uncultivated land in the Banka subdivision (47 per cent.) is due to the hilly and jungly area in the south and west.

In the northern thanas of the district 23 per cent. of the total area is uncultivated, and on the south of the Ganges 44 per cent. In Kishunganj, Banka and Katoria the uncultivated area percentages are 32·8, 37·6 and 68·4, respectively. In no other thana is it higher than 24. Sultanganj is the most highly cultivated thana, over 83 per cent. of the area being under cultivation. The following statement shows the figures for each thana.

THANAS.	PERCENTAGE TO TOTAL AREA OF—								Total uncultivated area.	
	Cultivated area.	Current fallow.	AREA CULTURABLE BUT UNCULTIVATED.			UNCULTURABLE AREA.				
			Old fallow	Other includ- ing cultur- able jungle.	Total	House sites.	Water.	Others.		Total.
Partapganj ...	78·44	3·01	6·33	4·08	10·41	1·03	2·77	4·30	8·10	21·56
Supaul ...	82·04	·77	6·26	3·77	9·02	1·18	2·70	4·29	8·17	17·96
Supaul subdivision.	80·92	1·47	5·59	3·88	9·47	1·13	2·72	4·29	8·14	19·08
Madhipura ...	79·48	·72	6·49	5·54	12·03	1·15	2·75	3·87	7·77	20·52
Bangaon ...	76·07	1·72	7·79	5·41	13·18	0·71	6·08	2·19	9·03	23·93
Kishunganj ...	67·16	3·72	13·61	3·87	17·48	0·78	8·54	2·34	11·64	32·84
Madhipura subdivision	75·44	1·75	8·64	5·08	13·72	0·95	5·10	3·04	9·09	24·56
Bihpur ...	73·05	·82	6·88	7·34	14·22	1·25	7·75	2·90	11·90	26·94
Sultanganj ...	83·27	2·02	2·68	2·11	4·79	1·85	5·11	2·58	9·54	16·73
Bhagalpur ...	80·89	2·29	4·31	0·57	4·88	2·16	·41	4·37	11·94	19·11
Colgaog ...	77·30	2·02	3·70	3·13	6·83	1·51	6·18	6·10	13·85	22·70
Sadar subdivision	78·01	1·81	4·34	3·42	7·76	1·65	6·21	4·56	12·42	21·99
Amarpur ...	80·78	2·30	4·09	0·47	4·47	1·93	6·08	4·44	12·45	19·22
Banka ...	62·41	4·22	12·12	5·99	18·11	·99	6·12	8·15	15·26	37·69
Katoria ...	31·63	6·36	15·34	34·76	50·10	·39	4·07	7·45	11·91	68·37
Banka subdivision	54·35	4·79	11·89	17·79	23·68	91	5·19	7·08	13·18	47·65
District Sadar	70·03	2·64	8·08	8·40	16·43	1·12	4·84	4·89	10·85	29·97

188. About 38 per cent. of the uncultivated area representing 10·85 per cent. of the whole area of the district is unfit for cultivation. The percentage of unculturable area is highest in thanas Banka, Katoria, Bhagalpur and Colgong. The figures for Katoria are rather surprising, as one would expect to find more than 11·85 per cent. of the area of this thana unfit for cultivation, seeing that in Bhagalpur the figure is 11·94. The explanation lies in the fact that large patches of jungle in Katoria have been surveyed as single plots without any attempt being made to separate the culturable and unculturable portions. The greater part of such jungles are in a sense culturable provided the jungle be cleared, but they also contain ravines and stony patches which are incapable of cultivation. Most of them have for statistical purposes being treated as culturable. The total area of culturable jungle in Katoria has been put down at 112,489 acres, but if the unculturable portions had been surveyed separately, it is possible that the percentage of unculturable area in this thana would be found to be nearly 20 per cent. The figures for other thanas call for no special notice. Kishunganj, Bihpur and Colgong have the highest percentage of area covered with water, and Bhagalpur, Amarpur and Sultanganj the highest proportion of area covered by houses.

189. In the district as a whole the area covered by house sites comes to 27,091 acres, or 1·12 per cent. of the total area. In Katoria, which is the most thinly populated thana, the figure is lowest; and in Bhagalpur, Sultanganj and Amarpur, where

the population is densest, it is highest. Bangaon thana is also fairly densely populated, yet the area occupied by houses is comparatively small, amounting to 76 per cent. only. This indicates a well known fact, viz., that the village sites in that thana are more congested than in other parts of the district. The average size of the site occupied by a house varies from 212 square yards in Bangaon to 500 square yards in Amarpur, the average for the whole district being 342. The average number of persons per house is 5·4, and the average number of persons residing on an acre of homestead lands is 77. In comparing the figures for different thanas and in making comparisons between Bhagalpur and other districts, it must be borne in mind that a new system of mapping houses was introduced in the season 1903-04. Before that time the small patches of cultivated land attached to a house were mapped separately from the house itself. In 1903-04 a rule was made by which these were mapped along with the house, the whole being treated as one plot. The result of this is to increase the area shown as occupied by houses situated in the area surveyed. This accounts for the fact that the *bastis* in the north of the district appear from the figures given to be more densely populated than in the south, whereas I believe the opposite to be the case. The congestion in Kishunganj is probably due to the fact that a great part of the area being flooded in the rains, the population is confined to a comparatively small area in which the danger of floods is least.

190. The area covered by water represents 4·84 per cent. of the total area. Kishunganj and Bihpur thanas are, as might be expected, the wettest. It must be remembered also that the most swampy villages of these thanas were treated as diara villages, and not included in the area for which statistics were compiled. Although classed as incapable of cultivation, many of these swamps have recently dried up and now produce splendid rice crops.

191. The area in which extension of cultivation is possible is put down at 395,327 acres. This does not include current fallow. Of this area 54 per cent., or 214,630 acres, line in thanas Banka and Katoria. The following statement gives full details for each thana:—

NAME OF THANA.	Total area of thana in acres.	AREA CULTURABLE, BUT UNCULTIVATED.				PERCENTAGE OF TOTAL AREA CULTURABLE OTHER THAN CURRENT FALLOW.			
		Old fallow.	Culturable jungles.	Other kinds.	TOTAL.	Old fallow.	Culturable jungle.	Other kinds.	TOTAL.
Partapganj ...	166,073	10,520	3,011	3,758	17,289	6·33	1·82	2·26	10·41
Supaul... ..	365,644	19,194	4,329	9,488	33,011	5·26	1·18	2·59	9·03
Total ...	531,717	29,714	7,340	13,246	50,300	5·59	1·59	2·49	9·47
Madhipura ...	298,644	19,405	8,888	7,681	35,924	6·49	2·96	2·58	12·03
Bangaon ...	166,083	12,831	3,357	5,678	21,766	7·77	1·97	3·44	13·18
Kishunganj ...	167,868	21,481	3,786	2,343	27,610	13·61	2·39	1·48	17·48
Total ...	621,695	53,717	15,881	15,702	85,200	8·64	2·55	2·53	13·72
Bihpur ...	110,582	7,615	3,736	4,878	15,729	6·88	3·38	3·96	14·22
Sultanganj ...	86,499	2,316	175	1,659	4,150	2·63	0·20	1·91	4·79
Bhagalpur ...	88,663	3,823	53	452	4,328	4·31	0·06	0·51	4·88
Colgong ...	219,650	8,160	1,513	5,345	15,028	3·70	0·69	2·44	6·83
Total ...	505,294	21,914	5,482	11,834	39,230	4·34	1·08	2·84	7·76
Amarpur ...	153,404	6,139	456	266	6,861	4·0	0·29	0·18	4·47
Banka ...	267,645	31,239	14,648	769	46,656	12·12	5·68	0·31	18·11
Katoria ...	335,256	51,429	112,489	4,062	167,980	15·34	33·55	1·21	50·10
Total ...	746,305	88,807	127,593	5,097	221,497	11·89	17·10	0·69	29·68
GRAND TOTAL...	2,405,011	194,152	156,266	45,879	396,327	8·08	6·49	1·91	16·48

Of the area still available for cultivation, about half consists of old fallow, which constitutes 8 per cent. of the total area of the district. The greater part of the remainder consists of culturable jungle in Katoria and Banka thanas. Mango groves, which cover 2 per cent. of the area of the district, have been treated as cultivated area.

192. The area of current fallow in the district on a whole is 63,561 acres.

This amounts to 3.8 per cent. of the net cropped area, or to 2.6 per cent. of the total area for which statistics were prepared. This proportion is extraordinarily high compared with the North Bihar districts (Purnea excepted). In North Bhagalpur the proportion to the net cropped area is about $2\frac{1}{2}$ per cent., varying from 1 per cent. in Madhipura to 5 per cent. in Bangaon. (It must be remembered that the statistics for more than half of Bangaon thana were taken from the Baneli-Srinagar records. In South Bhagalpur the percentage varies from 1 per cent. in Bhagalpur to 9 per cent. in the Banka subdivision. The *tanr* lands in the hilly areas in the south are not as a rule cultivated more than once in two or three years, a fact which accounts for the large area shown as current fallow in Banka and Amarapur.

The harvests.

193. The following statement shows the relative importance of the different harvests in each thana:—

Serial No.	NAME OF THANA.	CROPPED AREA.								TOTAL.	TWICE CROP- PED AREA.		Total net crop- ped area.
		BHADOI.		AGHANI.		RABI.		MANGO GARDENS.			Area in acres.	Percentage to net cropped area.	
		Area in acres.	Percentage to net cropped area.	Area in acres.	Percentage to net cropped area.	Area in acres.	Percentage to net cropped area.	Area in acres.	Percentage to net cropped area.				
Supani Subdivision.													
1	Partapganj	41,863	33.79	71,304	54.72	59,540	45.68	2,079	1.59	174,885	44,559	34.19	130,326
2	Saupaul	103,229	34.08	101,669	64.80	91,653	30.56	5,548	2.95	294,705	94,776	31.69	229,729
	Total	144,191	33.5	263,273	61.19	151,193	35.13	10,927	2.54	569,590	139,335	32.38	430,255
Madhipura Subdivision.													
3	Madhipura	85,858	39.23	149,085	63.55	89,389	37.64	61,55	2.60	1537,567	100,583	42.55	237,344
4	Bangaon	31,238	31.25	91,184	72.69	28,768	21.33	6,373	5.08	1,63,563	38,007	30.27	125,553
5	Kishanganj	32,748	30.8	66,953	63.10	25,501	24.04	2,355	2.32	1,27,567	21,451	20.22	106,096
	Total	169,344	35.23	307,222	65.50	141,636	30.19	14,885	3.17	628,937	159,989	34.08	468,993
Sadar Subdivision.													
6	Bihpur	23,738	35.57	12,090	14.97	61,153	75.70	3,681	4.54	105,663	24,885	34.80	80,777
7	Sultanganj	7,927	10.03	43,362	67.17	5,219	7.63	1,759	2.44	109,567	37,568	53.17	71,999
8	Bhagalpur	9,786	13.86	43,116	63.84	39,715	55.45	3,169	4.42	9,778	26,697	36.43	7,163
9	Colgong	48,667	26.61	73,323	43.19	105,147	61.04	2,682	1.53	239,709	69,963	33.39	169,746
	Total	94,248	28.91	178,883	45.39	255,234	65.63	11,391	3.67	542,656	143,513	37.69	394,143
Banka Subdivision.													
10	Amarpur	8,489	6.85	107,713	86.93	22,457	63.55	1,537	1.23	206,186	74,283	61.56	131,903
11	Banka	23,991	14.79	130,785	81.33	41,133	26.64	762	.49	19,783	35,88	23.38	160,795
12	Katoria	22,316	21.06	62,406	77.73	17,007	16.04	873	.35	122,100	16,067	15.17	106,033
	Total	54,794	14.02	320,887	83.13	140,696	36.01	2,692	.69	519,069	126,358	32.45	390,711
	GRAND TOTAL	458,477	27.22	1,070,268	63.55	631,765	41.08	39,795	3.36	2,280,330	574,195	34.21	1,634,701

It will be seen from the above statement that the *bhadoi* crop is much more important in the north of the district than in the south. In the north it is sown on about 35 per cent. of the net cropped area, whereas in the south it represents little over 12 per cent.

The *aghani* harvest is by far the most important of the three, particularly in the Banka subdivision, where it represents 82 per cent. of the net cropped area. In the south of the district, excluding Bihpur, the percentage is about 65. In Bihpur the area sown with this crop represents only 14 per cent. of the net cropped area.

The *rabi* crop is relatively most important in Bihpur. It is also extensively sown in Sultanganj, Bhagalpur, Amarapur and Colgong, but in these thanas (with the exception of Colgong) it is of less importance than the *aghani* crop. Katoria grows less *rabi* than any other thana.

Mango gardens occupy less than $2\frac{1}{2}$ per cent. of the net cropped area. They are most common in Bangaon, Bhagalpur and portions of Madhipura.

194. Of the net cropped area 34 per cent. grows more than one crop in the year. North of the Ganges about 32 per cent. is twice cropped, and south of the Ganges about 36 per cent. In Banka and Katoria, however, the twice-cropped area is less than 20 per cent.; and if these thanas be excluded, it will be seen that in the remainder of South Bhagalpur about 46 per cent. of the cropped area bears two crops in the year.

In the south of the district the twice-cropped area consists of land which, having borne a crop of winter rice, is sown broadcast with one of the less important *rabi* crops, such as *khesari*. In the north much of it consists of land which bears a *bhadri* crop, as well as one of the more important *rabi* crops, such as wheat or barley.

The predominance of the *aqhani* harvest in Banka subdivision is partly owing to the system of artificial irrigation with which southern Banka and Amarapur are provided, and partly to the fact that in the hilly parts of Banka and Katoria a large proportion of the land under cultivation consists of terraced land lying along the beds of *jors* or *nalas* in which winter rice is sown, and of *tanr* land in which *kulthi* is grown occasionally.

CROP STATISTICS.

195. The following statement enables a comparison to be made between Bhagalpur and other districts, for which figures are available, in respect of the percentage of the cropped area sown, (1) with each of the principal food grains, (2) with other food grains, (3) with non-food crops.

DISTRICT.	PERCENTAGE TO NET CROPPED AREA OF AREA UNDER—								
	Rice.	Wheat.	Barley.	Marua	Maize	Gram.	Other food grains, etc.	Mixed food grains.	TOTAL.
Bhagalpur ...	59	6	4	8	7	6	26	4	120
North Monghyr ...	21	15	9	6	21	10	57	7	126
South Monghyr ...	43	6	3	2	12	18	24	8	116
Darbhanga ...	61	3	9	13	5	2	20	2	115
Saran ...	34	6	20	3	17	5	29	3	127
Mazaffarpur ...	49	4	19	5	11	3	33	5	129
Champaran ...	54	7	15	1	8	3	25	1	114
Purnea ...	73	4	1	1	2	1	8	26	116

These figures as a whole call for no special notice. Rice is of course the most important crop, being nearly as important as in Darbhanga. Of the rice sown 84 per cent. is winter rice. *Bhadri* rice is practically unknown, except in Madhipura and Supaul subdivisions. In Madhipura 30 per cent. of the rice sown is *bhadri* rice.

Marua is more important in Bhagalpur than in any district, except Darbhanga. This crop also is practically confined to the Madhipura and Supaul subdivisions, omitting Kishunganj thana; but in the area where it is sown it is even more important than in Darbhanga, and is grown on 13 per cent. of the cropped area.

The area under non-food crops is comparatively low—13·51 per cent. Of these the most important are oil seeds, which are more extensively grown than in any North Bihar district as the following statement shows. Opium is grown only in a few thanas in the south, and is less important than in any of the other Bihar districts except Purnea. Indigo and sugarcane also account for a very small area.

196. The difference between the northern and southern thanas of the district is exhibited in the following statement, which shows the distribution of food crops over the different thanas.

Serial No.	NAME OF THANA.	Area in acres.	RICE.						WHEAT.		BARLEY.		MAHUA.		MAHAI.		
			Aghani.		Bhadol.		Total.		Area in acres.	Percentage to net cropped area.	Area in acres.	Percentage to net cropped area.	Area in acres.	Percentage to net cropped area.	Area in acres.	Percentage to net cropped area.	
			Area in acres.	Percentage to net cropped area.	Area in acres.	Percentage to net cropped area.	Area in acres.	Percentage to net cropped area.									
SUPAUL SUBDIVISION.																	
1	Partaganj ...	166,073	57,309	43.90	26,411	20.27	83,820	64.17	10,373	7.96	508	.39	13,918	10.60	874	.67	
2	Supaul ...	365,644	160,889	53.44	48,070	16.03	208,569	69.47	26,611	8.98	6,058	2.02	52,869	17.63	149	.05	
	Total ...	531,717	217,498	50.55	74,481	17.31	291,979	67.86	36,984	8.60	6,566	1.53	66,687	15.50	1,023	.24	
MADHIPURA SUBDIVISION.																	
3	Madhipura ...	298,644	190,168	50.63	50,041	21.08	170,209	71.71	18,604	7.88	10,459	4.41	41,057	17.30	174	.07	
4	Bangson ...	166,063	74,721	59.51	8,485	6.74	83,186	66.25	5,713	4.56	5,673	4.51	24,406	19.49	367	.29	
5	Kishanganj ...	187,988	68,981	60.21	6,987	5.76	69,978	65.98	2,101	1.08	4,848	4.57	3,305	3.18	12,863	12.11	
	Total ...	631,695	333,770	55.18	64,603	13.77	323,373	68.95	26,478	5.64	20,980	4.47	68,627	14.68	13,394	2.85	
SADAR SUBDIVISION.																	
6	Bihpur ...	110,688	375	.46	169	.21	544	.67	9,770	12.10	5,369	6.66	11	.01	20,353	25.19	
7	Sultanganj ...	86,499	45,997	63.88	424	.59	46,421	64.47	4,718	6.54	3,891	4.15	981	1.33	4,335	7.41	
8	Bhagalpur ...	88,563	41,194	57.52	452	.53	41,646	59.15	5,225	7.30	3,964	5.53	796	1.10	6,430	9.24	
9	Colgong ...	219,680	43,874	25.86	1,049	.62	44,923	26.47	23,180	13.08	10,181	5.97	366	.22	89,366	23.19	
	Total ...	505,294	131,440	33.35	2,094	.53	133,584	33.89	41,887	10.63	22,455	5.70	3,124	.84	71,674	18.18	
BANKA SUBDIVISION.																	
10	Amarpur ...	153,404	100,406	61.03	961	.78	101,367	81.81	3,708	3.18	5,708	5.41	3,408	1.94	3,719	3.02	
11	Banka ...	287,645	100,878	69.74	5,123	3.18	106,001	65.93	2,064	1.28	4,180	2.80	1,470	.91	11,790	7.33	
12	Katoria ...	335,266	36,738	24.85	4,867	4.89	41,605	39.04	397	.37	1,866	1.75	1,179	1.11	12,775	12.05	
	Total ...	746,305	238,022	60.32	10,741	2.75	248,763	63.87	5,169	1.33	12,743	3.26	5,051	1.29	28,284	7.24	
	GRAND TOTAL...	3,408,011	846,738	50.23	151,919	9.02	997,649	59.24	110,518	6.66	63,799	3.73	142,683	8.47	114,375	6.79	

Serial No.	NAME OF THANA.	GRAM.		OTHER FOOD-GRAINS INCLUDING PULSES.		MISCELLANEOUS.		TOTAL FOOD CROPS.		TOTAL NON-FOOD CROPS.		Total cropped area in acres.	TWICE CROPPED AREA.		NET CROPPED AREA.		
		Area in acres.	Percentage to net cropped area.	Area in acres.	Percentage to net cropped area.	Potatoes.		Area in acres.	Percentage to net cropped area.	Area in acres.	Percentage to net cropped area.		Area in acres.	Percentage to net cropped area.	Area in acres.	Percentage to net cropped area.	
						Area in acres.	Percentage to net cropped area.				Area in acres.						Percentage to net cropped area.
SUPAUL SUBDIVISION.																	
1	Partaganj ...	360	.88	33,276	25.82	489	.34	2,799	2.15	146,088	83.33	33,317	16.48	174,885	130,326	78.48	
2	Supaul ...	2,004	.67	47,908	15.91	1,070	.36	11,386	3.78	366,406	90.39	38,399	9.70	394,708	299,929	82.03	
	Total ...	2,373	.65	81,178	18.87	1,569	.25	14,185	3.93	509,474	88.23	67,116	11.78	669,690	430,255	80.98	
MADHIPURA SUBDIVISION.																	
3	Madhipura ...	3,610	1.10	55,010	23.18	31	.01	7,394	3.11	305,808	90.45	39,259	9.55	337,867	237,344	79.47	
4	Bangson ...	181	.14	36,177	26.85	18	.01	6,563	5.22	163,333	83.13	11,930	6.87	163,563	125,566	76.07	
5	Kishanganj ...	662	.63	27,090	20.83	2	...	2,417	1.28	118,356	92.71	9,301	7.29	127,557	106,098	87.17	
	Total ...	3,453	.74	102,377	23.08	51	.01	16,364	3.49	578,197	91.61	62,790	8.39	640,987	468,998	75.44	
SADAR SUBDIVISION.																	
6	Bihpur ...	8,376	10.37	48,568	53.69	...	...	3,780	4.68	90,786	85.91	14,696	14.09	105,682	80,777	73.05
7	Sultanganj ...	20,490	28.45	22,823	31.00	316	.44	1,873	2.60	105,421	96.23	4,146	3.78	109,567	87,668	83.18	
8	Bhagalpur ...	6,239	11.60	20,633	28.81	727	1.02	3,373	4.71	91,313	93.34	6,506	6.68	97,718	20,097	36.44	
9	Colgong ...	18,308	10.78	64,863	34.21	957	.66	2,970	1.75	204,063	88.83	35,666	11.17	239,729	89,963	35.33	
	Total ...	55,413	14.06	150,371	38.15	2,000	.51	11,994	3.04	491,463	90.67	61,304	9.43	548,666	148,513	38.69	
BANKA SUBDIVISION.																	
10	Amarpur ...	21,682	17.60	32,034	25.85	106	.08	1,735	.24	172,459	86.14	27,737	13.86	200,196	183,903	80.77	
11	Banka ...	11,218	6.98	41,928	26.08	78	.06	1,808	1.12	180,633	91.74	16,249	8.26	196,783	87,989	22.39	
12	Katoria ...	5,064	4.78	30,741	34.66	26	.03	10,145	9.57	109,578	89.74	13,522	10.26	123,100	15,087	16.17	
	Total ...	37,964	9.78	110,703	28.33	210	.05	13,668	3.60	462,672	89.13	56,467	10.88	519,096	128,368	32.85	
	GRAND TOTAL...	99,203	5.89	445,589	26.45	3,770	.22	56,229	3.46	2,032,695	89.98	287,607	10.07	2,360,308	676,186	34.31	

197. Rice covers nearly 60 per cent. of the net cropped area. *Bhadoi* rice, as has been mentioned before, is practically confined to Supaul and Madhipura subdivisions, and accounts for only 9.22 per cent. of the net cropped area.

In Amarpur, Banka and Sultanganj, where the proportion of *aghani* rice is highest, artificial irrigation is extensively employed. This renders the crop much less dependent on seasonable rainfall than it otherwise would be, and accounts for the fact that, although the district is more dependent on rice than Darbhanga, it is less liable to famine from a partial failure of the rains.

198. After rice *Marua* is the most important crop. It is sown in 8.47 per cent. of the cropped area. In Partabganj, Supaul, Madhipura and Bangaon it averages 18 per cent. of the cropped area, and in the Supaul and Madhipura subdivisions it takes the place of rice as the staple food crop, being eaten by all the proper classes.

199. Maize with 6.79 per cent. comes next after *marua*. It is chiefly grown in Bihpur and Colgong, and is very liable to be destroyed by being flooded by the Ganges before it ripens. It is also sown in the southern part of Kishunganj. In that thana it is customary to sow rice and maize together in the beginning of June, about the time when the Kosi waters begin to rise. The maize ripens and is cut early in August before the floods have risen sufficiently to damage it. The winter rice is cut at the usual time in November and December.

200. Wheat and barley are comparatively of small importance, except in thanas Bihpur and Colgong. Wheat occupies only 6.56 per cent., and barley 5.73 per cent. of the cropped area; but this figure does not include the diara lands on which these crops are extensively grown.

201. Gram is grown in 5.89 per cent. of the cropped area. Most of it is grown in Sultanganj, Colgong and Arampur. Practically none is sown north of Bihpur.

202. Miscellaneous food grains (*ureah* and pulses) cover 26.45 per cent. of the total area under crops. The most important are *arhar*, *kulthi*, peas, *china*, *kurthi*, *masuri*, *khesari*, *bajra* and *kodo*.

These crops are inferior in value to the crops mentioned above, and are only sown when the raiyat does not wish to incur the expense or risk of sowing a more valuable crop. Many of them are grown on land from which a crop of winter rice had been raised. *Arhar* and *makai* are commonly sown together, the latter being cut in September and the former in March. The percentage of miscellaneous food crops is highest in Bihpur and Colgong, indicating that there is a considerable area in these thanas where the more important food crops cannot be profitably grown.

Non-food crops.

Oil seeds.

203. Non-food crops cover 13.51 of the net cropped area. This figure is lower than in any other Bihar district, except North Monghyr where the percentage is 12.

Oil seeds are the most important of the non-food crops, and are sown on 201,774 acres, or 12 per cent. of the net cropped area. The most important is linseed, 94,622 acres, chiefly grown in Amarpur, Banka, Supaul and Madhipura. Next comes mustard, 85,524 acres, grown chiefly in the north of the district. Other oil seeds account for 17,372 acres. The area on which *aghani* crops are grown represents 64 per cent. of the cultivated area. No other Bihar district therefore is so dependent on these crops. As the detailed crop figures by thanas show, the southern thanas, particularly in Banka subdivision, grow much more *aghani* than those in the north. In Banka subdivision 82 per cent. of the net cropped area grows *aghani* crops.

Oil seeds, linseed, mustard and castor are extensively grown on diara lands for which no crop statistics have been compiled.

The other non-food crops only account for 1.53 per cent. of the net cropped area.

204. Sugarcane is not an important crop in Bhagalpur. It is chiefly grown in Supaul (where there are a few sugar factories) Amarpur, Banka and Katoria. In no thana does it account for 2 per cent. of the net cropped area, and the total area sown is under 11,000 acres.

205. Formerly indigo was extensively cultivated in the district, particularly in the north. The industry has gradually been given up, and at the time of the settlement operations only five factories were manufacturing indigo. Two of these, Narayanpur and Patharghat, are situated in the north of the district. The other three Sangrampur, Colgong and Salempur, are situated on the south of the river. Sangrampur is in Monghyr district just on the borders of Bhagalpur, but some of the indigo manufactured by this factory is grown in Bhagalpur. Formerly there were factories at Bhatnia, Chandpipar, Singeswar, Rajpur, Mampur, Nathpur, Dhaipuri, Simraha, Lalitpur, Kataia, Pipra, Bujhama, Hulas, Bhairo, Babhani, Baijnathpur, Teria, Chaura, Murwala, Bishunpur, Dhangama, Bhawanipur, Gobargarha, Parmanandpur, Latona, Kashnagar, Nardah, Chausa, Belo, Tulsia, Khunti, Imampatti in the north of the district, and at Kharagpur, Akbarnagar.

During the survey only 5,267 acres were found sown with indigo. The greatest area sown in any one thana belongs to Narayanpur Factory, and is sown in thana Bihpur. Since then sowings have been further reduced, and at the present day the area under indigo is probably not more than 2,500 acres. 5,267 acres represent only .3 per cent. of the net cropped area, so that indigo is a less important crop in Bhagalpur than in any north Bihar district. Latona and Bangaon factories are still inhabited, but no indigo is manufactured in them. The others are nearly all abandoned. Most of them were built by Europeans between 1830 and 1860, but a few were also built by local zamindars. For instance, Marwala belonged to the Pachgachhia Babus, Gobargarha and Dhangama to the Raja of Banali, and Salempur to Mr. Dip Narayan Singh. Few of the European planters acquired proprietary rights on a large scale. They were as a rule content with acquiring proprietary or *mukarrari* rights in a small area on which they built their factory, and took temporary leases from the proprietors of the villages in which they wished to grow indigo. The refusal of the Maharaja of Darbhanga to renew the leases of his villages was the cause of several factories having to close about 1885. Narayanpur factory owns the proprietary right in a considerable area, and does not take *thika* leases of villages. Sangrampur factory has a *mukarrari* lease of a number of villages and a *mustajiri* lease of others from the Banali estate. Colgong factory has a *thika* lease of the whole of the estate known as Tappa Madhuban. Imampatti factory, now owned by the Eastern Mortgage and Agency Company, holds *patni* leases of a large number of villages of pargana Harawat from Rai Ganpat Singh Bahadur. With all these factories indigo cultivation has been of secondary importance compared with zamindari. Patharghat factory has acquired by purchase a *raiya* right in a considerable area.

Those factories which have *kamat* lands are now utilizing them for growing country crops. The area of *kamat* land held by the factories however, is very small, and there is no prospect that the growing of sugarcane or any similar crop on a large scale will ever take the place of indigo.

The extinction of the indigo industry is to be regretted on many grounds, not the least of which is that in Bhagalpur as elsewhere, the indigo factories, when indigo was yielding a handsome profit, were the most lenient of landlords to their *raiya*s. The Revenue Surveyor in his report on North Bhagalpur refers to the excellent relations which then existed between the planters and their tenants, and contrasts the treatment received by the latter with that accorded to the tenants of the *mustajirs* of the adjoining village.

IRRIGATION.

206. In the South Bihar districts, including South Bhagalpur, the chief crops, more particularly the winter rice crop, depend largely on artificial irrigation. The soil does not absorb or retain water well, and its slope is so great that the

rainfall is carried off rapidly. Consequently in all these districts complicated systems of irrigation channels have been constructed, the rights in which are a frequent source of dispute between landlords and raiyats of adjoining villages. In North Bihar the area artificially irrigated, except in some isolated thanas, is neglected, and the arrangements for irrigation which exist are of such a simple nature that disputes are less likely to arise about their ownership and use. The following table shows the proportion of the net cropped area irrigated in different districts—

IRRIGATED AREA AND HOW IRRIGATED.											
NAME OF DISTRICT.	Net cropped area.	IRRIGATED FROM WELLS.		IRRIGATED FROM CANALS.		IRRIGATED FROM TANKS AND AHARS.		IRRIGATED FROM OTHER SOURCES.		TOTAL.	
		Area in acres.	Percentage to net cropped area.	Area in acres.	Percentage to net cropped area.	Area in acres.	Percentage to net cropped area.	Area in acres.	Percentage to net cropped area.	Area in acres.	Percentage to net cropped area.
Musaffarpur	1,554,971	13,623	1'31	1,012	'08	3,683	'24	6,311	'41	20,628	1'33
Saran	1,294,010	133,443	10'80	4,927	'38	35,955	2'80	14,080	1'10	191,424	15'14
Champanan	1,447,668	1,412	'11	6,785	'47	5,714	'39	13,312	'90	28,223	1'96
Darbhanga	1,632,843	6,646	'31	3,161	'19	46,993	2'77	52,671	3'11	109,811	6'66
North Monghyr	677,458	1,680	'23	3	'00	1,745	'23	14,168	2'10	17,456	2'59
South do.	794,013	28,443	3	55,093	7	155,930	20	98,284	12	334,194	42
North Bhagalpur	867,178	1,837	'21	97	'01	4,549	'53	32,804	3'79	59,387	6'84
South do.	704,077	8,512	1'21	116,215	16'51	30,009	4'26	89,960	12'77	253,696	36'03
Purnea	1,764,736	...	...	...	...	...	...	...	...	26,777	1'52

The proportion of the net cropped area which is irrigated is more than twice as great in South Bhagalpur as it is in Saran, in which district the percentage is more than twice as great as in any other North Bihar district.

207. The following statement shows the number of acres irrigated from different sources in each thana of South Bhagalpur.

Sources of irrigation. The total area irrigated in the southern thanas (excluding Colgong) is 253,696 acres, or 36 per cent. of the net cropped area. Of this 116,215, or more than half is irrigated from canals, 89,009 from tanks and *ahars*, 8,512 from wells, and 89,960 from other sources. Well irrigation, it will be noticed, is comparatively unimportant; but it must be remembered that many fields which are in the rains irrigated from canals are, in the cold weather while the *rabi* crop is growing, irrigated from wells. In the statement such lands have been shown as irrigated from canals—

Figures showing the area irrigated by wells, canals, tanks and other sources and their percentage to net cropped areas in South Bhagalpur.

NAME OF DISTRICT.	IRRIGATED AREA AND HOW IRRIGATED.										
	Net cropped area.	IRRIGATED FROM WELLS.		IRRIGATED FROM CANALS.		IRRIGATED FROM TANKS AND AHARS.		IRRIGATED FROM OTHER SOURCES.		TOTAL.	
		Area in acres.	Percentage to net cropped area.	Area in acres.	Percentage to net cropped area.	Area in acres.	Percentage to net cropped area.	Area in acres.	Percentage to net cropped area.	Area in acres.	Percentage to net cropped area.
Sultanganj	71,999	1,068	1 51	23,916	33 22	2,280	3 17	9,601	13 33	36,885	52 23
Bhagalpur	71,621	810	1 13	2,668	3 72	4,197	5 78	23,499	32 81	31,114	43 44
Colgong	169,746	1,666	'98	225	'13	3,402	2 00	8,506	5 01	13,899	8 18
Amarpur	123,903	2,311	2 34	62,808	50 69	13,342	10 77	20,433	16 49	99,593	80 31
Banks	180,795	773	'43	16,078	9 37	10,413	6 48	26,106	14 46	62,265	34 49
Katoria	106,013	1,217	1 18	11,520	10 87	5,339	5 03	1,935	1 53	20,041	18 90
Total	704,079	8,512	1 21	116,215	16 51	39,009	5 54	89,960	12 77	253,696	36 03

In comparing the area irrigated from tanks and *ahars* with that irrigated from canals, it must be borne in mind that many tanks and *ahars* from which land is directly irrigated depend for their water-supply on canals, and some canals themselves derive their water from tanks and *ahars*. *Ahar* is the term given in Monghyr and Patna to a "U"-shaped embankment so placed on a slope as to catch and retain a certain amount of the rainfall which would otherwise run down the slope. In Bhagalpur the term *ahar* is not generally used, and such embankments which are usually called *bandhs* are less common than in Monghyr and Patna. In South Bhagalpur canals, or as they are commonly

called *danrs*, are, as the figures given above show, the chief means of irrigation.

208. *Danrs* may be divided into three classes according to the source from which they derive their water:—

- (1) Those which begin from a broad shallow river with a high bed.
- (2) Those which begin from a deep river with high banks.
- (3) Those which take their water from a *banah* or tank.

The most important *danrs* in the district take off from the river Chandan which rises near Deoghar, enters the district near Jamdaha, and flows right through the middle, entering the Ganges west of Bhagalpur.

It has three tributaries—the Orni and the Dakai in Banka, and the Bilasi in Sultanganj. Near the south of Bhagalpur thana it divides into four branches—(1) the Andhari, (2) the Mahmuda, (3) the Haha or Pajormarhi, and (4) the Chandan. From being continually embanked, the silt brought down from the hills in time of flood has raised the level of the bed above that of the surrounding country, more especially that of the country on the east bank. The embankments on either side are pierced at intervals by openings which form the mouths of different *danrs* or canals. When the river is in flood some means are required to prevent too much water flowing into the *danrs*. For this purpose *pucca* sluice gates have been built in many places. In others the opening into the *danr* is so constructed that it can at any time be closed by earth and straw. Notwithstanding these precautions, the river sometimes bursts through and causes floods, and it is very probable that some of the branches of the Chandan mentioned above were originally water channels scoured out and deepened by the overflow in years of heavy flood. The river Chir, which flows along the boundary between Banka and the Sonthal Parganas, also supplies water to several *danrs*, similar to those which take off from the Chandan. When the level of the water in the river is high enough, water is admitted into the *danr* by simply opening the sluice gates or removing the obstructions placed at its mouth. When the water level is low various means are adopted for getting water. The most common is the following. When the flow has been reduced to a small trickle in the middle of the river bed, channels are made in the sand leading from the water to the mouth of the *danr*. At the end of the channel just under the mouth a hole is dug in which the water accumulates, and from there it is lifted into the *danr* by means of buckets, or scoops. The channel dug in the river bed is called a *janghu*. Sometimes by merely digging a hole in the apparently dry bed of the river water can be obtained at a depth of a couple of feet. Such a hole is called a *bhan*. *Danrs* are often supplied with water from such holes when there is no water flowing in the river channel. *Danrs* of the class which take their water from a stream with high banks are found mostly in the eastern part of the district. The river Bilasi in thanas Amarpur and Sultanganj also supplies water to *danrs* of this sort. To raise the water level in the river to the level of the mouth of the *danr*, the river is dammed by an embankment. Some of these embankments are permanent, and are provided with masonry sluices for allowing the water to escape when it rises too high or when it is no longer required for irrigation.

The chief *danrs* in South Bhagalpur have been erected by the principal zamindars. Some of them are of great length, (the main channel of the longest is 28½ miles long) and pass through many villages. When the *danr* is owned by a single proprietor, only the tenants of the villages owned by him are as a rule allowed to take water from it. The landlords or tenants of the other villages not belonging to the owner of the *danr* cannot interfere with it in any way, although it passes through their lands. But sometimes by a special contract entered into at the time of construction of the *danr* they are given permission, subject to certain restrictions, to irrigate their lands.

Some *danrs* are the joint property of the proprietors of several villages. So long as there is plenty of water in the river no dispute is likely to arise as to the order in which the villages are entitled to irrigate their lands; but when water is scarce and labour has to be employed to lift it from the river bed into the *danrs*, the question of precedence becomes one of the greatest importance. To prevent disputes rules are in force which regulate the order method and time in which the different villages can take water. These rules

are sometimes, but not usually, embodied in a written agreement between the parties. The village nearest the source usually has the first turn; and while it is being irrigated, a dam is erected in the *danr* at the farther end of the village to prevent the water flowing into the next village and to raise its level. The openings through which the water flows from the main channel of the *danr* to the distributaries or *singhas*, as they are called, within the first villages are then opened. From the *singhas* the water flows into the adjacent fields and from these fields it is led to the fields on a lower level by cutting the ails. In this manner the whole village is irrigated. Within the village (if owned by one proprietor), all questions as to the order in which the fields shall be irrigated are usually settled by his servants. Their vigilance is generally devoted to seeing that the lands which pay produce rent get their share of the water, as the raiyat is naturally more anxious about the produce of lands which he holds on cash rent. If there is sufficient water to irrigate both, no friction arises between the landlord and tenant, as it is to the interest of both parties, that the lands should be made to yield as much as possible. This explains why practically all irrigation disputes are between landlords, the tenants of each side supporting their own landlord. If a landlord of any village has a right of irrigation from any particular source, it is understood that all his raiyats, whose fields can be irrigated from that source, will be allowed to utilize it.

When the first village has had its turn, the dam preventing the water from flowing into the next village is removed, and the second village is irrigated in the same way as the first. While this is being done no water is allowed to flow from the main channel into the *singhas* of the first village. The length of time during which each village is allowed the exclusive use of the *danr* is called its *pari*. The *pari* usually consists of a certain number of *pahars*, a *pahar* being a period of three hours. Sometimes two or three small villages belonging to the same proprietor and lying alongside one another are treated as one village and have only one *pari* between them.

Usually while a village is being irrigated the *danr* is dammed in order to prevent the water flowing into the next village. This naturally raises the level of the water and causes it to flow more freely into the *singhas*. But sometimes it is found that a village is not allowed to erect any obstruction in the *danr*, but is merely entitled to take water which flows naturally into the *singhas* while a village further down is being irrigated. This is called the *mutari* system as opposed to the *banokhar* system of artificially raising the level of the water in the *danr*. *Banokhar* or *dhat* is the term applied to a dam placed across a water channel.

209. From this account of the system it is clear that disputes may arise, in disposing of which the criminal or civil courts would be helped by being able to refer to a record of irrigation customs made before the dispute arose. Mr. H. Coupland, who was Collector of Bhagalpur when the record-writing in the south of the district was begun, was of opinion that the preparation of a record of irrigation rights was almost, if not quite, as necessary as the preparation of the general record-of-rights. Accordingly when the notification authorizing the preparation of a record-of-rights for South Bhagalpur was published, a special clause was included in it directing the preparation of a record-of-rights and obligations in respect of the use and maintenance of the means of irrigation. The Tenancy Act as it then (1906) stood did not specify these rights among the particulars which the Local Government might order the Settlement Officer to record, and there was on this account some doubt as to the legal value of the special clause. Advantage was therefore taken of the opportunity afforded by the amending of the Act in 1907 to remove this doubt. In 1907 a clause 102 (gg), was added to the Act, authorizing the Local Government, when ordering a survey and record-of-rights to be made for any area, to direct that amongst the particulars to be recorded should be included "the rights and obligations of each tenant and landlord in respect of—

- (1) the use by tenants of water for agricultural purposes, whether obtained from a river, *jhil*, tank or well or any other source of supply; and

(2) the repair and maintenance of appliances for securing a supply of water for the irrigation of the land held by each tenant, whether or not such appliances be situated within the boundaries of such land."

It was further provided that this clause shall be deemed to have been inserted from the commencement of the Bengal Tenancy Amendment Act, 1898.

The eight largest and most important *danrs* in the district are—

Name of danr.	LENGTH OF WATER COURSES IN MILES.			NUMBER OF VILLAGES CONCERNED.			Owned by—
	Main channel.	Branches.	Total.	Irri- gated.	Not irri- gated.	Total.	
Raj Danr urf Mahashaji.	28.46	53.21	81.67	75	21	96	Mahashoy Tarak Nath Ghosh; made in 1809.
Naya danr ...	21.38	36.64	58.02	28	16	44	Mahashoy Tarak Nath Ghosh; made in 1844.
Raj Danr urf Bilasi.	19.30	38.40	57.70	49	1	50	Raj Baneli.
Raj Danr (Panj- wara).	9.49	18.76	28.24	20	2	22	Panjwara.
Kajhia Danr ...	...	...	25.68	15	...	15	Lachhimpur.
Jhikta Danr ...	7.84	18.21	25.55	58	2	53	Raj Baneli.
Danr Dogbai ...	5.48	15.97	21.43	18	1	20	Nand Lal Chaudhuri.
Chaksafia Danr ...	8.08	12.35	20.43	13	3	16	Several zamin- dars.

In previous settlement operations, when records of irrigation rights were prepared, the village was made the unit of record. For instance, in the Patna Government estates settlement in 1901, a separate irrigation record accompanied by a map on the scale of 18 inches to the mile was prepared for each village which possessed a system of irrigation. The number of villages so dealt with was, however, comparatively small, and the irrigation rights were not complicated. All these records were prepared by one officer who had had a considerable settlement experience. In South Bhagalpur it was found impossible to prepare a similar record for each village. One obstacle was the number of villages of which there are 2,800. Another was absolute inexperience of many of the attestation officers employed. Moreover, the nature of the irrigation system rendered this method unsuitable. For instance, the rights of any one of the 75 villages irrigated from the Raj *danr* owned by Mahashoy Tarak Nath Ghosh could not be explained in the record of that village without going into the rights of all the others. To prepare a separate irrigation record for each of these villages meant repeating the same matter, 75 times over. It was therefore decided to prepare a separate record for each *danr* accompanied by a map on the scale of 4 inches to the mile, showing the main canal and its branches, village boundaries, roads, embankments, etc.

In the cold weather of 1905-06 Babu Hem Chandra Chattarji collected information and wrote up draft records for about 100 irrigation channels. Maps on the scale of 4 inches to the mile showing all water channels were prepared during the following recess by the cadastral camps. During attestation an attempt was made to have these records completed by the attestation officers, but the maps were found to be wanting in many respects; and the records, being prepared without reference to any map, were too vague for practical purposes. A special officer, Babu Mahendra Nath Gupta, was therefore deputed in February 1907 to rewrite the records. Under his

supervision a correct maps were prepared; the records which have been written were revised and attested in the presence of the parties concerned; and new records were written for many irrigation schemes for which none had been written in the previous season. After attestation the records were draft-published, and objections under section 103A received and disposed of in the usual way. The number of records prepared was 299, and the number of objections under section 103A was 89. After these were disposed of, the records were checked, fair-copied and finally published in the same way as the ordinary records-of-rights. They have been bound along with the maps in separate volumes, each of which is furnished with an index to the contents.

AGRICULTURAL STOCK.

210. In the recent settlement operations a census was taken of the agricultural stock. During the Baneli-Srinagar survey no such figures were collected, and the statement below refers only to the area dealt with in the recent operations—

Thana No.	NAME OF THANA.	Cows.	Bulls and bullocks.	Male buffaloes.	Cow buffaloes.	Horses and ponies.	Calves, including buffalo calves.	Sheep.	Goats.	Mules and donkeys.	Ploughs.	Carts.
SUPAUL SUBDIVISION.												
1	Pratapganj	19,671	17,194	443	7,876	1,293	13,925	4,183	7,981	24	7,378	850
2	Supaul	56,305	59,015	558	20,568	2,408	46,922	3,178	25,996	29	27,683	3,814
	Total ...	75,976	76,209	1,001	28,444	3,640	60,847	6,339	33,977	53	34,961	4,664
MADHIPURA SUB-DIVISION.												
3	Madhipura	59,071	41,226	534	13,176	1,630	42,870	2,746	18,408	39	18,894	1,754
4	Bansaon	16,674	10,488	162	2,978	841	12,150	1,038	6,719	20	4,844	435
5	Kishanganj	14,306	14,021	142	2,003	772	13,297	344	4,393	23	6,029	316
	Total ...	90,051	65,655	838	18,757	2,743	67,717	4,128	30,110	82	29,767	2,005
SADAR SUBDIVISION.												
6	Bihpur	15,665	16,445	90	2,920	775	12,081	616	4,403	22	5,632	1,214
7	Sultanganj	10,040	13,288	677	1,884	322	9,153	443	5,048	23	5,897	584
8	Bhagalpur	13,302	15,650	361	1,381	247	12,416	750	7,731	31	6,854	1,335
9	Osimgong	86,985	41,329	3,139	4,510	1,631	27,061	1,840	18,048	51	18,504	1,921
	Total ...	75,592	80,712	4,276	10,695	2,973	60,661	3,649	36,230	113	36,857	5,304
BANKA SUBDIVISION.												
10	Amarpur	13,815	24,998	2,192	3,660	350	16,520	184	9,916	47	12,558	1,507
11	Banka	30,177	32,147	5,306	5,640	508	23,794	4,460	22,916	40	18,211	2,300
12	Katoria	26,944	20,218	4,634	4,779	283	20,357	5,430	26,415	22	12,574	1,253
	Total ...	75,436	77,363	12,132	14,079	1,136	60,671	10,064	58,547	109	43,343	5,060
	District total under operation.	316,955	305,969	18,247	71,975	10,498	249,896	24,180	167,864	357	144,928	17,088

The area to which the above figures apply is 2,247,887 acres or 3,512 square miles, of which 2,458 square miles, or 70 per cent. is cultivated. The population of this area is approximately 1,800,000. The total number of live-stock is 1,155,751, which gives 64 head per hundred persons of the population. This is a very high figure, compared with those for other Bihar districts—Muzaffarpur 30, Saran 29, North Monghyr 42.

211. The excess over the other Bihar districts appears to arise chiefly from the large number of cows and calves. The number of calves per 100 cows (buffaloes included) is 64, which is a higher percentage even than in North Monghyr. In the north of the district the *goalas*, who form a large proportion of the total population, nearly all keep cattle.

They find ample pasturage on the Kosi and Ganges diaras for their herds in the dry season when grazing is scarce elsewhere. Many of them prepare and export *dahi* for sale. These are known as *dahiars*, and are looked down on by the other *goalas*.

212. These are less numerous than the cows in the north of the district, but outnumber them in the south. Their number is almost sufficient to give one pair to each cart and another to each plough in the district.

Compared with the cattle in the western Bihar districts, the bullocks owned by the ordinary cultivators are of a very inferior type. In the south particularly they are wretched, skinny animals that can hardly drag the very small carts which are used. Good cattle are mostly found with grain dealers and such who can afford to import them from Muzaffarpur.

213. Goats are more numerous than in Darbhanga. They are very irregularly distributed as the statement shows.

Goats, sheep and horses. Sheep, horses, mules and donkeys are very few in number.

214. In North Bhagalpur as in the other Bihar districts female buffaloes greatly outnumber the males. In the south, particularly in Banka and Katoria, the difference is not so noticeable. The fact that male buffaloes are used in carts and ploughs to a far greater extent in the south of the district than in the north accounts for this.

215. There are 58 ploughs and 7 carts for every square mile of cultivated area. This gives one plough for every 11 acres of cultivation. In the western Bihar districts one plough suffices for a larger area, e.g., Darbhanga 15 acres, Saran 17 acres, and Muzaffarpur 18 acres. The superiority of the bullocks in these districts accounts for this. The carts in use in Bhagalpur are adapted to the cattle which have to draw them. In the extreme south the *sagar*, the most primitive type of cart, is used.

STATUS.

216. The total area for which statistics have been prepared is 2,405,011 acres, or 3,758 square miles. Of this area Occupied and unoccupied area. 1,861,872 acres, or 2,909 square miles, have been shown as occupied and 543,139 acres, or 849 square miles, as unoccupied. The unoccupied area is 22 per cent. of the total.

Of the unoccupied area 14,274 acres, or less than '6 per cent. of the total area, is covered by railways, roads and other lands held by the public bodies.

The unoccupied lands which represent 22 per cent. of the entire area consist of waste lands not included in the holding of any raiyat. Current fallow is not classified as unoccupied land, but is treated as being occupied by the raiyat in whose holding it is included; or if it is not included in any raiyat's holding, by the landlord who has the right to settle it with a tenant. Waste lands under the control of the landlord are recorded as *gairmazrua khas*. Waste lands, such as roads, tanks, etc., which are the common property of the village, are recorded as *gairmazrua am*.

217. The following statement shows how the area is divided between the landlords and different classes of tenants and compares the distribution in Bhagalpur with that in other districts—

Distribution of occupied area between different classes of occupants.

DISTRICT.	PERCENTAGE OF OCCUPIED AREA HELD BY			
	Proprietors and tenure holders.	Raiyats at fixed rates and rent-free raiyats.	Settled and occupancy raiyats.	Non-occupancy raiyats.
Bhagalpur ...	8.45	1.71	87.22	2.62
Purnea ...	20.89	6.51	69.40	3.20
North Monghyr ...	13	1.25	81.25	4.5
Darbhanga ...	14	2	83	1
Muzaffarpur ...	19	5	74	2
Saran ...	10	5	81	1
Champaran ...	9	4	81	3

The proportion of the area held by proprietors and tenure-holders is lower, and that held by occupancy raiyats higher than in any other Bihar district. The landlords in the north of the district hold a considerable amount of *kamat* lands, but, as has been mentioned in paragraph 96 most of this land is sublet to tenants on produce rents, and has been recorded as being in the

occupation of raiyats. It appears that tenants with secure rights and rent-free holders occupy $87\frac{1}{4}$ per cent., tenants with unsecure rights $4\frac{1}{2}$ per cent., and proprietors and tenure-holders $8\frac{1}{2}$ per cent. of the total occupied area.

The following statement gives details of the number and area of the different classes of holdings in each subdivision ---

Serial No.	STATUS.	SUGAUL.					MADHUPURA.					SADAR.	
		Number of holdings.	Percentage of total number of holdings.	Area.	Percentage of total unoccupied area.	Average size of holding.	Number of holdings.	Percentage of total number of holdings.	Area.	Percentage of total occupied area.	Average size of holding.	Number of holdings.	Percentage of total number of holdings.
1	Zirat	41	04	439	00	9'98	3,340	2'27	6,091	1'18	1'82	1	...
2	Held by proprietary, but not zirat.	553	53	9,644	2'03	16'37	2,980	2'03	25,189	4'00	8'45	2,869	2'02
3	In cultivating possession of tenure-holders	1,048	1'04	11,719	2'54	11'18	671	45	7,833	1'52	11'68	1,402	1'36
4	Raiyat at fixed rent or rates.	281	28	4,042	087	14'58	192	13	2,107	41	10'97	306	29
5	Settled or occupancy raiyat.	91,645	93'53	122,721	91'51	4'46	123,857	88'41	412,206	85'97	3'48	100,706	91'86
6	Non-occupancy raiyats ...	1,097	1'08	5,612	1'22	3'30	9,965	6'73	25,031	4'87	2'59	1,971	1'791
7	Rent-free holders	2,923	2'79	7,743	1'68	2'74	2,813	1'92	5,24	1'15	2'10	2,283	2'08
	Total	101,127	...	181,027	...	...	146,818	...	514,336	...	...	109,629	...
8	Unoccupied or guirmazrua	3,371	...	65,004	...	...	6,008	...	105,200	...	...	7,131	...
	Total	104,498	...	527,531	...	...	152,826	...	619,536	...	...	116,760	...
9	Kaiser-i-Hind	234	...	3,880	...	...	225	...	2,109	...	...	399	...
	Total	104,732	...	531,717	...	...	153,051	...	621,695	...	...	117,153	...
10	Under-raiyats	12,796	...	10,460	...	...	7,270	...	7,012	...	...	10,380	...

Serial No.	STATUS.	SADAR.			BANKA.			TOTAL.		
		Area.	Percentage of total occupied area.	Average size of holding.	Number of holdings.	Percentage of total number of holdings.	Area.	Percentage of total occupied area.	Average size of a holding.	Number of holdings.
1	Zirat	54	01	54	...	...	...	3,385	74	6,584
2	Held by proprietary, but not zirat.	27,037	6'41	9'43	870	89	14,892	3'11	16'54	7,308
3	In cultivating possession of tenure-holders.	18,676	4'43	12'58	2,332	2'31	36,152	7'86	16'33	5,444
4	Raiyat at fixed rent or rates.	2,384	57	7'79	172	17	1,637	30	10'68	851
5	Settled or occupancy raiyat.	364,778	85'74	3'59	88,835	91'75	397,318	85'67	4'47	411,043
6	Non-occupancy raiyats ...	8,419	1'91	4'28	1,847	1'91	9,336	2'02	5'08	15,489
7	Rent-free holders	3,409	81	1'49	2,875	2'97	4,410	95	1'53	10,794
	Total	421,757	...	...	96,931	...	463,602	...	...	454,408
8	Unoccupied or guirmazrua	78,162	...	...	7,122	...	279,599	...	...	23,032
	Total	499,919	...	...	103,953	...	743,401	...	...	478,337
9	Kaiser-i-Hind	5,375	...	...	456	...	2,304	...	...	1,288
	Total	505,294	...	...	104,389	...	745,305	...	...	479,625
10	Under-raiyats	16,504	...	...	17,038	...	23,548	...	...	47,481
	Total	521,798	...	...	121,427	...	768,853	...	...	525,806

218. Only 6,584 acres have been recorded as proprietors' private lands.

Zirat.

Practically the whole of this area belongs to the Srinagar Baneli Estate and lies in Thana Bangaon. In the recent operations the landlords, who possess what are locally known as *kamat* lands, were unable to produce proof that they were cultivated by themselves for 12 years previous to the passing of the Tenancy Act, or that they were let as *zirat* before the 2nd March 1883. Most of the important proprietors in fact did not make any attempt to do so.

The area in the possession of proprietors which is not true *zirat* amounts to 762,662 acres, or about four per cent. of the whole occupied area. In Supaul subdivision, where most of the land is owned by big proprietors, the proportion is less than one-third than what it is in the Sadar subdivision where petty proprietors are numerous.

The area in direct possession of tenure-holders is slightly less than that held by proprietors and in Banka and Katoria four times as much land as proprietors. This is accounted for partly by the *mustajiri* system which is in force in portions of these thanas, and partly by the fact that numbers of villages are held by *ghatwals* on *mukarrari* leases, the proprietors having no direct connection with the land.

219. Raiyats at fixed rates of rent hold a little over 10,000 acres. The

Raiyats at fixed rates of rent.

average area held by each of these raiyats is much higher than in the districts previously surveyed, and varies from 7.79 acres in Bhagalpur subdivision to 1.38 acres in Supaul. Most of them are in possession of *mukarrari* leases granted by the landlords or their predecessors-in-interest. Very few raiyats who did not possess such documents were able to take advantage of section 50 of the Tenancy Act by producing receipts showing payment of rent at a uniform rate for 20 years. In paragraph 98 of this report I have referred to the case of the so called *kamdura* raiyats of North Bhagalpur. These raiyats, who are comparatively few in number, are the only survivors of the numerous *gorabandi* raiyats who formerly held on fixed rent. The rents of the others have been enhanced, or their holdings have been broken up. Their case is similar to that of the *guzashta* raiyats in Shahabad with whom the Settlement Department has recently had to deal. In Shahabad it has been found possible to lay down the principle that *guzashta* raiyats in certain areas shall be presumed to be raiyats at fixed rates, unless it is shown that their rents have been enhanced. The *kamdura* raiyats of North Bhagalpur, however, are so few in number that it was found impossible to obtain sufficient documentary evidence to establish a similar principle in their case; and even had such a principle been laid down, the difficulty of deciding whether any particular raiyat belonged to that class would have been far greater than in Shahabad. The result was that the burden of proving that their rents had not been enhanced had to be thrown on the raiyats. As few of them are in possession of more than a few years' receipts, and very few claims to hold at fixed rate were established. This result, although unavoidable, is to be regretted, as the landlords will now, with the assistance of the entry in the record-of-rights which describes them as ordinary occupancy raiyats, have no difficulty in enhancing the rents of those who have hitherto escaped.

220. Settled raiyats and raiyats who, though not settled raiyats, have

Settled and occupancy raiyats.

acquired occupancy rights by purchase, hold between them 1,624,025 acres, or 8.22 per cent. of the occupied area. The average area held by each such raiyat under one landlord as one holding is nearly 4 acres. In the Sadar and in Madhipura subdivisions, in which the number of petty proprietors is greatest, the average area is, as might be expected, somewhat smaller than this.

221. Raiyats without rights of occupancy hold 48,460 acres, or 2.62 per cent. of the occupied area. They are most numerous

Non-occupancy raiyats.

come under cultivation.

in thana Kishunganj where large areas have recently

222. 21,483 acres are held by raiyats without payment of rent. Such

Rent-free lands.

holdings are most numerous in Pratabganj and Supaul in the estates of the bigger proprietors. Their average area is 2 acres each.

223. Of the area held by raiyats of all classes 57,533 acres, or 3·3 per cent., is sublet to under-raiyats. The percentage

Under-raiyats.

sublet varies from 1·4 in Madhipura subdivision to 11 per cent. in Banka, the figures for the Sapaul and Sardar subdivisions being 4·3 and 2·3, respectively. The average area held by each under-raiyat in each subdivision is Supaul ·8 acres, Madhipura ·9 acres, Sadar 1·6 acres, and Banka 1·2 acres. I believe, however, that the area sublet to raiyats is considerably larger than these figures indicate. Under-raiyats are seldom anxious to have their names recorded, and the raiyat under whom they hold, if he has any feeling in the matter, is anxious that they should not be recorded. It is a common occurrence for under-raiyats whose names have been entered in the record during *khanapuri* to come forward during attestation and say that they have given up the lands. Inquiry often shows this statement to be untrue.

PROPRIETARY INTERESTS.

224. The actual total number of estates in Bhagalpur is 4,730. When an estate contains lands in several villages, a separate

The number of estates and proprietors.

proprietary *khewat* has to be prepared for it in each of these villages. In consequence of this the settlement record, contain 10,200 separate *khewats*. When the lands of an estate are privately partitioned among the proprietors, the *khewat* has to be further subdivided into *pattis*, and 1,572 of the total number of *khewats* have been so subdivided into 5,813 *pattis*. The following statement makes a comparison between the revenue-free and revenue-paying estates in this respect—

Serial No.	ESTATES.	NUMBER OF ESTATES.			NUMBER OF PROPRIETORS.			Percentage of estates privately partitioned.	Average number of <i>pattis</i> per privately-partitioned estate.	AVERAGE NUMBER OF PROPRIETORS.			
		Joint.	Privately partitioned.	Total.	Joint.	Privately partitioned.	Total.			In a joint estate.	In a privately-partitioned estate.	Total.	Per <i>patti</i> .
1	Total revenue-paying estates	7,769	1,440	9,209	5,402	23,404	13,060	45,064	16	4	9	5	8
2	Total revenue-free estates ...	860	132	992	411	2,626	1,199	4,025	13	3	9	4	10
	Total ...	8,629	1,572	10,201	5,813	32,330	14,859	47,089	15	4	9	5	8

225. The following statement shows the extent to which subdivision

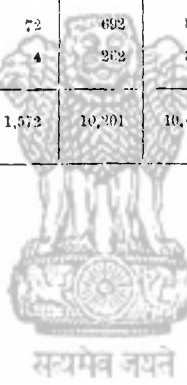
of proprietary rights has been carried in each

Subdivision of proprietary rights.

thana. It shows that except in Sultanganj and Bhagalpur, the average area held by one proprietor in one estate in one village is well over 20 acres. The average for the entire district is 48 acres, and in Katoria and Supaul the figures are 428 and 252, respectively. The total number of proprietors in the area of 3,513 square miles to which these figures relate is 47,089 as against 41,504 in North Monghyr for an area of 1,535 square miles. It is clear that Bhagalpur on a whole is as yet very far from the stage which has been reached in North Monghyr in the matter of subdivision of proprietary interests. Only in two thanas, Sultanganj and Bhagalpur, and possibly in portion of Amarapur, do the figure for the average area held by each proprietor at all approach those found in Teghra and Begusarai. It will be noticed that the number of proprietors is greatest, and the average area held by each least in Sultanganj, which is the smallest thana in the district. It must be remembered that the person may be counted more than once if he owns land in more than one village; and although petty proprietors are more common in Bhagalpur and Amarapur than in the other thanas of the district, the extraordinary contrast between these thanas and the

others in respect of the average area held by each proprietor is largely due to the small average size of the village which they contain—

Serial No.	NAME OF THANA.	Total number of villages.	NUMBER OF ESTATES AS PER VILLAGE KHEWAT.			KHEWAT NUMBER.					
			Jointly.	Privately-partitioned estates.	Total.	Integral.	Fractional.	Total.	Of estates having no separate land.	Net khewat number having separate lands.	Total number of proprietors.
1	Partapganj	114	205	24	229	314	161	475	3	472	064
2	Supaul	305	421	43	464	652	206	898	...	898	1,451
3	Madhipura	275	682	58	640	811	211	1,022	...	1,022	2,247
4	Bangson	113	483	171	654	581	683	1,264	...	1,264	3,918
5	Kishunganj	152	472	67	539	559	241	800	58	742	1,832
6	Bihpur	103	512	67	579	601	273	874	33	641	2,871
7	Sultaiganj	303	870	514	1,384	983	2,311	3,294	1,181	2,113	9,650
8	Bhagalpur	450	1,702	318	2,020	1,901	1,112	3,073	378	2,695	9,241
9	Colgong	512	1,634	173	1,812	1,736	681	2,317	146	2,281	8,169
10	Amarpur	604	870	56	926	1,115	267	1,382	37	1,345	3,811
11	Banka	555	620	72	692	827	371	1,198	116	1,082	2,702
12	Katoria	202	258	4	262	314	12	326	11	315	783
District total under operation.		3,718	8,629	1,572	10,201	10,494	6,429	16,923	1,963	15,310	47,639



Serial No.	NAME OF THANA.	TOTAL AREA IN ACRES.		AVERAGE AREA OF VILLAGES.		AVERAGE NUMBER PER VILLAGE OF—				AVERAGE AREA PER VILLAGE.					
		Total.	Cultivated.	Total.	Cultivated.	Estate.	Total khewat numbers.	Net khewat numbers having separate lands.	Proprietors.	Of estate.		Of net khewat numbers having separate lands.		Under each proprietor.	
										Total.	Cultivated.	Total.	Cultivat d.	Total.	Cultivated.
1	Partapganj	117,717	92,332	1,041	817	8	4	4	9	514	403	249	195	123	96
2	Supaul	305,644	291,082	1,215	954	1	3	3	3	810	653	437	340	252	200
3	Madhipura	285,340	223,105	1,060	820	3	4	4	10	450	340	282	218	139	89
4	Bangson	84,533	63,063	756	513	5	11	11	12	129	96	67	49	25	19
5	Kishunganj	140,045	95,881	921	630	3	5	5	13	259	178	189	123	74	60
6	Bihpur	110,582	77,275	1,084	757	5	8	8	28	193	134	132	92	38	29
7	Sultaiganj	86,499	71,999	285	237	4	11	7	32	62	52	40	34	9	7
8	Bhagalpur	88,563	71,021	181	140	4	6	6	19	44	35	33	27	10	8
9	Colgong	219,050	169,065	426	330	3	4	4	10	120	93	98	71	27	19
10	Amarpur	153,494	123,903	234	205	2	2	2	6	106	131	114	82	40	32
11	Banka	257,645	160,726	464	199	1	2	2	5	372	283	238	149	97	69
12	Katoria	335,256	106,013	1,660	825	1	1	1	3	1,279	404	1,061	536	428	135
	District total under operation.	2,247,587	1,546,136	604	416	3	4	4	13	220	151	150	103	48	33

RAIYATS' RENTS.

226. Bhagalpur differs from the districts previously surveyed in respect of the proportion between the areas held on cash and produce rent as the following table shows—

CLASS OF RAIYATS.	Total area.	Area on produce rent.	Percentage of area on produce rent to total area.	Darbhanga.	Saran.	Muzaffarpur.	North Monghyr.	Champan.
Settled and occupancy raiyats ...	1,624,025	152,126	9	8	4	7	6	4
Non-occupancy raiyats ...	48,460	4,947	10	7	8	19	7	22
Under-raiyats ...	57,533	41,109	71	53	23	61	60	65

The difference is more clearly brought out when the figures for the different thanas are examined. North of the Ganges 4 per cent. of the area held by settled and occupancy raiyats pays produce rent. In South Bhagalpur the percentage is 16. In Sultanganj, Amarpur and Banka about one-quarter of the land belonging to such raiyats is held on this system. The following table gives the figures for the different thanas, and shows that produce rents are most prevalent in the area where artificial irrigation is most practised—

NAME OF THANA.	Total area held by settled and occupancy raiyats.	Area held on produce rent.	Percentage of area held on produce rent.	Percentage of net cropped area irrigated.
Partapganj ...	122,463	4,362	3	·08
Supaul ...	200,265	11,870	3	8·93
Madhipura ...	238,567	9,985	4	·87
Bangaon ...	114,247	7,104	6	8·22
Kishunganj ...	89,392	4,166	4	·06
Bihpur ...	76,629	6,006	8	·06
Total for North Bhagalpur ...	941,563	43,493	4	4
Sultanganj ...	66,745	19,113	28	52
Bhagalpur ...	61,315	14,862	24	43
Colgong ...	157,089	24,102	15	8
Amarpur ...	117,435	24,015	20	80
Banka ...	150,337	15,652	10	32
Katoria ...	129,541	10,889	8	18
Total for South Bhagalpur ...	682,462	108,633	16	36
Total for entire district ...	1,624,025	152,126	10	17

227. In North Bhagalpur the area held on produce rent consists mostly of *kamat* land temporarily leased to raiyats. These lands are defined in the Tenancy Act, but it is generally supposed both by landlord and tenants that no occupancy right can be acquired in such lands particularly when they are settled on produce rents. Such lands are less common in the estates of the bigger landlords than in those owned by petty proprietors, a fact which accounts for the small percentage of lands held on produce rent in Partabganj and Supaul.

In North Bhagalpur the *batai* system in which the crop is actually divided between the parties is the most common. The straw is usually taken by the raiyat, and the grain, after certain payments have been made to the labourers who cut and thresh it, is divided equally between the landlord and tenants.

In the *bhaoli* or appraisement system an estimate of the produce of the field is made before the crop is cut. Half the estimated produce or its value in cash is paid as rent. The maliks' *amla* usually take their perquisites when the crop is cut. The amount of these vary in different parts of the district. In some cases the landlord has taken it on himself to collect the *amlas'* dues from the raiyat and to pay them to the *amlas* himself. This amalgamation of *abwabs* is most probably the origin of the *bhaoli nausat* system under which the landlord takes nine-sixteenths of the produce instead of half. This system, however, is uncommon both in North and South Bhagalpur. Where it has been introduced, it is found as a rule that the *amla* continue to take their share from the raiyat as before and that the landlord appropriates the *abwabs* himself.

Mankhap or *manhun'ta* rents are rents of a fixed amount of grain. They are fixed in the sense that the raiyat is bound to pay them whether the season be good or bad, but they are not fixed in the sense that they cannot be raised without the raiyats' consent, or that their payment confers on the raiyats any of the privileges of a raiyat at fixed rates. This is the most oppressive form of rent, as in the season when the crop is poorest the value of the rent payable is highest. The amount of grain deliverable by the raiyat is usually fixed so high that it is rarely possible to realize it in full. Receipts for payments made are not usually given, and the landlord takes as much as he can, leaving the raiyats the bare means of subsistence. If a raiyat applies for commutation of these rents, the landlord generally brings a suit against him for three years of arrears of rent, and by this means frequently compels him to withdraw his application.

228. The same systems of produce rent are found in South Bhagalpur as in North Bhagalpur. The bigger landlords usually go in for the *bhaoli*, or, as it is also called, the *danabandi* system. The smaller proprietors, who are able to personally supervise the harvesting and division of the crops, retain the *batai* system. The latter system is preferred by the raiyats, as they say that the landlords' appraisement is usually oppressive, and that their *amla* have to be bribed in order to make a fair appraisement. The landlords, on the other hand, attribute the raiyats' preference for the *batai* system to the opportunities which it offers for removing some of the crop before the division is made. The method by which the appraisement and division of the crops are done are similar to those employed in Monghyr. A description of these will be found in the report on the settlement operations in South Monghyr. The chief difference between the two districts lies in the fact that *abwabs* or illegal additions to the legal rent, or the *asal*, as the proportion of the crop legally payable to the landlord is called, are much less common in Bhagalpur than in Monghyr. In Bhagalpur the raiyat almost invariably pays half the produce as rent. Such illegal exactions as are taken in addition to this are taken by the landlord's *amla*. Their amount is not fixed and is usually a matter of haggling between the latter and the raiyat. There is no tendency in Bhagalpur, as there is in the western portion of South Monghyr and the eastern portion of Patna, for the landlord to convert them into fixed demands payable to themselves and to show them as such in their zamindari papers, either separately from or consolidated with the *asal*. This fact rendered the attestation of the record-of-right of holdings paying produce rent much more simple than in Monghyr and Patna.

229. The following statement shows the average cash rates of rent per acre paid by different classes of raiyats in different districts—

Cash rents comparison with other districts.

	Bhagalpur.	Muzaffar- pur.	Saran.	Champaran.	Darbhanga.	North Monghyr.
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
Raiyats at fixed rates.	1 4 0	2 11 11	3 4 9	1 2 3	1 12 0	1 9 8
Occupancy raiyats	2 10 6	3 12 3	4 5 4	1 14 11	3 12 6	2 15 4
Non-occupancy raiyats.	2 15 3	4 9 0	5 0 6	1 12 10	4 7 10	2 10 10
Average ...	2 10 5	3 13 5	4 5 4	1 14 7	3 12 4	2 15 0
Under-raiyats ...	2 1 7	4 5 3	5 2 8	2 8 10	4 8 4	3 15 4

The above statement shows that the incidence of rent in the district as a whole is slightly below that in North Monghyr. The figures for different thanas, however, differ considerably, the average in South Bhagalpur, with the exception of Katoria and Banka, being considerably higher than in North Bhagalpur as the following figures show—

NAME OF THANA.	RAIYATS AT FIXED RENT.			OCCUPANCY AND SETTLED RAIYATS.		
	Total area.	Total rent.	Average rate per acre.	Total area.	Total rent.	Average rate per acre.
SAPPAUL SUB- DIVISION.	Acres.	Rs.	Rs. A. P.	Acres.	Rs.	Rs. A. P.
Partabganj ...	3,155	2,398	0 12 2	118,101	1,89,181	1 9 8
Supaul ...	887	496	0 8 11	288,395	7,59,662	2 10 2
Total ...	4,042	2,894	0 11 5	406,496	9,48,843	2 5 2
MADHIPURA SUBDIVISION.						
Madhipura ...	900	875	0 15 6	228,582	5,30,729	2 5 2
Bangaon ...	711	591	0 13 5	107,143	2,17,572	2 0 4
Kishunganj ...	496	133	0 4 6	85,226	1,60,424	1 14 2
Total ...	2,107	1,599	0 12 1	420,951	9,08,725	2 2 3
SADAR SUBDIVISION.						
Bihpur ...	860	1,105	1 4 7	70,623	1,54,754	2 3 0
Sultanganj ...	113	292	2 9 4	47,632	2,46,796	5 2 10
Bhagalpur ...	478	1,759	3 10 10	46,453	2,43,770	5 3 11
Colgong ...	933	2,073	2 3 8	132,987	4,38,877	3 4 1
Total ...	2,384	5,229	2 3 2	297,695	10,84,197	3 10 4
BANKA SUBDIVISION.						
Amarpur ...	1,625	3,030	1 13 10	98,420	4,40,734	4 11 6
Banka ...	183	150	0 13 2	134,685	3,46,638	2 9 5
Katoria ...	29	71	2 7 2	118,652	1,77,328	1 7 11
Total ...	1,837	3,251	1 12 4	346,757	9,66,700	2 12 7
GRAND TOTAL	10,370	12,973	1 4 0	1,471,899	39,08,465	2 10 6

NAME OF THANA.	NON-OCCUPANCY RAIYATS.			TOTAL OF ALL CLASSES OF RAIYATS.			UNDER-RAIYATS.		
	Total area.	Total rent.	Average rate per acre.	Total area.	Total rent.	Average rate per acre.	Total area.	Total rent.	Average rate per acre.
SUPAUL SUBDIVISION.	Acres.	Rs.	Rs. A. P.	Acres.	Rs.	Rs. A. P.	Acres.	Rs.	Rs. A. P.
Partabganj ...	3,480	8,806	2 9 1	1,24,686	2,00,885	1 9 8	99	2,326	2 3 8
Supaul ...	1,584	4,196	2 10 4	2,90,866	7,64,354	2 10 1	1,557	4,147	2 5 9
Total ...	5,014	13,002	2 9 6	4,15,552	9,64,739	2 5 2	2,756	6,373	2 4 11
MADHIPURA SUBDIVISION.									
Madhipura ...	2,044	6,102	2 15 9	2,31,526	5,37,706	2 5 1	1,097	2,436	2 3 6
Bangaon ...	1,973	5,013	2 8 8	1,09,827	2,23,176	2 0 9	131	322	2 6 10
Kishunganj ...	19,754	44,609	2 4 1	1,05,478	2,06,166	1 15 0	525	1,287	2 7 6
Total ...	23,771	55,724	2 5 6	4,46,829	9,66,048	2 2 8	1,753	4,045	2 5 11
SADAR SUBDIVISION.									
Bihpur ...	1,456	3,625	2 7 10	72,939	1,59,481	2 3 11	545	1,452	2 10 8
Sultanganj ...	1,140	5,716	5 0 2	48,885	2,52,804	5 2 8	20 219	56 1,479	2 13 9 8 12 0
Bhagalpur ...	1,063	6,884	6 7 7	47,994	2,52,413	5 4 4	2 392	13 2,481	6 8 0 6 5 3
Colgong ...	3,056	13,816	4 8 4	136,976	4,54,766	3 5 2	8 434	13 1,595	1 10 0 3 10 4
Total ...	6,715	30,041	4 7 7	306,794	11,19,467	3 10 5	545	1,492	2 10 8
BANKA SUBDIVISION.									
Amarpur ...	809	4,055	5 0 2	95,854	4,17,819	4 10 10	30 1,045	82 6,655	2 11 8 5 5 0
Banka ...	4,918	17,533	3 9 0	139,786	3,66,321	2 10 0	61 2,728	163 5,988	2 8 1 5 0 5
Katoria ...	2,286	2,802	1 3 7	120,967	1,80,201	1 7 10	719 4,478	1,402 5,168	2 1 2 2 3 1
Total ...	8,013	24,390	3 0 8	354,607	9,94,341	2 12 6	2,814 7,461	3,958 13,537	1 6 5 1 10 9
GRAND TOTAL	43,513	1,23,157	2 13 3	1,525,782	40,44,595	2 10 5	16,424	34,002	2 1 7

230. The average rates of rent paid by occupancy raiyats in Sultanganj, Amarpur and Bhagalpur are higher than in the other thanas, and exceed the average rates in any part of Darbhanga district. Much of the land of these thanas is undoubtedly of a superior quality and is provided with special facilities for irrigation. The average rates in different tracts correspond roughly to the fertility of the soil, but the character of the landlords and their ability to enhance rents has been an important factor in determining the present incidence of rent. The recorded rents, it should be remembered, are in many cases considerably less than those claimed, which have been cut down whenever illegal enhancements were detected. Inquiries as to enhancement of rent have been confined to the period subsequent to the passing of the Bengal Tenancy Act. The amount by which rates of rent have increased in that time varies in different localities. In three big estates, viz., Mahalat Kharagpur, the Darbhanga estate, and the Harawat estate there has been, so far as could be

Incidence of cash rents in the various thanas.

Enhancements of rates.

ascertained, no general enhancement of rate since 1885. When new settlements of land are being made, or when purchased or abandoned holdings are being resettled, the rate of rent is generally increased and a *salami* is also taken. In the Banoli estate (Mahalat Kharagpur) this policy has only been pursued vigorously in recent years, and its effect on the average rental of these estates must be almost negligible. In the Banoli-Srinagar estate also no enhancement has been made since 1885. In most of the other estates of the district, however, rates have been increased since 1885. In North Bhagalpur I should estimate the average enhancement obtained in this way since 1885 to be about 3 or 4 annas in the rupee. In South Bhagalpur the amount is probably less, and varies between 2 and 3 annas in the rupee. But in South Bhagalpur there have been conversions from *nagdi* to *bhaoli* and *vice versa*, the effect of which is difficult to estimate.

Besides enhancements of rate there have been increases of rent due to extension of cultivation. These have been greater in the extreme south of the district than elsewhere, but in parts of Supaul, Partabganj and Madhipura, portions of the *sâl* jungles which formerly existed have also been brought under cultivation since 1885. In Kishunganj thana also the receding of the Kosi in recent years has produced a similar result. As regards increase of rent between the date of the permanent settlement and the passing of the Bengal Tenancy Act little definite information is available. It is quite certain however, that the total increase must be enormous and that the present rental of the district is many times greater than it was a hundred years ago.

231. To compare the incidence of Government revenue with the average assets per acre it is necessary to estimate the total assets of the area for which records-of-right have been prepared. This area is 3,758 square miles. To the cash rental paid by the tenants in this area has to be added the annual value of the produce rents realized by the landlords, and of the lands in the direct possession of proprietors and tenure-holders. Produce rents I calculate at Rs. 8 per acre. This figure is higher than that taken in the Darbhanga and Monghyr final reports, but it must be remembered that the prices of produce have increased since these reports were written. The produce rent-paying land in Bhagalpur, moreover, is mostly irrigated land in the south of the district. Calculating the assets on this basis we get—

	Rs.
Cash rental	40,44,595
Produce rental of areas at Rs. 8 per acre	12,56,584
Annual value of lands in the direct possession of proprietors and tenure-holders, 157,531 acres, at Rs. 6	9,45,186
Total	62,46,365

This shows the average assets to be Rs. 1,662 per square mile or Rs. 2-9-6 per acre. The incidence of Government revenue has been calculated in paragraph 349 to be Rs. 135 per square mile, or annas 3 pies 4 per acre.

The zamindars therefore enjoy over 91 per cent. of the total assets instead of the 10 per cent. which was reserved to them by the permanent settlement. In no other Bihar district is the disproportion between the assets and the revenue so noticeable as in Bhagalpur. The fact that the settlement was made at a time when the greater part of the district was covered with jungle, accounts for this result.

TRANSFER OF PROPRIETARY RIGHTS.

232. Appendix K shows the result of inquiries made in 450 selected villages covering an area of 447 square miles, with a view to ascertaining the nature and number of the sales of the proprietary right which had taken place in the ten years preceding the settlement operations. It was found that on the average 1 out of every 7 estates and *pattis* had been transferred wholly or partly by sale in that period. The figures vary in different thanas. In Katoria no sales were found to have taken

place in the selected village, and in Supaul as many as 1 in 3 of the estate and *pattis* were effected by sale. The proportion of the area of the selected villages transferred by sale is one-sixth. This is higher even than the proportion in North Monghyr where sales were found to be more common than in the other North Bihar districts. The proportion is highest in thanas Banka and Colgong, and lowest (after Katoria) in Sultanganj.

233. Of the transferees 75 per cent. have been classed as landlords, 2½ per cent. as lawyers, 16½ per cent. as money-lenders, and 6 per cent. as raiyats. Of these classed as landlords many were originally lawyers and money-lenders who have by degrees acquired enough landed property to justify their being included in the class of landed proprietors. On the whole there appears to be a tendency in Bhagalpur for the estates which come into the market to fall into the hands of comparatively small number of purchasers. The properties of Rai Ganpat Sing Bahadur and the Maharaja of Sonbarsa in North Bhagalpur, and in South Bhagalpur those of Mr. Tilakdhari Lal and the Barari Babus have in the last fifty years been increased by the purchase of a number of small estates.

234. The average rate paid per acre for proprietary rights varies from Rs. 84 in Sultanganj to Rs. 13 in Partabganj, the average throughout the district being Rs. 32. The prices paid in the south of the district are much higher than those paid in the north. Some of the sales which took place, particularly in thanas Madhipura and Kishunganj, were at extraordinarily low rates, the price paid in one case being as low as annas 5 pies 3 per acre. These were sales of diara estates which had been either wholly or partly swallowed up by the Kosi. The transactions in such cases were purely speculative, the purchasers having before them the prospect of being compelled to wait for many years before getting any return for their money.

TRANSFERS OF OCCUPANCY RIGHTS.

235. During attestation statistics were compiled showing the details of all existing mortgages with possession of occupancy holdings, and of all transfers by sale of such holdings which had taken place within the previous ten years. As mortgagees are usually anxious to have their possession and the conditions on which they hold the land recorded, the figures for mortgages can be relied on as accurate. It is not so with the figures for sales, for a transfer which had taken place a few years before attestation and which had been recognized by the landlord, would not ordinarily be brought to the notice of the attestation officer. These statistics do not cover the area occupied by the Baneli-Srinagar estate.

236. The following statement shows the total number of sales and mortgages recorded, the number of holdings affected, and the area transferred and the percentage which those figures bear to the total number and total area of the holdings in each thana.

THANA.	Total number of raiyati holdings.	Area thereof in acres.	NUMBER OF TRANSFERS.			PERCENTAGE.			AREA TRANSFERRED.			PERCENTAGE.		
			By sale.	By mortgage.	Total.	Column 4 to column 2.	Column 5 to column 2.	Column 6 to column 2.	By sale.	By mortgage.	Total.	Column 10 to column 3.	Column 11 to column 3.	Column 12 to column 3.
Partabganj ...	31,209	122,463	1,147	734	1,981	6.40	3.70	9.10	4,711	1,883	6,594	3.81	1.54	5.38
Supaul ...	73,436	300,265	7,600	3,323	10,923	10.21	4.62	14.73	11,217	3,342	14,559	3.73	1.11	4.84
Total ...	94,645	422,728	8,647	4,107	12,754	9.13	4.34	13.47	15,928	5,225	21,153	3.77	1.23	5.00
Mudhipura ...	68,636	238,567	1,098	396	1,494	1.86	.67	2.53	2,559	953	3,512	1.07	.40	1.47
Bangson ...	43,300	114,247	131	1,082	1,213	.31	2.56	2.87	865	327	1,092	.75	.20	.95
Kishunganj ...	25,821	69,392	110	284	394	.42	1.10	1.52	845	85	930	.85	.09	1.04
Total ...	126,867	442,206	1,339	1,762	3,101	1.05	1.40	2.45	4,269	1,265	5,534	.97	.28	1.25

THANA.	Total number of raiyati holdings.	Area thereof in acres.	NUMBER OF TRANSFERS.			PERCENTAGE.			AREA TRANSFERRED.			PERCENTAGE.		
			By sale.	By mortgage.	Total.	Column 4 to column 2.	Column 5 to column 2.	Column 6 to column 2.	By sale.	By mortgage.	Total.	Column 10 to column 3.	Column 11 to column 3.	Column 12 to column 3.
Bihpur ...	22,817	76,629	147	180	327	64	79	143	870	170	840	87	22	109
Sultanganj ...	19,971	66,745	835	501	1,336	418	260	678	2,290	1,620	3,910	343	242	585
Bhagalpur ...	21,353	61,315	202	153	355	94	71	165	717	485	1,202	116	70	195
Colgong ...	86,565	187,092	1,841	308	1,947	448	83	531	5,731	764	6,495	364	48	412
Total ...	100,706	361,778	2,825	1,140	3,965	280	113	393	9,398	3,030	12,427	260	84	344
Amarpur ...	33,187	117,435	849	1,315	2,164	256	306	652	2,223	3,300	5,523	189	231	470
Banka ...	32,554	150,337	407	1,508	1,915	125	463	587	1,071	3,007	4,078	71	200	271
Katoria ...	23,086	1,25,541	485	1,279	1,764	210	563	773	1,087	1,968	3,049	88	151	239
Total ...	8,835	397,813	1,741	4,099	5,840	196	461	657	4,381	8,260	12,650	110	208	318
GRAND TOTAL ...	471,043	1,684,025	14,553	11,108	25,660	354	270	624	33,976	17,798	51,774	209	109	318

This shows that $6\frac{1}{4}$ per cent. of the total number of holdings have been affected by sales or mortgages. The area transferred represents $3\frac{1}{2}$ per cent. of the total area. In North Monghyr and Darbhanga $2\frac{1}{2}$ per cent., and in Saran 6 per cent. of the area was not transferred. The figures for the different thanas vary from about 1 per cent. in Bargaon, Kishanganj and Bihpur to 5.38 per cent. in Partabganj and 5.85 per cent. in Sultanganj. The number of sales exceeds the number of mortgages by about 30 per cent., but the area transferred by sale is nearly double the area transferred by mortgage. It is only in the Banka subdivision that the number of mortgages and the area affected by them exceed the corresponding figures for sales. The total area transferred is over 50,000 acres, of which two-fifths lie in Supaul subdivision. In the remainder of North Bhagalpur the transfers recorded affect only about 1 per cent. of the raiyati area as against 5 per cent. in Supaul. In the south the figures are highest in Sultanganj 5.85, Amarpur 4.70 and Colgong 4.12, and lowest in Bhagalpur 1.95.

237. To explain these differences it is necessary to examine the nature of the transfers and the status of the transferees in each thana. These particulars as well as the average price per acre are shown in the following statement—

THANA.	Total number of transferees.	NUMBER OF TRANSFERREES PRICE PAID.								AREA TRANSFERRED AND PRICE PAID--								
		LANDLORDS.		LAWYERS.		MONEY-LENDERS.		RAIYATS.		BY SALE.			BY MORTGAGE.			BY SALE AND MORTGAGE.		
		Number.	Percentage of total.	Number.	Percentage of total.	Number.	Percentage of total.	Number.	Percentage of total.	Area in acres.	Total price.	Price per acre.	Area in acres.	Total price.	Price per acre.	Area in acres.	Total price.	Price per acre.
Partabganj	1,931	59	3'06	6	31	359	18'60	1,507	78'04	4,711	Rs. 1,10,505	Rs. 25	1,833	Rs. 74,065	Rs. A. P. 39 0 0	6,594	Rs. 1,90,601	29
Supaul	10,823	37	'34	16	'15	2,574	23'79	8,198	75'72	11,217	3,07,591	27	3,342	90,564	27 0 0	14,559	3,98,155	27
Total	12,754	96	'75	22	'17	2,933	23'00	9,703	76'08	15,928	4,24,096	27	5,325	1,64,660	31 8 2	21,153	5,93,756	28
Madhipura	1,494	88	2'54	21	1'41	246	16'47	1,189	79'58	2,559	Rs. 49,732	Rs. 19	953	Rs. 23,758	Rs. 24 0 0	3,512	Rs. 72,490	21
Bargaon	1,213	59	4'86	6	'50	150	12'36	998	82'28	865	38,826	45	227	6,658	29 0 0	1,092	45,494	41
Kishanganj	394	63	8'38	1	'25	28	5'84	337	85'53	845	17,954	21	85	2,160	26 0 0	930	20,123	22
Total	3,101	130	4'19	28	'90	419	13'51	2,524	81'40	4,269	1,06,512	35	1,265	31,585	35 0 0	5,534	1,38,097	25
Bihpur	327	17	5'20	12	3'67	21	6'42	277	84'71	670	Rs. 33,536	Rs. 50	170	5,628	33 0 0	840	39,164	46
Sultanganj	1,336	134	10'03	12	'90	283	21'18	907	67'89	2,390	1,18,969	52	1,620	71,776	44 0 0	3,910	1,90,745	49
Bhagalpur	355	24	6'78	23	6'48	78	21'97	230	64'79	717	32,477	45	485	23,143	48 0 0	1,203	55,620	46
Colgong	1,947	36	1'85	17	'87	381	19'57	1,513	77'71	5,721	2,47,796	43	764	26,724	35 0 0	6,485	2,74,520	42
Total	3,965	211	5'32	64	1'62	768	19'24	2,927	73'62	9,398	4,32,776	46	3,039	1,27,271	42 0 0	12,437	5,60,019	45
Amarpur	2,164	37	1'71	39	1'30	434	20'06	1,654	76'44	2,223	1,23,608	56	3,300	1,52,073	46 0 0	5,523	2,75,681	50
Banka	1,915	31	1'60	80	4'50	744	38'90	1,061	55'00	1,071	35,959	34	3,007	97,440	32 0 0	4,078	1,33,399	33
Katoria	1,764	8	'45	10	'57	270	15'30	1,476	83'68	1,087	46,349	43	1,968	86,211	44 0 0	3,049	1,32,560	43
Total	5,840	76	1'30	135	2'31	1,448	24'30	4,181	71'59	4,381	2,05,916	47	8,269	3,35,724	41 0 0	12,650	5,41,640	43
GRAND TOTAL	25,660	613	2'00	240	'97	5,563	21'68	19,335	75'35	33,976	11,69,302	34	17,798	6,59,240	37 0 0	51,774	18,28,542	35
Darbhanga	...	...	8'29	...	'79	...	11'29	...	73'43	...	...	36	...	...	33 0 0	...	...	37
North Monghyr	...	...	13'54	...	2'00	...	13'68	...	70'78	...	...	49	6,008	3,47,916	60 0 0	...	...	67
Saran	...	...	5'8	...	'9	...	9'3	...	83'9	...	...	118	52,758	49,26,730	93 6 8	...	...	94
Purnea	15,153	396	2'61	120	'79	1,428	9'42	13,209	87'18	37,329	9,11,600	24	3,609	94,764	21 0 10	...	...	32

It appears that landlords constitute 2 per cent. of the total number of purchasers, lawyers nearly 1 per cent., money-lenders $21\frac{1}{2}$ per cent., and raiyats $75\frac{1}{2}$ per cent. The area transferred has probably been divided between them in about the same proportion. The most noticeable feature about these figures when compared with the corresponding figures for Darbhanga and North Mynghyr is the predominance of the money-lenders as purchasers, particularly in Supaul subdivision and in thanas Banka, Sultan-ganj and Bhagalpur. The average price obtained per acre is Rs. 35, the average paid by mortgagees being Rs. 37, and by purchasers Rs. 34 per acre. In the south of the district occupancy rights are apparently almost twice as valuable as in the north, the average prices per acre being Rs. 46 and Rs. 26, respectively. It is impossible to give a complete explanation of the differences between the various thanas in respect of the percentage of the total area affected by transfers, the relative frequency of mortgages and sales, the proportion transferred to different purchasers, and the price obtained per acre. The factors which affect these figures are so many and their mutual influences so complicated that it is impossible to say definitely why any particular figure in one thana is higher or lower than the corresponding figure in another thana. For instance, the prices per acre might be expected to vary directly with the fertility of the soil and inversely as the rate of rent. The rate of rent itself increases with the fertility of the soil, but the margin of profit left to the cultivator being generally greater in the case of the more fertile lands, the latter, in spite of the fact that they pay a higher rent, usually sell for a higher price per acre. But when the price paid for occupancy rights in one thana where the average rent is higher than in another thana is less than the price paid in the second thana, the result may be due either to the fact that the land in the first thana is more highly rented in proportion to its fertility and other natural advantages than in the second, or it may be due to the fact that the other influences which affect the price are not the same in both. The solvency of the general body of the raiyats for instance is of the greatest importance in this connection. General indebtedness tends to increase the number of sales and to lower prices. Obstacles put in the way of purchasers, such as refusal on the part of landlords to recognize transfers, tend to discourage sales and to lower prices, and may under certain circumstances cause transactions, which are really sales, to take the form of mortgages. Liability to arbitrary enhancement of rent and to other forms of oppression has the same result.

238 In the following paragraphs an attempt is made to explain a few of the more noticeable features of the statistics.

An attempt to explain some features of the statistics.

In North Bhagalpur the price of occupancy rights in Bangaon and Bihpur is considerably above the average in the remaining thanas. The small percentage of the area of these two thanas affected by transfers indicates that the raiyats are not under the same necessity of raising money on their lands as the raiyats of Supaul subdivision, and this doubtless is one of the causes of the high rate per acre. The same argument applies also in Kishunganj, but there the average price is lower than in any other thana. The explanation of this lies in the fact that the soil in Kishunganj is on the whole poorer than in the rest of North Bhagalpur. Moreover, a considerable area of comparatively fertile land has in recent years become available for cultivation, so that persons wishing to acquire land could do so without going to the expense of buying out the tenants of the existing inferior holdings. In all three thanas, Bangaon, Bihpur and Kishunganj, the comparative freedom from indebtedness of the raiyats is shown by the small proportion of money-lenders among the transferees, and the small percentage of the area affected by mortgages with possession.

The contrast between Supaul subdivision and the remainder of North Bhagalpur is shown by the following facts. Supaul subdivision contains seven-ninths of the total area of North Bhagalpur affected by transfers. In it the percentage of the total area transferred is 5 as against 1 per cent. in the remainder. The percentage of money-lenders amongst the transferees is 23 as against 13 in the other thanas. In these respects Madhipura thana is intermediate between Supaul subdivision, Bangaon and Kishunganj. The percentage of its total area transferred is low, probably because the Maharaja

of Sonbarsa and other landlords strongly resisted any attempt by outsiders or money-lenders to acquire a footing in their estates by purchasing occupancy rights. The price obtained per acre is also low. The percentage of the holding transferred to money-lenders is $16\frac{1}{2}$, less than the corresponding figure for Supaul, and greater than that of Bangaon, Kishunganj or Bihpur.

The only conclusion to be drawn from the statistics of Supaul subdivision is that the raiyats are more in the hands of the money-lenders than, and consequently are not able to raise so much money on their lands as, the raiyats of Bangaon and Bihpur. The raiyats of Madhipura and Northern Kishunganj are, I should say, in a similar position; but in these thanas it appears that the money-lenders do not consider occupancy rights a suitable form of investment. The frequent enhancements which prevailed in this area account no doubt for this feeling.

It has already been stated that the average price per acre paid for occupancy rights in South Bhagalpur is Rs. 46, or nearly twice as much as in North Bhagalpur. But in comparing the statistics for the two areas, it must be borne in mind that in the south a considerable proportion of the best irrigated rice lands are held on produce rent. Lands held on this system are less frequently sold, and do not obtain so high a price as similar lands held on cash rent. Moreover, there are many villages in which very little land pays a cash rent except the sugarcane lands and the fields near the village site on which opium, tobacco and other valuable crops are sown. In such villages transfers would naturally be few and prices high. The statistics do not show how much of the land transferred is held on cash rent, or how much of it consists of the more highly rented lands, and without this information it is difficult to compare the figures for the two areas. It is probable, however, that if separate figures for *nagdi* and *bhaoli* lands were available, it would be found that the proportion of the total area sold and the average price paid are much higher in the case of the former. In South Bhagalpur the highest price per acre was obtained in Sultangunj and Amarapur, which are the two thanas where the percentage of the total area transferred is highest. The next highest price is found in Bhagalpur where the percentage transferred is lowest. In both these thanas, as well as in Amarapur and Banka, the percentage of the holdings, which have passed into the hands of money-lenders, is extraordinarily high. This last feature of the statistics is probably attributable to the fact that the years immediately preceding those in which statistics for South Bhagalpur were collected were years of comparatively poor crops, in consequence of which a larger proportion of the raiyats than usual had fallen into debt and were compelled to sell or mortgage their lands. In the Banka subdivision the number of mortgages and the area affected by them are greater than the corresponding figures for sales. This is due to the fact that in the south of the district many landlords treat mortgages as sales, and substitute the name of the mortgagee for that of the original raiyat in their zamindari papers. Most of these transactions in these estates, which go by the name of mortgages, are practically sales, and in very few of them does the original mortgagor ever regain possession.

239. It may be laid down as a general rule that transfers of occupancy rights are frequently made by sale, and that the purchaser is at once recognized as a tenant by the landlord on complying with certain well-recognized conditions which vary in different estates. In some estates the conditions are not more severe than those which a son has to comply with on succeeding to his father's holding, so that it may be said that in such estates there is no restriction on the transfer of occupancy rights by sale. This is the case generally in the estates owned by numerous petty proprietors, and more particularly in those which lie on the north of the Ganges. In these the purchaser has only to pay a small *salami* of a rupee to the landlord in order to get his title recognized. From this state of things a regular gradation may be traced in which the conditions imposed on a purchaser become more and more severe, culminating in the estate of the late Maharaja of Sonbarsa in an absolute refusal to recognize a purchaser on any terms whatever. Except in that estate, however, the purchaser is invariably recognized as a tenant on complying with certain definite and

Custom of transferability.

well-known conditions. In the Baneli estate, where these conditions are probably more severe than in any other, the purchaser has to acknowledge in writing that he has by his purchase acquired no right in the holding. He then takes a new settlement, paying a very high *salami*: other landlords as a rule content themselves with taking the *salami*. The Baneli landlords and others who exact large *salami* from purchasers vigorously deny that the purchaser acquires any right by his purchase. The fact remains, however, that (except in the Sonbarsa estate) he is never altogether ignored. If the landlords' contention were correct they would, sometimes at least, settle the holding with an outsider on a higher rent or for a higher *salami*. Yet this, I think I am right in saying, is never done, nor, I believe, has the landlord ever brought a suit to eject a purchaser on the ground that he had no right to the holding. On the other hand, such purchasers as have brought suits to establish their title have also been unable to prove that the occupancy rights were transferable without the landlord's consent. The courts, which tried these suits, have always argued that as the evidence showed that previous purchasers had only been recognized on complying with terms imposed by the landlord, occupancy rights were not transferable except with his consent. They ignored the facts that all purchasers who complied with these conditions were accepted as tenants; that in no case was a purchaser rejected; and that transfers continued to be freely made on the expectation, which was always fulfilled, that the purchasers would be recognized on complying with the usual conditions. The tendency is for the stronger landlords to impose more severe conditions on purchasers. In the Baneli estate, the present practice was, I believe, introduced by the present manager. In other estates also the amount of *salami* taken is being gradually increased. Every decision by the courts to the effect that the fact of previous purchasers having paid *salami* indicates that no right of purchase exists, strengthens the landlords' hands, and in course of time there is no doubt that the stronger landlords will have created sufficient evidence to enable them to do what at present they are unable to do, viz., to ignore purchasers altogether. Those landlords who are endeavouring to impose restrictions on the transfer by sale of occupancy rights usually maintain that they do so in the interest of the raiyat himself, in order to prevent his holding from falling into the hands of the money-lenders. Yet there is reason to think that the course at present pursued by these landlords is having the contrary effect. For, since a money-lender knows that he will have to pay a large amount to the landlord as *salami* before getting possession of the holding, he naturally reduces the amount he is willing to advance to the cultivator. This limits the credit of the latter, and may in certain circumstances cause his holding to be sold up for a small debt which he would have been able to pay had he been able to borrow anything like the full value of his holding. Nor have I noticed any tendency on the part of landlords to hesitate before accepting money-lenders as tenants. At present their *salami* is accepted as readily as any other persons. Whether this attitude will be changed when the landlords have plucked up courage to imitate the late Maharaja of Sonbarsa, and to refuse to recognize a purchaser on any terms, it is difficult to say.

CHAPTER IV.

MATERIAL CONDITION OF THE AGRICULTURAL CLASSES.

240. The south of the district being provided with an efficient system of irrigation channels is protected against the
 General conclusions. widespread failure of crops which unirrigated areas are liable to. In the north artificial irrigation is not generally employed, but in the year 1908 when there was considerable danger of such a failure a good deal was done by the then Collector, Mr. Lyall, to encourage the raiyats to dig wells in order to obtain water for their crops. A large area which would otherwise have suffered was saved in this way. Yet, in spite of this, the season of 1908 was both in North and South Bhagalpur an exceptionally bad one. Coming as it did at the end of a series of bad seasons, it was one in which

serious distress, amounting almost to famine, might be expected. Under these circumstances it was a matter of surprise to everyone acquainted with local conditions that the raiyats as a whole came through the ordeal so well. By the help of takkavi advances, timely distributed, they were able to tide over the period of distress, and the succeeding good seasons have completely obliterated the effects of the previous bad years. This fact alone indicates that the agricultural classes as a whole are in a fairly prosperous condition. In the settlement reports which have been previously compiled estimates were given of the total annual value of the crops produced. In the case of Bhagalpur this would be difficult to do for two reasons. The first is that in the years during which kharapuri and attestation were going on, the crops were very much below the normal. The result of the crop-cutting experiments which were made cannot therefore be used for the purpose of estimating the annual average outturn per acre of the different crops. The second difficulty is that of deciding at what rate per maund the value of the crops should be calculated. Since 1904 the fluctuations in the price of nearly all crops have been such as to render it almost impossible to say approximately what profit a raiyat may expect to make in future from an acre of land. Any estimate of the income of the average cultivator in Bhagalpur based on a consideration of the average size of the holding cultivated by him would for this reason be valueless. With the recent increase in prices, it is probable that the estimates previously made of the size of the minimum subsistence holding for an average family will have to be revised. The value of these estimates even in the past seems rather doubtful. For instance, in North Monghyr (*vide* Settlement Report, paragraph 330), it had been estimated that a holding of $6\frac{1}{2}$ acres was the least on which a family of $5\frac{1}{2}$ persons could live. It was actually found that the average holding even among the purely cultivating classes was less than 4 acres. Yet, in spite of this, the North Monghyr cultivators are said to be well off. For these reasons I do not think it advisable to base any conclusions on a calculation of the size of the average holding and the income derived therefrom.

My own experience of the district leads me to believe that the raiyats as a whole are fairly well off. This belief has been confirmed, as stated above, by the events of 1908. Still they are not so well off as the raiyats of North Monghyr or Purnea. In the north of the district the standing danger is from floods caused by the Tiljuga and the Kosi. The recent erection of a *bundh* has checked the Tiljuga floods, but there seems no prospect of being able to exercise any control over the Kosi. Within the last few months it has broken through the Bir *bundh*, an ancient embankment of unknown date, which at one time extended from Nepal to the Ganges, and is now threatening the district more seriously than it has done for very many years.

In the south of the district the need is for more irrigation works, or rather for the restoration of those which have been allowed to decay, for although unusual activity has been displayed in the last few years, a good deal still remains to be done in this respect. This applies more particularly to the area lying due south of Ghogha station which suffers to an exceptional degree from want of facilities for irrigation.

CHAPTER V.

CONCLUSION.

241. The village officials found in North Bhagalpur are practically the same as in the other North Bihar districts. In some places the names by which they are known differ from those used elsewhere; for instance, in the pargana of Harawat, an official called the *sriman* is sometimes found who corresponds to the *gomasta* of the rest of the district. In South Bhagalpur the existence of the appraisal system necessitates the employment of an additional set of officials. These are the *badhwara*, or watchman who watches the crop to see that none

of it is stolen or damaged before appraisement, the *amin* or surveyer, who measures the fields, the *jurib kash* who helps him to do so, and the *salis* or arbitrator who settles any disputes which arise. These persons, like the *patwari* himself, are purely the servants of the landlord, although part of their remuneration is taken from the raiyats' share of the crop. Another servant of the landlords who looks after the irrigation channels and sees that the rules regulating the distribution of water amongst the raiyats are observed in the *panchhanna*. In most of North Bhagalpur the *jeth raiyat* or head raiyat is an important person. He is the usual medium of communication between the landlord and the general body of the raiyats. In theory he is the raiyats' representative in their dealings with the landlord, but there is a decided tendency for him to become a mere agent of the latter. In many villages he collects rents, and is remunerated by receiving either a percentage of the amount collected, or by obtaining a fixed annual remission of a portion of his own rent. In one village at least he is presented annually with a sum of money to enable him to buy a *pagri* in order to maintain the dignity of his office. Whenever an enhancement of rent is to be made, the landlords' first endeavour is to gain over the *jeth raiyats* and a few of the other important raiyats. Usually they are induced to agree to the enhancement on the secret understanding that they will be allowed to pay their old rents, provided they persuade the raiyats to pay the enhanced rents. I have seen several instances in which the landlord, as soon as the other raiyats agreed to this enhancement, repudiated this secret agreement. In South Bhagalpur the *jeth raiyat* is practically unknown. In the Sonthal villages in Banka and Katoria, his place is taken by the *pradhan* disguised under the name of *mustajir*; but throughout the rest of the area there is no raiyat who is regarded as the representative of his co-raiyats. The want of such a person is felt whenever one is endeavouring to persuade the inhabitants to agree to any united course of action.

242. The number of officers who worked in the district during one stage or other of the operation is very great. Altogether 6 civilians have held the post of Settlement Officers, and 76 Deputy Collectors, Sub-Deputy Collectors, Munsiffs and others have worked as Assistant Settlement Officers. My predecessors, Messrs. Cumming, Kerr and Coupland, were all Settlement Officers of great experience. To them my thanks are due no less for the work which they have done in organizing and perfecting the system under which the Bihar settlement is carried on (which has simplified the work of their successors) than for the training and instruction which I have received from them.

Mr. Hubback was in subordinate charge of the attestation in South Bhagalpur, and took my place as Settlement Officer while I was on deputation in 1909 and while I was on leave in 1910. His control over the officers working under him has always been very thorough, and in dealing with the numerous problems, chiefly concerned with the legality of enhancements, which arose in South Bhagalpur, he displayed great patience in investigating the facts of each case and sound judgment in recommending the course of action to be adopted. As Settlement Officer he exercised with success the powers of organization which his work in South Monghyr in the year 1907-08 had shown him to be possessed of.

Mr. Monahan was in charge of half the attestation camps which worked in North Bhagalpur in the season 1903-04. These included the most difficult part of the area, and contained the Pachgachhia and Sonbarsa estates, in which the work of attestation for reasons given in this report was unusually complicated. His work during that season was done under the supervision of the then Settlement Officer, Mr. Coupland, who has recorded his opinion thereof in his report on the operations in North Monghyr.

Most of Mr. Philip's work has been done in South Monghyr. His share in the Bhagalpur settlement was confined to supervising *khatapuri* in Katoria thana, and was marked by the same characteristic, ability and energy which was such a feature of his work in Monghyr.

The post of Assistant Settlement Officer in charge of the head-quarters office is one calling for considerable ability. During the greater part of the operations it was held by Babu Nilmani De who has displayed in a marked

manner the necessary qualities of energy, patience, and tact both in dealing with the outside public and with the large staff under his control.

Both Maulvi Mohi-ud-din Ahmad and Babu Hem Chandra Chatterji were in subordinate charge of portions of the operations in South Bhagalpur. The latter was in charge of the khanapuri of the western half of the district, and the former in charge of the attestation of Katoria thana. Both performed with success the duties of an inspecting and supervising officer, and added to the reputation which they had already won in other Bihar districts.

Among the junior officers Babus Karali Charan Ganguli, Shamsher Jung Bahadur, Surendra Nath Banerji, Mohendra Nath Gupta, Jotindra Kumar Roy, and Pandit Lachhmi Misra did exceptionally good work.

The senior officers whose work in attestation and case work camps call for special notice are Khan Bahadur Ashfaq Hossein, Mr. Sorab S. Day, Babu Charu Chandra Kumar and Maulvi Abul Khair Muhammad Ishaque. Of the munsiffs, the work of Babu Jagadish Chandra Sen while in charge of an attestation camp in South Bhagalpur deserves special commendation.

Babu Khetra Bhusan Prasad, whose recent death was due to illness arising out of malarial fever contracted while on settlement work in Purnea district, was one of the most efficient officers in the department, and his loss is much regretted by his fellow officers and by those under whom he worked.

My acknowledgments are also due to the various officers, viz., Messrs. Maddox, Kerr, Lister, and McPherson who have held the post of Director of Land Records during the operations. At the time when they were begun the late Sir Charles Allen occupied this post. From him and his successors I and the other settlement officers who worked in the district have received help and consideration in every way possible. Thanks are also due to Colonel Crichton and Captain Hirst, Director of Surveys, and to Mr. Lyall, Collector of the District, for assistance rendered, whenever required, during the course of the operations.



APPENDICES.

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Appendix B.—List of Notifications under the Survey Act and Bengal Tenancy Act.

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- „ D.—Khesra abstract showing percentages.
- „ E.—Crop Statement form.
- „ F.—Crop Percentage statement.
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- „ H.—Abstract of Record-of-Rights.
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- „ J.—Transfers of occupancy rights.
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- „ L.—Area Statement.
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- „ O.—Classification and results of objections under section 103 A.
- „ P.—Results of settlements of fair rents under section 105.
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- „ T.—Note, dated the 17th July 1905, prepared by Babu Charu Chandra Kumar, Assistant Settlement Officer, Bihar, on Illegal Enhancements in North Bihar.

APPENDIX A.

List of Officers who worked in the Bhagalpur district.

Name of Officer.	Designation.	Nature of employment.	Period of employment.
1	2	3	4
			Y. M. D.
J. H. Kerr, Esq., I.C.S. ...	Settlement Officer	General control and supervision.	0 5 14*
H. Coupland, Esq., I.C.S. .	Ditto.	Ditto ditto ...	2 0 0†
J. G. Cumming, Esq., I.C.S.	Ditto	Ditto ditto ...	0 11 23‡
P. W. Murphy, Esq., I.C.S.	Assistant Settlement Officer in charge and Settlement Officer.	Ditto ditto ...	7 5 0§
G. J. Monaham, Esq., I.C.S.	Assistant Settlement Officer in charge.	Ditto ditto ...	1 0 0
J. A. Hubback, Esq., I.C.S.	Assistant Settlement Officer in charge and Settlement Officer, Bhagalpur.	Ditto ditto ...	2 6 0
C. L. Philip, Esq., I.C.S. ...	Assistant Settlement Officer in charge.	Ditto ditto ...	1 0 0
Babu Probodh Ch. Chatterji.	Assistant Settlement Officer at head-quarters.	Incharge of head-quarters Office.	0 8 19
„ Rama Ballabh Misra	Ditto	Ditto ditto ...	1 0 0
„ Hem Chandra Chatterji.	Ditto	In charge of case work and khanapuri inspection.	2 8 0
„ Nilmoni Dey ...	Ditto	In charge of head-quarters office and case work and attestation.	4 0 0
Moulvi Mohiuddin Ahmed	Assistant Settlement Officer.	Supervision of khanapuri and attestation and case work.	2 6 0
„ Ashfaq Hossein ...	Ditto	Case work ...	0 6 0
„ Shamsuddin Haider ...	Ditto	Case work and in charge of head-quarters office.	0 8 0
„ A. K. Muhammad Ishaque.	Ditto	Case work and attestation ...	1 1 0
„ S. Abul Haiyat ...	Ditto	Khanapuri ...	0 5 21
Babu Charu Chandra Kumar	Ditto	Attestation and case work ...	1 6 0
„ Rama Pada Chatterji	Ditto	Case work ...	0 6 0
Mr. S. S. Day ...	Ditto	Attestation ...	0 8 0
Babu Khetra Bhusan Pd...	Ditto	Attestation and case work ...	1 6 0
„ Hemanta K. Maitra	Ditto	Attestation ...	0 0 26
„ Phani Bhusan Mitter	Ditto	Case work ...	0 4 0
„ Karali Ch. Ganguli...	Ditto	Attestation and case work ...	1 5 0
„ Mahendra Nath Gupta	Ditto	Khanapuri and attestation ...	1 3 0
Moulvi S. Izahar Hossein...	Ditto	Attestation ...	0 7 7
Babu Mahendra Nath Kundu	Ditto	Ditto ...	0 3 0
„ Jotindra Kumar Roy	Ditto	Attestation, case work and recovery.	1 4 0
„ Kali Mohan Sen ...	Ditto	Attestation ...	0 9 0
„ Baijnath Sahai (I) ...	Ditto	Attestation, khanapuri and case work.	2 3 0
„ Satish Chandra Guha	Ditto	Case work ...	0 6 0

* From November 1902 to April 14th, 1903.

† From April 1903 to April 1905.

‡ From April 1905 to April 1906.

§ From November 1902 to March 1911, with the exception of leave of one year.

Name of Officer.	Designation.	Nature of employment.	Period of employment.
1	2	3	4
			Y. M. D.
Babu Kali Pada Chatterji	Sub-Deputy Collector and Assistant Settlement Officer.	Attestation	0 3 4
„ Shamsheerjang Bahadur.	Ditto	Khanapuri and attestation ...	1 11 0
Pandit Laohmi Misra ...	Ditto	Ditto ditto ..	1 7 0
Babu Khetra Mohon Mukerji.	Ditto	Ditto ditto ...	1 11 0
„ Rai Birj Nandan Prasad Sinha.	Ditto	Khanapuri	1 3 0
Moulvi S. Dilwar Ali ...	Ditto	Ditto	0 6 0
Babu Harish Chandra Sircar.	Ditto	Ditto	0 6 0
Mr. William Raha ...	Ditto	Ditto	0 6 0
Babu Charu Chandra Chaudhuri.	Ditto	Attestation	0 4 20
„ Surja Kumar Guha	Ditto	Ditto	0 5 2
„ Ananto Mohon Roy	Ditto	Ditto	0 8 12
„ Chandra Madhab Prasad.	Ditto	Ditto and office work ...	1 10 0
„ Suresh Ch. Deb ...	Ditto	Attestation	0 9 21
„ Srimohan Das Gupta	Ditto	Attestation and recovery ...	1 1 0
„ Surendra Nath Banerji.	Ditto	Ditto and office work	0 9 7
„ Saahi Bhusan Biswas	Ditto	Khanapuri	0 1 3
„ Rajani Kanto Gupta	Ditto	Attestation	0 3 9
„ Radhika Lal Dey ...	Ditto	Khanapuri	0 6 9
„ Man Mohan Mukerji	Ditto	Ditto	0 6 11
„ Satamanyu Mukerji	Ditto	Attestation and khanapuri	0 8 9
„ Surendra Chandra Acharji.	Ditto	Attestation	0 6 9
Moulvi Khandker Ali Tahir.	Ditto	Ditto	0 3 9
Babu Jagdish Chandra Lahiri.	Ditto	Recovery	0 4 6
„ Jankinath Mukerji	Munsiff and Assistant Settlement Officer.	Khanapuri and attestation work.	1 6 0
„ Baku Lal Biswas ...	Ditto	Ditto ditto ...	1 6 0
„ Abinash Ch. Nag ...	Ditto	Ditto ditto ...	1 6 0
„ Nalini Mohan Banerji	Ditto	Ditto ditto ...	1 6 0
„ Jagdish Ch. Sen ...	Ditto	Ditto ditto ...	1 6 0
„ Sita Nath Ghosh ...	Ditto	Ditto ditto ...	1 2 0
„ Rohini Kanta Mittra	Ditto	Ditto ditto ...	1 2 0
„ Ashutosh Mukharji...	Ditto	Ditto ditto ...	0 2 0
„ S. C. Basu ...	Ditto	Ditto ditto ...	1 6 0
„ Brojendra K. Ghosh	Ditto	Ditto ditto ...	1 6 0
„ Gopal Das Ghosh ...	Ditto	Ditto ditto ...	0 6 0
„ Jamini Kumar Biswas	Outsider Assistant Settlement Officer.	Attestation	0 3 10
Moulvi S. Zahurul Husain	Ditto	Attestation and khanapuri	1 0 0
Babu Ratan Lal Das Gupta.	Ditto	Khanapuri	0 1 9
„ Upendra Nath Mukherji.	Ditto	Attestation and khanapuri	1 2 0
„ Jotindra Nath Mukherji.	Ditto	Khanapuri	0 7 0
„ Pasu Pati Ghosh ...	Ditto	Ditto	0 7 0
„ Bepin Behari Sen ...	Ditto	Ditto	0 7 9
„ Sant Bilas Singh ...	Ditto	Ditto	0 11 0

APPENDIX B.

List of notifications under both the Survey and the Bengal Tenancy Acts issued for the Survey and Settlement of the Bhagalpur District.

NORTH BHAGALPUR.

UNDER THE SURVEY ACT.

1. *Notification No. 1926 L.R., dated the 6th April 1903.*—All the lands included within the external boundaries of thanas Kishunganj and Bihpur and that part of thana Colgong which lies to the north of the northern high bank of the Ganges.
2. *Notification No. 1315 L.R., dated the 1st March 1904.*—For all the lands lying south of the river Ganges and north of its southern high bank.
3. *Notification No. 1316 L.R., dated the 1st March 1904.*—All the lands of thana Colgong which lie between the river Ganges and its north high bank.
4. *Notification No. 1923 T.—R., dated the 31st October 1901.*—Thanas Supaul and Partapganj.
5. *Notification No. 4211 T.—R., dated the 17th December 1901.*—Thana Bangaon.
6. *Notification No. 1216 L.R., dated the 27th February 1902.*—Thana Madhipura.

UNDER THE TENANCY ACT.

1. *Notification No. 255 L.R., dated the 19th January 1903.*—(Amended by Notification No. 1116 L.R., dated the 27th February 1903)—Thanas Supaul, Partapganj, Bangaon and Madhipura.
2. *Notification No. 1925 L.R., dated the 6th April 1903.*—Thanas Kishunganj and Bihpur.
3. *Notification No. 1318 L.R., dated the 1st March 1904.*—Thana Colgong lying north of the northern high bank of the Ganges.
4. *Notification No. 1425 T.—R., dated the 17th June 1904.*—For certain Government estates.
5. *Notification No. 1426 T.—R., dated the 17th June 1904.*—For temporarily settled estate of mauza Ram Lashkar tauzi No. 2865, pargana Colgong.
6. *Notification No. 2546 L.R., dated the 7th July 1904.*—Cancelling the estate (Government) Barmotra, tauzi No. 3954, from Notification No. 1425 T.—R., dated 17th June 1904.
7. *Notification No. 2337 T.—R., dated the 28th September 1904.*—Thanas Bhagalpur, Sultanganj and Colgong; villages south of the river Ganges and north of its southern high bank.
8. *Notification No. 1125, dated 27th February 1905.*—Correcting mistakes in Notification No. 1425 T.—R., dated the 17th June 1904.
9. *Notification No. 1126 L.R., dated the 27th February 1905.*—For Government estates *taufir* lands of Baisbighi, Bikrampur and Manikchand.
10. *Notification No. 538 T.—R., dated the 3rd May 1905.*—In respect of certain lands, comprised within the Srinagar-Baneli Raj estates previously surveyed and settled, and which were found to belong to other properties.
11. *Notification No. 2762 L.R., dated the 3rd November 1905.*—For Government estates Abdullahbag, Parsabdih and Shankarpur Kodwar.

SOUTH BHAGALPUR.

UNDER THE SURVEY ACT.

1. *Notification No. 2643 T.—R., dated the 10th October 1904.*—All the lands included within the external boundaries of thanas Sultanganj, Bhagalpur, Colgong, Amarapur, Katoria and Banka.

UNDER THE TENANCY ACT.

1. *Notification No. 3080 T.—R., dated the 13th September 1905.*—Under section 101 (1) of the Bengal Tenancy Act, 1885 (VIII of 1885) in respect of the lands situated in thanas Sultanganj, Bhagalpur, Colgong, Amarapur, Katuria and Banka.
2. *Notification No. 2807 L.R., dated the 10th August 1907.*—Under section 101 (1) of the Bengal Tenancy Act (VIII of 1885) as amended by Bengal Tenancy Act, III of 1898 and L of 1907, in respect of lands situated within the boundaries of estate Muktapur, belonging to Government, tauzi No. 2553, in the district of Bhagalpur.
3. *Notification No. 3177 L.R., dated the 2nd September 1907.*—Amendment to Notification No. 2807 L.R., dated the 10th August 1907, correcting a printer's error in the last notification.

THANA.	CROPPED AREA.							Current fallow.	CULTURABLE AREA OTHER THAN CURRENT FALLOW.			
	Bhadol.	Aghani.	Rabi.	Other cropped area, e.g., mango, tea, pán, plantain, guavas, etc.	Total.	Lofasli.	Net cropped area.		Old fallow.	Culturable jungle.	Other kinds.	Total.
1	2	3	4	5	6	7	8	9	10	11	12	13
<i>Supaul subdivision.</i>	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.
Partabganj	41,068	71,304	59,540	3,079	174,886	44,559	137,326	5,605	10,820	3,011	3,758	17,589
Supaul	102,229	191,969	91,659	8,848	394,705	94,776	299,929	2,929	19,194	4,329	9,488	33,011
Total	144,191	263,273	151,199	10,927	569,590	139,335	430,255	7,534	29,714	7,340	13,246	50,600
<i>Madhipura subdivision.</i>												
Madhipura	98,258	149,068	89,369	6,155	337,967	100,523	237,444	2,160	19,405	8,898	7,081	35,384
Bangson	30,333	91,184	26,768	6,375	154,660	33,007	121,653	2,846	12,831	3,257	5,079	21,166
Kishanganj	32,748	66,553	25,501	2,388	127,190	21,459	105,731	5,871	21,481	3,798	2,348	27,619
Total	161,244	307,223	141,638	14,918	620,087	154,989	468,098	10,877	53,717	15,953	14,508	83,280
<i>Sadar subdivision.</i>												
Bhipur	28,738	12,090	61,153	3,691	105,672	24,898	80,774	907	7,015	3,798	4,878	15,791
Bulunganj	7,327	46,362	58,219	1,759	113,667	37,568	76,099	1,751	2,318	175	1,639	4,150
Bhagalpur	9,736	45,106	39,715	3,169	97,735	26,007	71,728	2,032	3,823	53	462	4,338
Qalgong	48,567	78,323	105,167	3,632	235,709	69,663	166,046	4,443	8,160	1,518	5,345	15,023
Total	94,368	178,881	264,254	11,351	548,858	148,513	400,345	9,133	21,914	5,464	11,924	36,836
<i>Banka subdivision.</i>												
Amarpur	8,489	107,718	83,457	1,527	200,191	76,283	123,908	3,529	6,139	456	266	6,861
Banka	23,991	130,768	41,353	792	196,904	36,888	160,016	10,869	31,239	14,646	789	46,566
Katoria	23,314	82,408	17,007	373	123,102	16,087	107,015	21,330	51,429	112,459	4,033	169,920
Total	54,794	320,894	141,817	2,692	520,097	129,258	390,839	35,717	88,807	127,561	5,097	221,447
GRAND TOTAL	468,477	1,070,285	691,786	39,795	2,800,808	578,195	1,684,107	63,561	194,133	156,926	46,879	396,237

DIX C.

Khasra.

AREA NOT AVAILABLE FOR CULTIVATION.				Total uncultivated, columns 9, 14 and 18.	Total area columns 8 and 9.	Irrigated area.	IRRIGATED AREA AND HOW IRRIGATED.				DETAILS OF IRRIGATED AREA AS REGARDS CROPS.					NUMBER OF WELLS.	
House sites.	Water.	Other kinds.	Total.				Irrigated from wells.	Irrigated from private canals.	Irrigated from tanks and others.	Irrigated from other sources.	Rice.	Wheat.	Other cereals and pulses.	Other food crops.	Non-food crops.	Masonry.	Earthen.
14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	No.	No.
1,708	4,894	7,151	13,453	35,747	166,073	103	84	...	...	19	18	...	...	20	65	1,068	1,434
4,309	9,879	10,687	29,875	65,716	365,044	26,783	1,168	16	3,426	22,184	24,437	173	1,116	523	516	6,708	2,099
6,017	14,473	23,888	43,328	101,462	531,717	26,886	1,248	16	3,426	22,303	24,475	173	1,116	543	581	7,766	4,087
3,427	8,315	11,574	23,316	61,300	298,644	2,065	414	...	283	1,358	1,192	174	255	98	336	4,079	1,293
1,287	10,034	8,624	14,915	39,627	165,093	10,526	108	61	827	9,310	8,610	100	807	78	1,031	572	58
1,208	13,490	3,691	18,389	51,870	157,968	70	40	...	12	18	13	1	6	6	45	890	1,369
5,892	31,739	18,889	56,520	152,697	621,696	12,451	562	81	1,122	10,886	9,815	275	767	182	1,412	6,141	2,718
1,383	8,875	3,211	13,169	29,806	110,582	50	33	1	1	15	...	...	...	1	49	473	609
1,699	4,419	2,681	8,599	14,500	86,499	36,865	1,068	23,916	2,280	9,601	34,494	231	1,369	703	90	291	3,687
1,917	4,787	3,878	10,582	16,942	83,563	31,114	810	2,663	4,137	23,499	27,823	449	1,624	960	249	273	2,899
3,463	12,576	13,390	30,438	49,904	219,650	13,689	1,666	225	3,492	8,506	11,610	301	696	999	383	411	3,469
8,263	31,337	23,069	62,788	111,151	505,294	81,938	3,597	28,810	9,910	41,621	73,927	981	3,588	2,671	771	1,447	9,694
2,871	9,332	6,809	19,112	29,501	153,404	99,512	2,929	62,308	13,242	20,433	92,765	516	3,476	2,474	291	904	5,186
2,548	15,784	20,993	39,325	96,850	257,645	52,255	773	15,078	10,419	25,966	49,317	313	761	1,711	158	490	3,128
1,301	13,637	25,005	39,943	229,243	335,266	20,041	1,247	11,520	5,339	1,933	17,418	194	558	1,669	304	229	1,115
6,830	33,755	52,807	98,390	355,534	746,305	171,808	4,943	89,406	29,100	48,354	159,490	1,023	4,793	5,754	743	1,623	9,427
27,091	116,823	117,603	261,016	730,904	2,406,011	293,063	10,349	116,312	43,588	123,864	267,707	2,451	10,263	9,150	3,512	10,977	35,976

NAME OF THANA.	Total area.	PERCENTAGE TO NET CROPPED AREA.					Percentage to total area.		PERCENTAGE TO		
		Cropped area.					Net cropped area.	Current fallow.	Culturable area other than current fallow.		
		Bhadai.	Aghani.	Rabi.	Other cropped area.	Dofashli.			Old fallow.	Culturable jungle.	Other kind.
1	2	3	4	5	6	7	8	9	10	11	12
SUPAUL SUBDIVISION.											
Partapganj	166,073	32'19	54'71	45'68	1'59	34'19	78'47	3'03	6'33	1'51	2'26
Supaul	385,644	34'08	64'00	30'55	2'95	31'59	82'03	'77	5'26	1'13	2'59
Total	551,717	33'49	61'19	35'14	2'54	33'38	80'91	1'47	5'59	1'33	2'49
MADHEPURA SUB-DIVISION.											
Madhepura	298,644	38'29	62'81	37'65	2'59	42'35	79'47	'73	6'49	2'95	2'58
Bansgaon	165,083	31'26	72'62	21'32	5'07	30'27	76'05	1'72	7'77	1'31	3'44
Kishunganj	167,968	30'56	63'10	24'03	2'21	20'23	67'16	3'71	13'50	2'39	1'48
Total	631,695	35'23	65'50	30'19	3'17	34'09	75'44	1'74	8'63	2'56	2'53
SADAR SUBDIVISION.											
Bihpur	110,582	35'57	14'96	75'70	4'60	30'80	73'05	'82	6'68	3'38	3'95
Sultanganj	66,499	10'04	67'17	72'52	2'45	52'19	83'34	2'02	2'68	'20	1'91
Bhagalpur	58,563	18'53	62'99	55'45	4'42	36'43	80'57	2'30	4'32	'06	'51
Osimgung	219,650	28'60	43'19	61'34	1'57	25'32	77'28	2'02	3'71	'69	2'44
Total	505,294	23'91	45'38	65'51	2'36	37'70	77'99	1'83	4'34	1'08	2'34
BANKA SUBDIVISION.											
Amarpur	153,404	6'85	86'93	66'56	1'23	61'56	80'77	2'29	4'02	'20	'17
Banka	237,645	14'92	81'32	25'64	'49	23'38	63'41	4'22	12'12	5'69	'30
Madar	338,356	21'04	77'73	16'03	'35	31'65	71'62	6'36	15'34	33'55	1'21
Total	746,305	14'08	82'13	38'01	'69	32'85	62'55	4'79	11'90	17'10	'68
GRAND TOTAL	2,405,011	27'18	63'65	41'07	2'36	34'34	70'02	2'65	8'07	6'50	1'90

DIX D.

statement.

TOTAL AREA.			Percentage to total area.		PERCENTAGE TO IRRIGATED AREA.									
Area not available for cultivation.					Irrigated area and how irrigated.				Details of irrigated area as regards crops.					
House sites.	Water.	Other kind.	Total of uncol- sivated area.	Irrigated area.	Irrigated from wells.	Irrigated from private canals.	Irrigated from tanks and ahars.	Irrigated from other sources.	Rice.	Wheat.	Other cereals and pulses.	Other food crops.	Non-food crops.	
13	14	15	16	17	18	19	20	21	22	23	24	25	26	
1'03	2'77	4'30	81'53	'06	81'55	...	...	18'45	17'47	...	...	19'42	63'11
1'18	2'79	4'39	17'97	7'38	4'39	'06	13'79	83'83	91'33	'64	4'16	1'95	1'93	
1'13	2'73	4'30	19'09	5'05	4'63	'06	13'74	83'58	91'08	'64	4'16	2'02	2'16	
1'15	2'75	3'88	30'53	'87	20'15	...	13'77	66'08	58'01	8'46	13'41	4'77	16'35	
'77	6'06	2'38	23'25	8'23	1'05	'78	8'01	90'16	83'38	'97	4'91	'76	9'98	
'77	8'63	2'33	38'64	'04	57'14	...	17'14	35'73	18'27	1'42	7'14	8'58	64'29	
'25	5'11	3'04	24'56	3'00	4'51	'65	9'03	85'83	78'83	2'21	6'16	1'46	11'34	
1'25	7'75	2'92	26'95	'43	66'00	3'00	2'00	30'00	...	...	...	2'00	98'00
1'84	5'23	2'83	16'76	51'23	2'95	64'84	6'18	36'03	95'58	'62	3'71	1'90	'25	
2'16	5'41	4'37	19'13	43'44	8'66	8'67	13'29	75'48	69'42	1'44	5'23	3'11	'81	
1'57	6'18	6'11	23'73	8'18	11'99	1'02	25'15	61'24	83'53	2'46	4'26	7'29	2'17	
1'65	6'21	4'56	23'01	16'21	4'39	33'73	12'09	50'80	90'23	1'20	4'38	3'26	'94	
1'03	6'08	4'44	19'23	6'48	2'94	63'13	13'41	30'53	93'20	'53	3'40	2'49	'29	
'99	6'13	8'14	37'89	34'06	1'47	38'86	19'94	40'73	94'38	'00	1'46	3'27	'29	
'39	4'06	7'47	68'38	5'98	6'28	57'49	26'64	9'66	86'91		2'77	7'53	1'53	
'91	5'19	7'09	47'65	23'02	2'88	52'03	16'94	23'15	92'83	'60	2'79	3'35	'45	
1'13	4'85	4'89	29'98	12'19	3'63	39'89	14'24	41'92	91'34	'34	3'50	3'18	1'20	

CROP STATEMENT--

BHADOI.												
THANA.	CEREALS AND PULSES.						FIBERS.			DYES.	MISCELLANEOUS CROPS.	Total.
	Rice.	Jowar (millet), janera, masuria.	Mandua.	Maize.	Kodo.	Other food-grains, including pulses.	Jute.	San hemp.	Others (mulberry, etc.)	Indigo.	Vegetables.	
1	2	3	4	5	6	7	8	9	10	11	12	13
<i>Supaul subdivision.</i>	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.
Partabganj	26,411	12	15,812	874	1	437	81	2	37	278	17	41,963
Supaul	48,070	58	52,869	149	1	752	61	10	2	258	4	1,02,229
Total	74,481	66	68,681	1,023	2	1,189	142	12	39	536	21	1,44,191
<i>Madhipura subdivision.</i>												
Madhipura	50,041	38	41,057	174	74	1,176	13	9	14	660	2	93,258
Bangaon	8,465	106	24,465	367	517	4,773	41	10	13	475	6	39,238
Kishunganj	6,097	24	3,305	12,853	69	10,377	5	2	...	28	3	32,748
Total	64,603	168	68,827	13,394	660	16,326	59	21	27	1,158	11	1,65,244
<i>Sadar subdivision.</i>												
Bihpur	169	434	11	20,353	13	6,349	2	9	3	1,334	1	29,738
Sultanganj	423	177	961	5,335	1	275	7	12	...	29	6	7,227
Bhagalpur	452	663	776	6,620	1	580	14	264	...	...	48	9,728
Colgong	1,019	442	366	39,390	130	6,231	19	9	...	936	9	49,557
Total	2,064	1,710	2,124	71,674	146	13,735	42	294	3	2,350	62	94,248
<i>Banka subdivision.</i>												
Amarpur	961	344	2,462	3,719	114	234	2	43	1	607	63	8,489
Banka	5,123	195	1,370	11,700	4,619	701	8	12	2	5	6	23,981
Katoria	4,657	101	1,159	12,775	1,753	1,137	97	11	1	802	1	22,314
Total	10,741	640	5,051	28,204	6,486	2,072	107	66	4	1,214	69	54,794
District Total ...	1,51,919	2,589	1,42,683	1,14,375	7,349	33,322	350	393	73	5,267	163	4,58,477

RABI.											
THANA.	CEREALS AND PULSES.			OIL-SEEDS.			Condiments and spices.	FIBERS.			DYES.
	Gram.	Arhar.	Other food-grains, including pulses.	Linseed.	Mustard.	Others.		Cotton.	Munje.	Others.	Kasum.
29	30	31	32	33	34	35	36	37	38	39	40
<i>Supaul subdivision.</i>	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.
Partabganj	369	2,694	16,943	6,337	20,341	152	287	4	...	...	4
Supaul	2,004	4,243	16,197	18,432	14,926	292	813	37	...	...	8
Total	2,373	6,937	33,139	24,769	35,267	444	1,070	41	...	...	12
<i>Madhipura subdivision.</i>											
Madhipura	2,610	3,743	22,163	14,490	15,372	778	268	7	...	...	26
Bangaon	181	2,107	2,915	4,134	4,330	154	75	39	...	...	8
Kishunganj	662	750	8,445	793	8,125	33	25	...	...	...	1
Total	3,453	6,000	33,523	19,417	27,627	970	368	46	...	...	35
<i>Sadar subdivision.</i>											
Bihpur	8,376	3,112	20,933	2,313	4,501	6,026	73	...	...	...	10
Sultanganj	20,440	649	19,162	1,692	943	219	100	...	...	...	1
Bhagalpur	8,239	868	14,549	3,657	1,643	326	125	1	...	...	8
Colgong	18,308	4,926	23,929	7,564	8,239	8,184	188	...	...	...	44
Total	55,413	9,553	78,563	16,226	15,380	14,755	486	1	3	91	100
<i>Banka subdivision.</i>											
Amarpur	21,682	813	25,663	22,857	1,131	207	110	1	...	...	1
Banka	11,218	2,053	6,872	10,358	2,485	291	114	49	...	...	1
Katoria	5,064	2,178	938	1,495	3,134	705	68	124	...	...	1
Total	37,964	5,043	33,472	35,210	7,300	1,203	290	174	1	1	3
District Total ...	99,203	28,163	174,717	94,622	85,624	17,378	2,214	262	4	97	141

APPENDIX E.

AGHANI.

CEREALS AND PULSES.											Total.	CEREALS AND PULSES.		
Bice.	Jowar (millet) Janera, gehu. & n.	Bajra (millet).	Other food grains, including pulses.	Til or linjli.	Condiments and spices.	Sugarcane.	Cotton.	Vegetable.	Yams.	Others.		Rice (boro).	Wheat.	Barley.
14	15	16	17	18	19	20	21	22	23	24	25	26	27	28
Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.
57,309	297	...	12,903	59	87	400	...	...	251	108	71,304	...	10,373	506
160,339	2,144	21	24,458	302	133	3,001	3	1	1,580	7	19,969	3	26,011	6,086
217,498	2,431	21	37,391	361	220	3,401	3	1	1,531	115	263,273	3	36,984	6,692
120,168	1,516	41	20,246	28	28	777	...	...	938	3	145,085	13	18,664	10,439
74,721	1,337	7	14,415	7	2	600	...	4	64	27	91,184	...	5,713	5,673
63,891	...	...	3,035	...	28	3	...	...	6	...	66,933	...	2,101	4,848
268,770	3,853	48	43,096	55	58	720	...	4	1,009	30	307,222	13	26,478	20,990
375	127	16	11,517	...	13	...	...	...	12	...	12,090	42	9,770	5,369
45,997	36	9	2,070	1	2	301	1	...	3	2	48,362	4	4,712	2,901
41,184	426	30	3,218	...	8	205	...	...	24	...	45,108	...	6,225	3,964
43,874	925	104	28,123	2	6	294	...	16	63	7	75,323	42	22,180	10,131
131,440	1,514	159	44,508	3	29	713	1	16	101	9	178,883	88	41,847	22,466
100,400	9	1	4,838	12	18	2,411	...	1	22	...	107,713	...	2,708	6,706
100,878	109	20	26,493	419	15	1,724	31	13	2	884	130,768	6	2,064	4,180
38,738	573	46	30,014	3,426	123	1,789	105	8	3	9,571	82,406	1	397	1,866
238,023	691	67	61,645	3,857	151	5,934	136	22	27	10,435	320,587	7	5,169	12,743
845,730	7,439	295	187,530	4,266	458	10,768	140	43	2,967	10,589	1,070,265	111	110,516	62,739

RABI.									ORCHARDS AND GARDEN PRODUCE (INCLUDING PAN.)		Total of columns 13, 23 and 49.	Area cropped more than once.	Net area cropped.
DRUGS AND NARCOTICS.			Fodder crops.	Kharaul.	MISCELLANEOUS CROPS.			Total.	Mango garden.	Others.			
Opium.	Tobacco.	Others.			Garden produce other than mango groves.	Potatoes.	Non-food.						
41	42	43	44	45	46	47	48	49	50	51	52	53	54
Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.
...	271	...	...	...	506	439	845	59,540	2,079	...	174,885	44,559	130,326
...	443	...	...	...	518	1,070	4	91,059	8,947	1	394,705	94,776	289,929
1	714	...	...	...	1,024	1,509	349	151,109	10,928	1	569,690	139,332	430,255
...	850	...	...	...	371	31	24	89,369	6,155	...	337,867	100,523	237,344
...	407	...	...	...	836	18	376	20,768	6,375	...	163,563	35,007	128,556
...	125	...	...	...	179	2	12	25,001	2,350	5	137,657	21,459	106,198
...	882	...	...	...	1,386	51	412	141,636	14,880	5	625,967	159,989	465,978
...	153	...	...	...	465	...	19	61,168	3,608	13	165,662	24,885	50,777
29	90	...	...	...	120	316	694	52,219	1,754	6	109,267	37,568	71,699
...	58	24	...	13	186	727	58	39,713	3,156	14	91,713	26,097	71,621
...	150	...	30	...	195	957	...	105,147	2,640	42	229,719	59,963	169,746
23	461	24	30	13	972	2,000	771	258,234	11,217	74	642,656	148,518	394,138
131	102	...	...	...	212	106	9	82,457	1,510	17	200,186	78,283	123,903
19	109	...	...	...	231	73	4	41,232	772	20	199,783	35,048	160,736
290	16	4	...	...	156	26	2	17,007	372	1	122,160	16,057	106,103
440	227	4	...	...	601	210	15	140,696	2,654	58	519,049	128,352	390,711
463	2,274	28	30	13	3,933	3,770	1,547	691,763	39,677	118	226,362	576,195	1,684,107

CROP PERCENTAGE

Serial number.	NAME OF THANA.	Total area.	PERCENTAGE TO NET																						
			Bhadol.													Aghani.									
			Rice.	Jowar.	Mandua.	Maize.	Kodo.	Other food grains.	Jute.	Sunn hemp.	Others.	Indigo.	Vegetables.	Rice.	Jowar.	Sajra.	Other food grains.	Til.	Condiments and spices.	Sugarcane.	Cotton.	Vegetables.	Farm.	Others.	
			4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	
1	3	8	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	
SUPAUL SUB-DIVISION.																									
1	Partabganj ...	166,073	20'37	'01	10'60	'67	..	'33	'06	..	'63	'21	'01	63'90	'23	..	9'98	'04	'07	'31	..	..	'19	'08
2	Supaul ...	365,644	16'02	'62	17'63	'05	..	'26	'08	..	..	'09	..	53'44	'71	'01	8'16	'10	'05	1'00	..	..	'63	..
	Total ...	531,717	17'31	'01	16'60	'24	..	'27	'06	..	'0	'12	..	50'55	'56	..	8'59	'08	'07	'79	..	..	'42	'03
MADHESWAR SUB-DIVISION.																									
3	Madheswara ...	293,644	21'08	'08	17'30	'08	'03	'66	..	..	..	'28	..	50'63	'64	'01	11'06	'01	'01	'05	..	..	'40	..
4	Bongong ...	165,083	6'75	'08	19'49	'29	'42	3'91	'08	..	'01	'85	..	59'32	1'06	..	11'48	..	..	'46	..	..	'06	'02
5	Kishunganj ...	187,988	5'74	'02	3'11	12'11	'06	9'78	..	..	..	'02	..	60'21	..	..	8'87	..	'02	..	..	..	..	..
	Total ...	631,696	13'78	'04	14'68	'26	'14	3'48	'01	..	..	'24	..	55'16	'61	'01	9'32	..	'01	'16	..	..	'22	'01
BARAN SUB-DIVISION.																									
6	Bihpur ...	110,582	'21	'54	'01	25'20	'02	7'96	..	'01	..	1'72	..	'46	'16	'02	14'29	..	'02	..	..	..	'01	..
7	Sultanganj ...	96,499	'59	'25	1'33	7'41	..	'38	'01	'02	..	'04	'01	63'68	'05	'01	2'81	..	..	'43	..	..	..	..
8	Bhagalpur ...	68,563	'65	'03	1'10	5'24	..	1'23	'02	'37	..	..	'06	57'58	'50	'04	4'30	..	'01	'29	..	..	'03	..
9	Colgong ...	319,650	'62	'26	'21	23'20	'08	3'27	'01	..	..	'65	..	35'85	'54	'06	16'37	..	..	'12	..	'01	'04	..
	Total ...	505,394	'53	'43	'56	18'19	'48	3'49	'01	'07	..	'80	'01	33'33	'30	'04	11'39	..	'01	'18	..	..	'03	..
BANKA SUB-DIVISION.																									
10	Amarpur ...	153,404	'78	'28	1'54	3'00	'06	'19	..	'03	..	'49	'85	81'04	..	..	3'80	'01	'01	1'25	..	..	'08	..
11	Banka ...	287,645	3'12	'13	'91	7'34	2'91	'44	..	'01	..	..	..	63'74	'06	'01	16'00	'86	'01	1'07	..	'01	..	'54
12	Katoria ...	335,356	4'23	'10	1'10	12'06	1'06	1'07	'09	'01	..	'57	..	34'66	'54	'04	28'31	13'23	'11	1'70	'10	..	'01	9'03	
	Total ...	746,305	2'75	'16	1'29	7'24	1'68	'53	'08	'01	..	'31	'02	60'95	'18	'09	16'75	'99	'04	1'53	'03	..	'01	2'67	
GRAND TOTAL			2,405,011	2'02	'16	8'47	6'79	'43	1'08	'02	'02	..	'31	'01	50'21	'44	'01	11'13	'31	'02	'63	'17	'62

STATEMENT—APPENDIX F.

CROPPED AREA OF AREA UNDER—																										PERCENTAGE TO TOTAL CROPPED AREA UNDER—		Percentage of twice cropped area to net cropped area.	Percentage of net cropped area to total area.
Rabi.																						Food crops.	Non-food crop.						
Rice.	Wheat.	Barley.	Gram.	Arhar.	Others.	Linseed.	Mustard.	Others.	Condiment and spices.	Cotton.	Others.	Kusum.	Opium.	Tobacco.	Others.	Fodder crops.	Kharaul.	Garden produce.	Potatoes.	Non-food.	Mango garden.			Others.					
26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53		
...	7'98	3'39	2'28	2'07	12'89	4'58	15'61	1'19	2'20	...	...	...	...	31	...	...	...	39	34	26	1'59	...	89'35	17'67	174,815	34'19	78'47
...	8'87	2'08	1'67	1'41	5'40	8'18	4'98	1'09	2'27	1'01	...	...	...	16	...	...	...	17	36	...	2'98	...	88'08	11'94	364,708	31'69	82'03
...	8'80	1'62	1'58	1'62	7'70	6'76	8'19	1'10	2'35	1'01	...	...	...	17	...	...	...	34	35	1'08	2'54	...	86'80	13'70	549,590	33'38	80'91
...	7'88	4'40	1'10	1'58	9'34	8'10	6'48	1'33	1'11	...	...	1'01	...	15	...	...	...	16	1'01	1'01	8'59	...	88'83	11'37	337,867	48'36	79'47
...	4'55	4'68	1'14	1'68	2'33	3'39	3'30	1'18	1'06	1'08	...	...	...	38	...	...	...	68	1'01	1'89	5'07	...	89'38	10'77	163,368	30'27	78'05
...	1'68	4'87	1'68	1'14	7'98	7'5	7'68	1'03	1'08	...	...	...	...	11	...	...	...	17	...	1'01	2'31	...	90'86	9'14	137,357	20'33	67'16
...	5'64	4'47	1'78	1'28	7'13	4'14	6'89	1'31	1'08	1'01	...	...	...	19	...	...	...	39	1'01	1'09	3'17	...	89'34	10'76	628,687	34'09	78'
...	13'09	6'66	10'37	3'86	25'90	2'87	6'27	7'46	1'09	...	...	1'01	...	19	...	...	...	38	...	1'09	4'18	1'08	89'39	17'61	185,668	30'40	73'05
...	6'55	4'18	28'46	1'90	26'61	2'38	1'38	1'30	1'34	...	...	...	1'03	1'18	...	...	...	18	1'44	1'06	3'44	1'01	94'61	5'39	109,897	32'19	83'84
...	7'30	6'56	11'80	1'31	20'31	5'11	2'29	1'46	1'18	...	1'01	1'01	...	18	1'08	1'08	1'08	1'36	1'02	1'08	4'40	1'08	90'10	9'90	97,718	36'48	80'87		
...	13'07	6'97	10'78	2'90	14'08	4'46	4'88	4'83	1'11	...	1'05	1'03	...	10	...	1'02	...	11	1'06	...	1'56	1'08	87'06	12'94	239,708	35'33	77'28		
...	10'63	6'70	14'08	3'42	19'83	3'86	3'89	3'75	1'13	...	1'03	1'03	...	18	...	1'01	...	36	1'01	1'19	2'34	1'03	88'48	11'52	542,856	37'79	77'89		
...	2'18	8'41	17'50	1'66	30'73	18'46	1'1	1'17	1'09	...	...	...	1'10	1'09	...	...	...	17	1'09	...	1'23	1'01	88'39	11'61	200,198	61'56	80'77
...	1'29	3'60	6'98	1'66	4'87	6'75	1'56	1'18	1'07	1'03	...	...	1'01	1'07	...	...	...	14	1'06	...	1'46	1'01	91'34	8'66	196,728	32'38	63'61
...	37	1'78	4'78	9'05	1'89	1'41	3'49	1'07	1'06	1'13	...	...	1'07	1'01	...	...	...	15	1'03	...	1'36	...	88'46	11'54	112,100	31'64	31'68
...	1'39	3'26	9'73	1'46	8'67	9'01	1'89	1'1	1'08	1'06	...	...	1'11	1'06	...	...	...	18	1'06	...	1'68	1'01	88'80	11'40	519,069	33'85	58'3
...	6'56	3'73	3'49	1'67	10'61	6'82	6'08	1'68	1'13	1'01	...	...	1'03	1'14	...	...	...	24	1'32	1'09	2'26	1'01	88'17	11'83	2,380,308	34'34	70'88

APPENDIX G.

List of Agricultural Stock.

Serial No.	NAME OF THANA.	Cows.	Bulls and bullocks.	Male buffaloes.	Cow buffaloes.	Horses and ponies.	Calves, including buffalo calves.	Sheep.	Goats.	Mules and donkeys.	Ploughs.	Carts.
1	2	3	4	5	6	7	8	9	10	11	12	13
SUPAUL SUBDIVISION.												
1	Partapganj	19,571	17,194	448	7,876	1,238	15,925	4,166	7,981	24	7,378	850
2	Sopaul	56,305	59,015	558	20,568	2,408	46,923	2,173	25,396	29	27,583	3,614
	Total ...	75,876	76,209	1,001	28,444	3,646	60,847	6,339	33,377	53	34,961	4,664
MADHEPURA SUB-DIVISION.												
3	Madhepura	59,071	41,226	534	13,178	1,630	42,270	2,746	18,498	39	18,894	1,254
4	Bangan	16,674	10,438	162	2,978	341	19,150	1,038	6,719	20	4,944	435
5	Kishanganj	14,306	14,031	142	2,603	772	13,297	344	4,693	23	6,029	316
	Total ...	90,051	65,695	838	18,757	2,743	67,717	4,128	30,110	82	29,767	2,005
SADAR SUBDIVISION.												
6	Bihpur	15,665	15,445	99	2,029	773	12,031	616	4,403	23	5,633	1,21
7	Sultanganj	10,040	13,288	677	1,884	322	9,153	443	5,048	29	5,867	84
8	Bhagalpur	13,903	15,650	361	1,381	247	12,416	750	7,731	31	6,854	1,535
9	Colgong	35,985	41,329	3,189	4,510	1,631	27,061	1,840	18,048	31	18,504	1,921
	Total ...	75,592	86,712	4,276	10,965	2,973	60,661	3,649	35,230	113	36,857	5,204
BANKA SUBDIVISION.												
10	Amarpur	18,315	24,998	2,192	3,660	350	10,520	184	9,216	47	12,568	...
11	Banka	30,177	32,147	5,306	5,640	503	23,794	4,450	22,916	40	18,211	...
12	Katoria	26,944	20,218	4,694	4,779	283	20,367	5,430	26,415	22	12,574	...
	Total ...	75,436	77,363	12,192	14,079	1,136	60,671	10,064	58,547	109	43,353	...
District Total under operation.		316,965	305,969	18,247	71,976	10,498	249,896	24,180	157,864	357	17,088	...



APPENDIX. H.

सत्यमेव जयते

NAME OF THANA.	PROPRIETORS' ZIRAT.		HELD BY PRO. PRIETORS BUT NOT ZIRAT.		IN CULTIVATING POSSESSION OF TENURE-HOLDER.		RAIYATS AT FILED RENTS OR RATES.				SETTLED OR OCCUPANCY RAI			
	Number of holdings.	Total area.	Number of holdings.	Total area.	Number of holdings.	Total area.	Number of holdings.	Total area.	Total of existing rent.	Average rate per acre of total area.	Number of holdings.	Area on cash rent.	Area on produce rent.	Total of existing rent.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
<i>Sapaul subdivision.</i>														
		Acres.		Acres.		Acres.		Acres.	Rs.	Rs. A. P.		Acres.	Acres.	Rs.
Partabganj*	43	359	242	2,312	369	6,660	158	3,154	2,398	0 12 2	21,209	118,101	4,362	1,89,181
Sapaul*	1	80	347	7,332	679	6,189	93	587	496	0 8 11	72,456	888,366	11,870	7,69,662
Total ...	44	439	589	9,644	1,048	12,849	251	3,741	2,894	0 11 5	94,665	1,006,467	16,232	9,48,843
<i>Mashipura subdivision.</i>														
	58	148	817	9,776	243	4,551	40	900	875	0 15 6	56,836	228,582	9,985	5,30,729
Mashipura*	3,264	6,804	1,640	9,682	223	1,473	106	711	861	0 13 5	42,209	107,143	7,104	2,17,872
Bangson*	28	134	628	5,731	205	1,814	46	496	153	0 4 6	25,821	86,326	4,166	1,60,624
Kishanganj*														
Total ...	3,340	6,986	2,990	25,189	671	7,838	192	2,107	1,889	0 12 1	128,867	420,951	21,255	9,08,725
<i>Sadar subdivision.</i>														
			520	5,779	171	3,101	80	860	1,105	1 4 7	22,517	70,623	6,006	1,54,754
Bihpur*			731	4,877	156	1,669	15	113	292	2 9 4	19,917	47,632	19,113	2,46,796
Sultanganj†			892	8,604	385	2,637	88	478	1,759	3 10 10	21,353	66,455	14,692	2,43,770
Bhagalpur†	1	54	736	7,777	751	11,249	123	933	2,073	2 3 5	36,568	132,997	24,108	4,38,877
Colgong†														
Total ...	1	54	2,969	27,037	1,463	18,676	306	2,384	5,329	2 2 2	100,708	297,695	64,083	10,84,197
<i>Banka subdivision.</i>														
			396	5,695	333	3,544	151	1,625	3,030	1 13 10	33,187	93,420	24,015	4,40,734
Amarpur†			381	7,853	754	16,135	15	183	150	6 13 2	32,552	134,635	15,652	3,48,636
Bankat			93	851	1,146	17,775	6	29	71	2 7 2	35,093	112,602	10,880	1,77,328
Katoriat														
Total ...			870	14,399	2,233	26,459	172	1,837	3,251	1 13 4	88,836	346,757	50,565	9,69,700
GRAND TOTAL OF THE DISTRICT.	3,385	6,584	7,308	76,263	5,445	74,685	851	10,370	13,973	1 4 0	411,043	1,471,899	153,126	3,908,465

* In the North Bhagalpur thanas under raiyats with and (Dakhilkar) without
† In the South Bhagalpur Shikmi (near Dakhilkar) without

DIX H.

Record-of-rights.

YATS.		NON-OCCUPANCY RAIYATS, INCLUDING DIARA RAIYATS.					RENT-FREE- HOLDERS.		UNOCCUPIED.		KAISAR- I-HIND.		UNDER-RAIYATS.																				
Average rate per acre of area held on cash rent.		Number of holdings.		Area held on cash rent.		Area on produce rent.		Total of existing rent.		Average rate per acre of area held on cash rent.		Number of holdings.		Total area.		Number of holdings.		Total area.		Total area of village.		Number of holdings.		Total area, excluding area on produce rent.		Area on produce rent.		Existing rent.		Average rate per acre of area held on cash rent.			
16		17		18		19		20		21		22		23		24		25		26		27		28		29		30		31		32	
Rs. A. P.		Acres.		Acres.		Rs.		Rs. A. P.				Acres.		Acres.		Acres.		Acres.		Acres.				Acres.		Acres.		Rs.		Rs. A. P.			
1 9 8	1,032	3,490		422		8,806		2 9 1		651		4,350		1,540		21,825		1,188		168,073		4,814		999		3,809		2,326		2 3 8			
2 10 2	665	1,854		174		4,186		2 10 4		2,172		3,384		2,056		44,079		2,696		365,644		7,892		1,757		5,904		4,147		2 5 9			
2 5 2	1,697	5,014		598		13,002		2 9 6		2,823		7,743		3,005		65,404		3,886		521,717		12,796		2,756		7,713		6,373		2 4 11			
2 5 2	672	2,044		139		6,102		2 15 9		557		1,270		2,313		39,495		1,354		298,644		3,912		1,067		2,526		2,436		2 3 6			
2 0 4	2,356	1,973		656		5,013		2 8 8		1,302		2,490		2,772		27,785		377		165,083		1,467		151		1,317		322		2 6 10			
1 14 2	7,037	19,754		465		44,609		2 4 1		964		2,164		1,242		37,570		448		157,968		1,891		525		1,416		1,267		2 7 6			
2 2 3	9,960	23,771		1,280		55,724		2 6 6		2,813		5,103		6,233		105,200		2,109		691,695		7,270		1,763		6,269		4,045		2 8 11			
2 3 0	436	1,456		138		3,625		2 7 10		397		817		1,037		20,288		1,314		1,10,582		1,611		545		2,005		1,452		2 10 8			
5 2 10	405	1,140		618		5,716		5 0 2		565		517		1,565		10,221		699		26,480		1,626		219		2,319		1,479		6 12 0			
5 3 11	534	1,063		397		6,884		6 7 7		563		871		2,425		11,994		1,184		88,563		16		2		20		13		6 8			
3 4 1	563	3,056		551		13,810		4 8 4		818		1,204		2,447		35,659		2,078		219,650		2,326		392		2,983		2,431		6 5 3			
																						90		8		35		13		1 10 0			
																						4,736		434		7,334		1,566		3 10 4			
3 10 4	1,971	6,715		1,704		30,041		4 7 7		2,283		3,409		7,524		78,162		6,375		505,394		82		80		141		82		2 11 8			
																						3,687		1,046		12,738		5,665		5 5 0			
4 11 6	307	809		302		4,055		5 0 2		1,159		1,415		2,064		31,753		853		1,63,404		158		61		281		153		2 8 1			
																						3,062		276		4,331		1,381		5 0 5			
2 9 5	1,165	4,918		975		17,533		3 9 0		1,200		2,360		2,445		74,537		1,449		3,57,645		853		719		649		1,49		2 1 2			
																						6,882		2,728		5,890		6,988		2 3 1			
1 7 11	375	2,286		108		2,502		1 3 7		516		735		3,019		183,329		602		335,266		1,445		2,034		339		2,313		1 2 2			
																						4,618		4,478		1,903		5,168		1 2 6			
2 12 7	1,847	8,013		1,385		24,300		3 0 8		2,873		4,410		7,558		279,599		2,904		746,305		2,456		2,844		1,169		3,954		1 6 5			
																						14,582		7,361		12,084		12,537		15 9			
2 10 6	15,480	43,513		4,847		1,33,157		2 13 3		10,794		21,486		24,920		528,865		14,374		2,406,011		47,484		16,424		41,109		34,002		2 1 7			

without occupancy rights have not been distinguished.
rights of occupancy.
rights of occupancy.

Statement showing percentage of area

Serial number.	NAME OF THANA.	Total number of holdings, in occupied area.	Total occupied area in acres.	ZIRAT.					HELD BY PROPRIETORS, BUT NOT ZIRAT.				
				Number of holding.	Percentage to column 3.	Area.	Percentage to column 4.	Average size of holding.	Number of holding.	Percentage to column 3.	Area.	Percentage to column 4.	Average size of holding.
1	2	3	4	5	6	7	8	9	10	11	12	13	14
SUPAUL SUBDIVISION.													
1	Partaganj ...	23,734	143,060	43	18	359	25	8.35	242	1.02	2,312	1.62	9.55
2	Supaul ...	77,303	318,867	1	...	80	04	...	347	45	7,832	2.30	21.13
	Total ...	101,127	461,927	44	04	439	00	9.94	589	58	9,644	2.09	16.37
MADHIPURA SUBDIVISION.													
3	Madhipura ...	61,223	257,395	58	09	148	06	2.85	817	1.38	9,776	3.79	11.97
4	Hongong ...	51,031	137,041	3,251	6.39	3,809	4.24	1.78	1,640	3.21	1,682	7.07	5.90
5	Kishunganj ...	34,564	119,850	28	08	134	11	4.78	523	1.51	5,731	4.78	10.46
	Total ...	146,818	514,336	3,340	2.27	6,091	1.18	1.82	2,980	9.03	25,189	4.90	8.52
SADAR SUBDIVISION.													
6	Bihpur ...	24,361	89,780	...	...	...	...	...	520	2.13	5,779	6.51	11.11
7	Sultanganj ...	31,886	75,679	...	...	...	...	...	721	3.30	4,477	6.44	6.76
8	Bhagalpur ...	23,815	75,386	...	...	...	...	...	892	3.74	8,604	11.41	9.64
9	Colgong ...	39,017	181,013	1	...	54	03	...	736	1.86	7,777	4.28	10.56
	Total ...	109,029	421,757	1	...	54	01	...	2,869	2.63	27,037	6.41	9.43
BANKA SUBDIVISION.													
10	Amarpur ...	35,533	130,818	...	...	...	...	...	396	1.11	5,086	4.35	14.36
11	Banka ...	34,087	181,659	...	...	...	...	...	381	1.05	7,863	4.32	20.61
12	Katoria ...	23,331	151,325	...	...	...	...	...	93	37	851	56	9.15
	Total ...	96,531	463,802	...	...	...	...	...	870	69	14,392	3.10	6.54
	GRAND TOTAL ...	454,405	1,861,879	3,385	74	6,584	35	1.94	7,308	1.61	76,262	4.16	10.43

Serial number.	NAME OF THANA.	SETTLED AND OCCUPANCY RAIYATS.					NON-OCCUPANCY RAIYATS.				
		of Number holding.	to Percentage column 3.	Area.	to Percentage column 4.	Average size.	of Number holding.	to Percentage column 3.	Area.	to Percentage column 4.	Average size.
		30	31	32	33	34	35	36	37	38	39
SUPAUL SUBDIVISION.											
1	Partaganj ...	21,209	89.87	122,463	85.59	5.77	1,033	4.35	3,853	2.69	8.73
2	Supaul ...	73,436	94.88	309,265	94.16	4.09	665	86	1,760	55	2.65
	Total ...	94,645	93.69	432,728	91.51	4.47	1,697	1.68	5,612	1.21	3.30
MADHIPURA SUBDIVISION.											
3	Madhipura ...	58,836	96.10	233,567	92.69	4.05	672	1.10	3,183	1.85	3.25
4	Hongong ...	42,200	83.70	114,247	83.36	2.71	2,256	4.43	2,629	1.92	1.16
5	Kishunganj ...	26,421	74.71	89,392	74.53	3.46	7,037	20.96	20,219	16.84	2.67
	Total ...	126,857	86.41	432,206	85.98	3.43	9,965	6.73	25,031	4.87	2.51
SADAR SUBDIVISION.											
6	Bihpur ...	23,817	93.66	70,029	86.33	3.36	436	1.80	1,594	1.79	3.79
7	Sultanganj ...	19,971	91.46	66,745	83.19	3.34	403	1.87	1,758	2.33	4.16
8	Bhagalpur ...	2,353	89.67	11,315	81.35	2.87	534	3.24	1,460	1.94	2.73
9	Colgong ...	86,563	92.28	157,089	86.36	4.29	593	1.50	3,097	1.98	6.08
	Total ...	100,708	91.85	301,778	85.19	3.50	1,971	1.80	8,419	1.99	4.27
BANKA SUBDIVISION.											
10	Amarpur ...	33,187	93.41	117,435	89.78	3.51	307	87	1,111	86	3.63
11	Banka ...	32,553	90.36	150,337	82.76	4.62	1,165	3.23	4,633	3.25	5.06
12	Katoria ...	23,006	91.54	120,541	85.61	5.61	375	1.48	2,394	1.59	6.38
	Total ...	88,835	91.75	397,313	85.05	4.47	1,647	1.90	9,398	2.06	5.09
	GRAND TOTAL ...	411,043	90.45	1,624,025	87.23	3.65	15,460	3.41	49,460	2.60	3.13

DIX (I).

held by occupants of different classes.

IN CULTIVATING POSSESSION OF TENURE-HOLDER.					TOTAL.					RAIYAT AT FIXED RENT.				
Number holding.	Percentage column 3.	Area.	Percentage column 4.	Average size.	Number holding.	Percentage column 3.	Area.	Percentage column 4.	Average size.	Number holding.	Percentage column 3.	Area.	Percentage column 4.	Average size.
15	16	17	18	19	20	21	22	23	24	25	26	27	28	29
309 879	1'55 88	6,570 5,159	4'59 1'62	17'78 7'60	654 1,027	2'75 1'33	9,241 12,571	6'46 8'94	14'11 12'24	188 93	79 12	3,155 857	2'21 2'28	16'78 9'04
1,018	1'04	11,729	2'54	11'19	1,681	1'66	21,813	4'72	12'97	281	28	4,042	4'88	14'38
243 223 205	40 44 50	4,551 1,478 1,814	1'77 1'07 1'51	18'73 8'60 8'85	1,118 5,117 756	1'82 10'03 2'18	14,475 16,364 7,670	5'62 12'38 6'40	12'95 3'32 10'16	40 108 46	07 21 13	900 711 496	0'84 0'52 0'43	22'50 6'70 10'78
671	46	7,838	1'52	11'68	6,091	4'70	39,118	7'40	6'00	192	13	2,107	4'40	10'96
171 159 385	70 71 1'62	3,101 1,069 2,667	3'40 2'81 3'52	18'13 10'70 6'60	691 877 1,277	2'83 4'01 5'36	8,880 6,546 11,261	10'00 8'05 14'93	12'55 7'46 8'52	80 15 88	34 07 37	800 113 478	0'96 0'14 0'63	10'75 7'53 5'43
781	1'97	11,249	6'18	14'40	1,518	3'83	19,080	10'40	12'57	123	31	933	4'51	7'68
1,403 383 754 1,145	1'38 04 2'09 4'54	18,076 3,544 15,133 17,775	4'43 2'71 3'83 11'15	12'51 10'64 20'07 15'62	4,363 739 1,143 1,238	3'08 2'05 3'14 4'31	45,767 9,232 22,386 18,626	10'85 7'66 12'66 12'51	10'49 12'60 2'23 15'04	306 151 15 6	28 48 04 03	2,384 1,628 183 29	0'56 1'25 0'10 0'03	7'75 10'76 12'02 4'53
2,233	2'31	36,452	7'86	16'33	3,162	3'20	50,844	10'96	16'30	172	18	1,837	0'39	10'67
5,444	1'29	74,695	4'01	13'72	16,137	3'55	157,541	8'46	9'76	951	21	10,370	0'66	10'90

RENT-FREE HOLDERS.					TOTAL.					SHIKMI.				
Number holding.	Percentage column 3.	Area.	Percentage column 4.	Average size.	Number holding.	Percentage column 3.	Area.	Percentage column 4.	Average size.	Number holding.	Percentage column 3.	Area.	Percentage column 4.	Average size.
40	41	42	43	44	45	46	47	48	49	50	51	52	53	54
651 2,172	2'74 9'81	4,359 3,884	3'05 1'07	6'69 1'55	23,080 76,368	97'26 93'07	133,329 306,200	98'54 96'06	5'79 4'01	4,814 7,582	20'28 9'94	4,808 5,661	3'36 1'77	0'99 0'71
2,823	2'81	7,743	1'68	2'74	99,440	98'34	440,125	95'28	4'42	13,796	12'43	10,169	2'30	0'82
557 1,353 914	01 9'63 2'62	1,270 9,490 2,104	50 1'82 1'81	2'28 1'84 2'39	60,105 45,914 33,808	98'18 89'97 97'82	242,930 120,077 112,271	94'38 87'62 93'00	4'04 2'41 3'32	3,912 1,467 1,891	6'38 2'87 5'47	3,693 1,448 1,941	1'41 1'06 1'62	0'93 0'98 1'00
2,813	1'92	5,924	1'15	2'10	139,827	95'24	475,268	92'40	3'40	7,270	4'19	7,012	1'36	0'96
377 565 563 818	1'38 2'50 2'37 2'08	817 517 871 1,204	02 70 1'15 66	2'43 1'1 1'55 1'47	23,070 20,959 22,538 35,009	97'17 95'99 94'64 96'17	79,900 60,133 64,124 102,833	90'00 91'35 85'07 80'61	3'38 3'39 2'84 4'29	1,611 1,671 2,542 4,753	6'61 7'35 9'08 12'01	2,550 2,726 3,899 7,829	2'87 3'59 4'51 4'30	1'58 1'63 1'45 1'66
2,383	2'09	3,419	0'81	1'49	105,266	96'02	375,900	89'15	3'65	10,380	8'47	16,504	3'91	1'59
1,169 1,200 518	3'24 3'33 2'05	1,415 2,260 785	1'08 0'84 0'49	1'22 1'46 1'49	84,804 34,032 23,993	97'95 90'86 95'09	121,580 158,673 132,569	92'94 87'35 87'69	3'49 4'34 5'63	3,340 7,735 6,063	9'12 21'45 24'07	4,098 6,796 8,764	3'02 5'33 5'75	1'33 1'27 1'44
2,875	2'97	4,410	0'94	1'54	93,739	96'80	412,968	88'04	4'43	17,038	18'32	23,648	5'07	1'38
0,704	2'38	21,486	1'16	1'99	488,269	90'46	1,704,341	91'84	3'80	47,484	10'45	57,583	8'09	1'63

Transfers of

Serial No.	NAME OF THANA.	Total area of village.	Total area held by occupancy raiyats.	Total number of khatian of occupancy raiyats.	NUMBER OF TRANSFERS.					
					By sale.		By mortgage.		Total.	
					Whole holding.	Part holding.	Whole holding.	Part holding.	Whole holding.	Part holding.
1	2	3	4	5	6	7	8	9	10	11
	<i>Supaul subdivision.</i>	<i>Acres.</i>	<i>Acres.</i>							
1	Partabganj	166,073	122,463	21,309	581	626	106	678	627	1,304
2	Supaul	365,644	300,265	73,436	1,137	6,363	243	3,060	1,360	9,448
	Total ...	531,717	422,728	94,645	1,638	6,969	349	3,758	2,007	10,747
	<i>Madhipura subdivision.</i>									
3	Madhipura	398,644	338,567	58,886	964	834	55	341	310	1,176
4	Bangaon	165,083	114,347	42,300	96	36	876	208	972	241
5	Kishanganj	167,908	89,392	25,921	84	26	244	40	328	66
	Total ...	631,635	442,306	126,957	444	896	1,176	587	1,619	1,463
	<i>Sadar subdivision.</i>									
6	Bihpur	110,582	76,629	22,817	106	41	138	42	244	83
7	Sultanganj	86,499	66,745	19,971	389	446	163	338	552	784
8	Bhagalpur	88,563	61,315	21,363	150	62	87	66	237	118
9	Colgong	219,650	157,089	36,686	732	908	116	190	840	1,098
	Total ...	505,294	361,778	100,766	1,378	1,447	504	636	1,862	2,083
	<i>Banka subdivision.</i>									
10	Amarpur	153,404	117,436	33,187	813	536	415	900	728	1,436
11	Banka	267,645	150,837	32,562	114	293	176	1,330	289	1,622
12	Katauria	335,266	129,541	23,096	169	326	102	1,177	261	1,503
	Total ...	746,305	397,313	88,845	666	1,155	693	3,407	1,278	4,562
	DISTRICT TOTAL ...	2,405,011	1,624,025	411,042	4,066	10,466	2,720	8,368	6,786	18,874

DIX J.

Occupancy Rights.

AREA IN ACRES TRANSFERRED.			NUMBER OF TRANSFERS.				AMOUNT.		RATE PER ACRE FOR LAND TRANSFERRED.	
By sale.	By mortgage.	Total.	Landlord.	Lawyers.	Money-lenders.	Rajvats.	Paid on sale.	Advance on mortgage.	By sale.	By mortgage.
13	13	14	15	16	17	18	19	20	21	22
Acres.	Acres.	Acres.					Rs.	Rs.	Rs. A. P.	Rs. A. P.
4,711	1,983	6,534	59	6	359	1,507	1,16,505	74,096	24 11 8	39 5 6
11,217	3,342	14,559	37	16	2,574	8,198	3,07,591	90,564	27 6 3	27 1 6
15,928	5,226	31,153	96	22	2,933	9,703	4,34,096	1,64,640	26 10 0	31 8 2
2,559	953	3,512	33	21	246	1,189	49,732	22,758	19 6 10	23 13 11
805	227	1,092	59	6	150	998	38,823	6,658	44 14 2	29 5 3
845	85	930	33	1	23	337	17,954	2,169	21 4 7	23 8 3
4,969	1,266	5,534	130	28	419	2,524	1,09,513	31,585	24 15 2	24 15 5
670	170	840	17	12	21	277	38,586	5,628	50 0 10	33 1 8
2,90	1,620	3,910	134	13	283	907	1,15,969	71,776	51 15 4	44 4 10
717	485	1,202	24	23	78	230	32,477	23,143	45 4 2	47 11 7
5,721	764	6,485	36	17	381	1,513	2,47,786	26,724	43 5 0	34 15 5
9,393	3,039	12,437	211	64	763	2,927	4,32,778	1,27,371	46 0 9	41 14 0
2,228	3,300	5,523	37	39	431	1,654	1,23,608	1,52,073	55 9 8	46 1 3
1,071	3,007	4,078	31	86	744	1,051	35,959	97,440	33 9 2	32 6 9
1,087	1,962	3,049	8	10	270	1,476	46,349	56,311	42 11 3	43 14 11
4,381	8,209	12,630	76	135	1,443	4,181	2,05,916	3,25,724	47 0 0	40 9 7
33,976	17,798	51,774	513	249	5,563	19,335	11,69,302	6,59,240	34 6 8	37 0 7

APPENDIX K.

Transfers of Proprietary Rights.

NAME OF THANA.	Total area of selected villages.	Total number of khewat entries.	Number of transfers.	Area transferred.	Percentage of columns 5 to 2.	Percentage of columns 6 to 3.	NUMBER OF TRANSFERS TO—				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.
							Landlords.	Lawyer class.	Money lenders.	Rajwats.					
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
<i>Supaul subdivision.</i>	Acres.			Acres.							Rs. A. P.	Rs.	Rs. A. P.	Rs. A. P.	Rs. A. P.
1. Partabganj ...	20,230	71	20	2,324	12'97	28'17	10	1	7	2	969 4 3½	34,934	13 5 2	17½ 6 7	2 3 6
2. Supaul ...	23,539	95	31	4,794	20'38	32'63	27	1	3	...	794 15 5	1,33,724	27 14 8	106 3 7	10 10 2
Total ...	43,769	166	51	7,418	16 24	30'72	37	2	10	2	1,764 3 8½	1,68,678	22 11 9	174 6 7	2 3 6
<i>Madhipura subdivision.</i>															
3. Madhipura ...	92,592	401	96	16,262	17'38	23'44	60	7	7	2	1,321 14 4½	4,55,397	28 0 0	89 10 11	0 5 3
4. Bangson ...	28,596	327	33	2,080	7'32	10'09	24	...	6	3	104 6 9	58,807	28 8 8	120 2 2	16 12 1
5. Kishunganj ...	35,872	225	32	6,349	17'42	14'22	22	1	5	4	1,207 13 10	85,544	11 12 9	138 5 9	0 18 0
Total ...	157,060	953	161	24,571	15 02	16'37	126	8	13	9	2,534 2 11½	5,99,748	24 6 6	136 5 9	0 6 5
<i>Sadar subdivision.</i>															
6. Bihpur ...	15,537	77	14	1,352	8'70	18'50	8	...	4	3	855 5 0½	69,806	51 10 0	116 10 11	12 9 8
7. Sultanganj ...	9,978	689	37	609	6'09	6'37	32	1	4	...	431 8 2	51,232	34 2 10	198 13 3	12 8 0
8. Bhagalpur ...	12,430	443	39	1,231	9'53	8'08	33	...	5	1	423 1 5	60,175	49 4 3	313 11 10	13 3 8
9. Colgong ...	28,864	275	61	7,113	24'64	22'28	45	...	10	6	1,154 4 2	3,64,172	51 3 3	421 14 0	13 13 1
Total ...	66,809	1,484	151	10,295	15'40	16'17	118	1	23	9	2,864 2 9½	5,45,388	52 15 7	421 14 0	12 8 0
<i>Banka subdivision.</i>															
10. Amarpur ...	3,546	38	8	560	16'78	21'05	7	...	1	...	245 2 5	29,378	52 7 7	231 2 4	27 7 7
11. Banka ...	14,374	155	38	4,676	31'43	23'22	15	...	16	5	1,080 11 7	2,02,490	43 4 11	133 1 6	4 13 0
Total ...	18,420	193	44	5,236	28'42	22'28	22	...	17	5	1,325 14 0	2,31,868	44 4 6	231 2 4	4 13 0
DISTRICT TOTAL ...	286,268	2,796	407	47,520	16'38	14'48	303	11	68	25	8,478 7 8½	15,45,682	38 8 5	421 14 0	0 5 3

APPENDIX L.

Area figures for Bhagalpur District.

Serial No.	NAME OF THANA.	Area for which record-of-rights have not been prepared.	Area for which record-of-rights were prepared during Banali and Srinagar survey.	Area for which record-of-rights have been prepared in the present operation	Total area in acres.	Municipal area in acres.	Total area in acres.	Total area in square miles.
1	2	3	4	5	6	7	8	9
	<i>Supaul subdivision.</i>							
1	Partabganj ...	42,089	46,167	117,717	205,973	...	205,973	322
2	Supaul ...	10,646	...	365,644	376,290	...	376,290	588
	Total ...	52,735	46,167	483,361	582,263	...	582,263	910
	<i>Madhipura subdivision.</i>							
3	Madhipura ...	45,821	10,453	288,349	344,623	...	344,623	538
4	Bangaon ...		82,329	84,533	166,862	...	166,862	261
5	Kishungunj ...	65,675	18,175	140,045	223,895	...	223,895	350
	Total ...	111,496	110,957	512,927	735,380	...	735,380	1,149
	<i>Sadar subdivision.</i>							
6	Bihpur ...	27,200	...	110,582	137,782	...	137,782	215
7	Sultaanganj ...	16,159	...	86,499	102,658	...	102,658	160
8	Bhagalpur ...	16,844	...	88,563	105,407	6,400	111,807	175
9	Colgong ...	25,175	...	219,650	244,825	...	244,825	383
	Total ..	85,378	...	505,294	590,672	6,400	597,072	933
	<i>Banka subdivision.</i>							
10	Amarpur ...	...	...	153,404	158,404	...	153,404	240
11	Banka ..	...	...	257,645	257,645	...	257,645	402
12	Katauria ...	...	...	335,256	335,256	...	335,256	524
	Total ...	...	...	746,305	746,305	...	746,305	1,166
	GRAND TOTAL	249,609	157,124	2,247,887	2,654,620	6,400	2,661,020	4,158

APPENDIX M.

Detailed area statement showing average area of village, plot, thana, etc.

NAME OF THANA.	NUMBER OF VILLAGES.				AREA IN ACRES.				NUMBER OF PLOT.			Number of holdings of villages in column 2.	Number of holding of villages in column 3.	AVERAGE—		AREA—		
	Settled in recent operations.	Settled in Isanelli Srimar operations.	Excluded.	Total.	Of villages in column 2.	Of villages in column 3.	Of villages in column 4.	Total area.	Of villages in column 2.	Of villages in column 3.	Total.			Of a subdivision in square miles.	Of thana in square miles.	Of a village in acres.	Of a holding in acres.	Of a plot in acres.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
Supaul subdivision.																		
Partabganj ...	116	59	59	234	117,717	46,167	43,089	205,973	103,459	38,624	202,083	20,637	4,646	...	322	880	6'6	'82
Supaul ...	306	...	16	321	365,644	...	10,646	376,290	718,197	...	748,497	79,449	...	...	588	1,172	4'6	'48
Total ...	421	59	75	555	483,361	46,167	53,735	582,223	911,656	38,624	950,580	100,086	4,646	910	455	1,049	5'7	'50
Madhipura subdivision.																		
Madhipura ...	275	3	58	336	288,349	10,458	45,881	344,623	589,630	15,127	604,747	62,045	1,397	...	539	1,025	4'7	'49
Bangson ...	111	111	222	444	84,531	82,323	...	166,854	187,823	140,344	328,067	39,133	21,671	...	261	751	3'06	'50
Kishanganj ...	154	11	80	245	140,046	18,175	68,675	233,896	198,854	21,037	219,891	34,140	1,865	...	360	918	4'41	'73
Total ...	540	125	138	803	512,927	110,957	111,496	755,360	970,797	176,458	1,147,255	128,318	24,753	1,149	383	915	4'0	'63
Bhagalpur subdivision.																		
Bihpur ...	103	...	34	137	110,582	...	27,200	137,782	92,050	...	92,050	25,448	...	...	915	1,006	4'35	1'2
Sultanganj ...	303	...	40	343	86,409	...	16,159	102,568	114,658	...	114,658	35,401	...	...	160	500	3'69	'75
Bhagalpur ...	479	...	29	508	84,563	...	23,244	111,804	117,973	...	117,973	26,240	...	...	175	220	3'39	'76
Colgong ...	512	...	16	528	219,650	...	25,175	244,825	196,774	...	196,774	42,064	...	...	383	463	5'32	1'11
Total ...	1,397	...	119	1,516	505,294	...	91,778	597,072	621,486	...	621,486	117,153	...	983	233	393	4'8	1'1
Banka subdivision.																		
Amarpur ...	604	...	...	604	159,404	...	...	159,404	323,209	...	323,209	37,627	...	...	240	255	4'09	'67
Banka ...	555	...	...	555	257,645	...	...	257,645	341,889	...	341,889	38,512	...	...	402	404	6'69	'75
Katoria ...	202	...	...	202	83,210	...	...	83,210	385,066	...	385,066	78,250	...	...	524	1,659	11'19	1'00
Total ...	1,361	...	...	1,361	746,305	...	...	746,305	905,624	...	905,624	104,389	...	1,166	399	548	7'1	'82
DISTRICT TOTAL ...	3,719	184	332	4,235	2,247,887	157,124	266,009	2,601,020	3,309,532	215,082	3,524,614	440,946	20,379	1,040	346	626	5'01	'68

APPENDIX N.

Figures showing the distribution of Parganas over the different thanas in Bhagalpur District.

Serial No.	Name of Parganas.	AREA IN SQUARE MILES.												Total area covered by Parganas in square miles.
		Thana Partabganj.	Thana Supaul.	Thana Madhipura.	Thana Bangson.	Thana Kishanganj.	Thana Bihpur.	Thana Sultanganj.	Thana Bhagalpur.	Thana Colgong.	Thana Amarpur.	Thana Banka.	Thana Katoria.	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
1	Dhaphar ...	134	...	...	...	...	...	...	...	...	...	...	...	134
2	Nathpur ...	75	...	...	...	...	...	...	...	...	...	...	...	75
3	Harawat ...	113	...	...	...	...	...	...	...	...	...	...	...	113
4	Naradigar ...	366	...	...	...	...	...	...	...	...	...	...	...	366
5	Nisankhpur Kurha ...	67	560	...	...	22	...	...	...	...	...	...	...	787
6	Walbant Gopal ...	140	...	...	...	...	...	...	...	...	...	...	...	140
7	Dharampur ...	15	38	...	...	...	...	...	...	...	...	...	...	53
8	Uttarkhand ...	...	...	...	107	...	...	...	...	...	...	...	...	107
9	Katkhond ...	...	...	...	152	...	...	...	...	...	...	...	...	152
10	Chhai ...	...	...	...	...	130	216	...	...	59	...	...	...	404
11	Colgong ...	...	...	...	...	...	...	6	45	267	...	1	...	319
12	Bhagalpur ...	...	...	...	...	...	...	53	180	64	179	145	...	661
13	Jahangira ...	...	...	...	...	...	...	38	...	...	...	...	...	33
14	Kherhi ...	...	...	...	...	...	...	47	...	...	...	...	...	47
15	Lakhsapur ...	...	...	...	...	...	...	16	...	...	4	...	...	20
16	Mandi ...	...	...	...	...	...	...	5	...	...	...	...	...	5
17	Saithari ...	...	...	...	...	...	...	...	...	3	...	...	...	8
18	Sahroi ...	...	...	...	...	...	...	...	...	...	67	...	...	130
19	Daura Sukhwara ...	...	...	...	...	...	...	...	...	...	...	115	163	278
20	Hazar Taki ...	...	...	...	...	...	...	...	...	...	...	16	...	16
21	Chandwa ...	...	...	...	...	...	...	...	...	...	...	100	...	100
22	Wanjia ...	...	...	...	...	...	...	...	...	...	...	...	140	140
23	Chandan Katoria ...	...	...	...	...	...	...	...	...	...	...	...	168	168
	Total area of thanas.	322	585	538	261	360	215	160	175	383	240	402	524	4,158



APPENDIX O.

APPENDIX

Classification and results of

NAME OF THANA.	TOTAL.			ZIRAT or BAKASHT.			POSSESSION.			MONEY-RENT.		
	Allowed.	Disallowed.	Total.	Allowed.	Disallowed.	Total.	Allowed.	Disallowed.	Total.	Allowed.	Disallowed.	Total.
1	2	3	4	5	6	7	8	9	10	11	12	13
North Bhagalpur.												
Pratabganj ...	878	2,226	3,104	...	...	...	353	632	975	170	579	749
Supaul ...	3,065	6,203	9,268	...	...	...	731	1,153	1,884	1,474	3,489	4,972
Madhipura ...	2,347	4,775	7,122	...	1	1	626	1,094	1,920	1,661	3,345	4,906
Bangaon ...	1,040	2,729	3,769	...	...	...	311	641	952	615	1,677	2,192
Kishunganj ...	498	1,781	2,269	...	1	1	270	814	1,084	71	683	734
Bihpur ...	247	356	603	...	...	...	142	245	387	66	57	163
Total ...	8,105	18,100	26,205	...	2	2	2,133	4,563	7,002	3,857	9,859	13,716
South Bhagalpur.												
Sultanganj ...	272	487	759	...	...	...	83	279	302	42	68	110
Bhagalpur ...	371	561	932	...	...	...	100	143	243	48	123	171
Colgong ...	1,047	2,292	3,339	...	...	...	240	640	840	95	202	277
Amarpur ...	812	1,614	2,426	...	...	...	172	232	454	180	504	684
Banka ...	658	2,431	3,089	...	...	...	144	477	621	182	1,034	1,186
Katoria ...	330	747	1,127	...	...	...	132	290	422	38	271	362
Total ...	3,370	8,032	11,402	...	...	...	831	2,151	2,882	635	2,195	2,780
GRAND TOTAL ...	11,475	26,132	37,607	...	2	2	3,264	6,620	9,884	4,442	12,054	16,496



APPENDIX

Result of settlement of fair

Serial No.	NAME OF VILLAGE.	Case number.	Number of tenancies.	NUMBER OF TENANCIES IN WHICH—						EXISTING RENTS OF TENANCIES SUE UNDER—					
				Existing rent settled.	Rent enhanced.	Rent reduced.	Rent settled for entire <i>kahtagan</i> tenancies.	Application allowed.	Application withdrawn.	Section 7.	Section 52 A.	Section 50.	Sections 52 A and 50.	Section 52 B.	Any other section or no specified sect n.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
North Bhagalpur.															
				Rs.	Rs.	Rs.	Rs.			Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
1	Partalaganj ...	295	6,397	1,129	3,694	11	106	105	2,052	...	7,136	884	41,124	2,339	...
2	Supaul ...	441	15,581	1,829	11,473	50	150	541	1,635	...	31,961	129	1,40,610	2,937	...
3	Madhipura ...	356	4,645	406	2,693	18	88	322	1,129	...	1,090	224	43,483	2,140	...
4	Bangaon ...	107	1,763	182	1,297	7	180	95	52	...	651	311	10,390	225	...
5	Kishunganj ...	43	650	109	108	4	40	304	70	...	613	...	2,344	124	...
6	Bihpur ...	60	1,045	77	285	...	78	35	680	350	213	3	7,414	...	...
	Total ...	1,302	30,681	3,721	19,440	90	601	1,405	5,424	359	41,664	1,551	2,54,585	7,706	...
South Bhagalpur.															
7	Bhagalpur ...	163	1,754	101	1,465	5	14	45	128	89	1,480	7,609	19,748	18	...
8	Colgong ...	462	8,951	1,358	6,661	103	78	141	606	7,325	27,670	20,727	85,250	1,182	2,024
9	Amarpur ...	389	4,886	642	3,022	...	46	162	518	32	1,512	53,403	63,911	...	400
10	Banka ...	253	1,840	197	1,301	...	112	55	175	465	416	8,709	24,844	...	...
11	Sultanganj ...	254	3,101	419	2,261	...	48	88	240	435	59,342	51,405	...	72	...
12	Katoria ...	163	2,148	243	1,791	...	29	...	85	1,572	1,809	10,662	23,786	...	...
	Total ...	1,630	22,606	2,860	17,101	108	327	439	1,300	9,783	33,122	1,19,452	2,69,012	1,272	2,433
	GRAND TOTAL	2,941	53,367	6,581	36,541	198	928	1,845	7,224	12,142	74,786	1,21,005	5,13,607	9,637	2,433

O.

objections under section 103A.

PRODUCE RENT.			STATES.			TITLES.			TREES.			MISCELLANEOUS.		
Allowed.	Disallowed.	Total.	Allowed.	Disallowed.	Total.	Allowed.	Disallowed.	Total.	Allowed.	Disallowed.	Total.	Allowed.	Disallowed.	Total.
14	15	16	17	18	19	20	21	22	23	24	25	26	27	28
75	78	153	312	896	1,048	30	48	78	36	61	97	2	2	4
155	447	602	236	297	523	11	21	32	425	778	1,203	43	9	52
44	165	209	59	86	102	18	51	69	45	34	80	16	19	35
71	91	162	17	42	59	75	203	283	27	37	64	64	33	97
12	25	37	107	189	296	9	43	52	10	38	48	8	8	17
8	12	20	21	11	32	...	...	...	5	6	11	6	16	20
865	818	1,183	619	1,441	2,060	143	371	514	649	954	1,503	139	86	225
13	27	40	29	62	75	14	18	32	29	47	76	63	56	124
12	15	27	28	53	81	45	78	123	54	121	178	14	25	39
17	20	37	96	482	577	55	208	263	484	450	934	121	298	419
55	63	108	66	162	228	91	172	263	83	147	230	165	194	359
13	27	40	41	125	166	16	140	156	33	278	314	174	362	536
6	6	12	5	49	54	2	33	35	55	62	107	92	43	135
116	148	264	268	923	1,191	203	641	844	743	1,096	1,839	634	973	1,612
481	966	1,447	877	2,364	3,241	346	1,013	1,358	1,202	2,060	3,342	773	1,004	1,837



P.

rents under section 105.

AMOUNT OF RENT.														
Enhanced or increased under												Reduced under any section.	Settled for entire <i>kabil lagan</i> tenancies.	
Section 52A.				Section 30.				Any other section (including section 7).					Area in acres.	Rent.
After contest.	On compromise.	Ex-parte.	Total.	After contest.	On compromise.	Ex-parte.	Total.	After contest.	On compromise.	Ex-parte.	Total.			
17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
													Acrea.	
1,637	2,891	84	4,812	566	340	44	950	...	...	...	...	67	118	196
2,294	11,284	214	13,792	1,521	878	16	2,115	...	...	...	...	302	96	200
855	803	46	1,704	760	3,953	64	4,767	...	...	...	...	138	110	305
69	315	26	394	389	1,242	21	1,652	...	...	...	...	19	179	293
244	32	34	314	12	44	...	66	...	...	...	...	24	152	285
38	240	...	278	79	839	1	419	4	9	...	13	...	305	283
5,325	16,505	404	21,234	3,317	6,496	140	9,959	4	9	...	13	550	960	1,562
56	490	14	560	389	1,785	77	2,251	10	...	...	10	29	74	320
6,703	4,003	247	10,952	4,977	1,727	203	6,907	217	343	...	43	603	705	448
273	1,311	113	1,697	2,642	3,881	990	7,513	10	...	...	10	...	40	194
32	485	106	623	155	2,705	283	3,143	...	13	...	13	...	216	389
168	178	12	358	2,070	2,239	417	4,719	4	...	...	4	...	47	206
501	1,090	162	1,753	714	961	62	1,727	3	235	...	3	241	383	234
7,733	7,557	654	21,815	10,947	13,261	2,022	32,469	244	591	46	891	801	912	1,791
13,058	23,122	1,068	43,109	14,264	19,757	2,168	42,448	248	600	46	894	1,351	1,872	3,354

APPENDIX Q.

Statement of appeals in cases under section 105, Bengal Tenancy Act, up to

Serial No.	NAME OF THANA.			Total number of appeals instituted.	Total number of appeals decided.	Upheld.	Modified.	Reversed.	Remanded.	
North Bhagalpur.										
1	Partabganj	...	...	42	42	30	...	8	4
2	Supaul	...	...	28	28	19	2	5	2
3	Madhipura	...	...	35	35	30	...	3	2
4	Bangaon	...	...	14	14	10	1	2	1
5	Kishunganj	...	...	6	6	4	...	1	1
6	Bihpur	...	...	6	6	3	...	3	...
Total				...	131	131	96	3	22	10
South Bhagalpur.										
7	Colgong	...	...	126	126	59	50	15	6
8	Colgong North Bhagalpur	...	...	8	8	3	1	4	...
				134	134	58	51	19	6	
9	Bhagalpur	...	...	16	16	14	2	...	...
10	Sultanganj	...	...	55	55	40	10	4	1
11	Amarpur	...	...	53	53	45	5	2	1
12	Banka	...	...	39	30	26	1	2	1
13	Katoria	...	...	18	18	12	5	1	...
Total				...	306	306	195	74	28	9
GRAND TOTAL				...	437	437	291	77	50	19

APPENDIX R.

Classification and result of suits under section 106.

THANA.	Number of objections.	POSSESSION.								MONEY RENT DISPUTE.				PRODUCE RENT DISPUTE.				STATUS.				TITLE.	TREES.	Mis-CELLANEOUS.	TOTAL.				
		LANDLORD'S LANDLORD.		LANDLORD'S RAIYAT.		RAIYAT'S LANDLORD.		RAIYAT'S RAIYAT.		LANDLORD'S RAIYAT.		RAIYAT'S LANDLORD.		LANDLORD'S RAIYAT.		RAIYAT'S LANDLORD.		Allowed.	Disallowed.										
		Allowed.	Disallowed.	Allowed.	Disallowed.	Allowed.	Disallowed.	Allowed.	Disallowed.	Allowed.	Disallowed.	Allowed.	Disallowed.	Allowed.	Disallowed.	Allowed.	Disallowed.												
I	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30
North Bhagalpur.																													
Pratabganj ...	260	2	7	20	17	14	30	...	4	55	11	2	1	1	...	...	7	9	5	8	...	7	23	13	3	21	132	128
Supaul ...	901	14	23	60	50	18	30	18	18	79	113	25	264	8	1	1	19	19	10	16	7	8	50	46	3	3	313	588	
Madhipura ...	613	6	3	12	39	9	12	5	5	3	25	36	4	261	36	...	...	1	1	13	2	18	4	17	133	101	511	
Bangaon ...	646	9	6	9	11	13	12	5	3	155	94	21	209	65	6	1	1	1	3	2	1	...	5	3	...	...	308	348
Kishunganj ...	58	1	6	...	...	3	...	1	16	3	10	...	12	...	...	...	1	1	1	2	...	1	...	...	...	...	10	48
Bihpur ...	83	7	13	1	12	1	2	...	...	4	3	1	1	...	...	...	2	10	...	5	1	...	2	8	6	9	25	58
Total ...	2,570	30	57	102	129	58	86	29	46	365	267	54	748	64	7	2	39	41	20	46	9	18	98	69	29	106	889	1,681	
South Bhagalpur.																													
Bhagalpur ...	94	8	8	6	6	3	...	1	1	16	5	3	...	...	1	...	1	...	...	2	...	3	...	...	2	27	43	52
Banka ...	48	...	1	1	4	1	1	1	3	4	2	...	4	...	...	3	1	...	2	3	...	3	...	6	1	3	18	30
Amarpur ...	92	1	4	2	1	...	...	1	1	3	2	1	2	...	...	1	2	...	1	6	4	...	53	3	...	1	70	22
Sultanganj ...	42	4	2	...	2	2	2	...	1	3	1	...	1	3	2	...	1	...	1	...	...	2	...	9	1	3	22	30
Colgong ...	450	4	4	23	30	5	4	3	...	87	32	...	1	3	1	...	34	52	6	27	1	36	26	50	...	21	192	258	
Katoria ...	39	...	1	1	3	1	3	4	3	4	4	...	...	...	...	...	...	7	...	1	...	1	1	1	2	2	13	26
Total ...	765	17	20	33	45	12	11	10	11	116	45	5	6	12	5	1	40	61	9	40	5	45	92	61	6	57	357	408	
GRAND TOTAL	3,335	56	77	135	174	70	97	39	57	471	312	59	754	76	12	2	79	109	29	86	14	63	190	130	35	233	1,246	2,089	

APPENDIX S.

Statement of appeals in suits under section 108, Bengal Tenancy Act, up to

Serial No.	NAME OF THANA.	Total number of appeal instituted.	Total number of appeals decided.	Up held.	Modified.	Reversed.	Remanded.
1	2	3	4	5	6	7	8
	<i>North Bhagalpur.</i>						
1	Partabganj ...	23	23	9	...	1	13
2	Supaul ...	75	75	63	...	8	4
3	Madhipura ...	26	26	26	...	...	...
4	Bangaon ...	32	32	25	...	7	...
5	Kishunganj ..	2	2	...	...	1	1
6	Bihpur ...	2	2	2	...	...	...
	Total ...	160	160	125	...	17	18
	<i>South Bhagalpur.</i>						
7	Colgong ...	21	20	11	2	5	2
8	Colgong in North Bhagalpur.	23	23*	...	...	23	...
	Total ...	44	43	11	2	28	2
9	Bhagalpur ...	3	3	2	...	1	...
10	Sultanganj ...	2	2	2	...	...	...
11	Amarpur ...	9	9	7	...	1	1
12	Banka ...	7	7	5	...	2	...
13	Katoria ...	7	7	6	1	...	...
	Total ...	28	28*	22	1	32	3
	GRAND TOTAL ...	232	231*	158	3	49	21

* 1 Pending.

Note, dated the 17th July 1905, prepared by Babu Charu Chandra Kumar, Assistant Settlement Officer, Bihar, on Illegal Enhancements in North Bihar.

AN absolutely complete and thoroughly exhaustive account of the methods by which rents are enhanced in North Bihar, and of the means and devices resorted to by the landlords for the purpose, it is extremely difficult to prepare. The methods and means are so varied and multifarious that even Settlement Officers in the course of their work could not have got full information about all of them, much less could they keep a record of the same. Broadly speaking, the methods in which rents are enhanced, or rather the shapes which these enhancements take, resolve themselves into four classes:—

- (I) The direct or straightforward enhancement whereby the rate or rent is increased without resort to any subterfuge.
- (II) The amalgamation with rent proper of *abwabs*, i.e., the collection of illegal imposts which operate as enhancements so far as the tenants are concerned.
- (III) The assessment of imaginary or more than real excess areas as a result of fraudulent measurements.
- (IV) The reclassification of soil. The areas remaining same they are brought under higher rates, on the ground that the land concerned has changed from one kind to a different kind. This is called, in most places, "*birah-fer*."

It has been found that instances of landlords securing enhancements under more than one of these classes are common. In fact, the amount of enhancements vary inversely with the power of the tenants to resist the same. Barring very few landlords, this principle seems to hold good with regard to the general body of landlords in North Bihar. As regards the facts elicited in the course of the settlement operations in the districts of Muzaffarpur, Champaran, Saran and Darbhanga, the final reports of those districts contain sufficient indications, and it is not necessary to refer to them at length in this note.

The means and devices employed by the landlords for enhancing rents are so varied that it will only be possible to indicate the principal of them, which are—

- (I) Direct acts of coercion or terrorism.
- (II) Collusion with the headmen of the village.
- (III) *Saranamahi* executed by a small body of tenants eventually utilized for making general enhancements.
- (IV) Preparation of double set of accounts for a number of years.
- (V) Withholding of rent receipts and suing for false arrears.
- (VI) Fraudulent *kabuliats* and decrees.
- (VII) Periodical *kabuliats* and settlements.
- (VIII) Keeping undefined the position of *kamat* or produce-rent lands comprised in the holdings.
- (IX) Leasing, or threatening to lease, the village to *thikadars*.
- (X) Advent of a new landlord either on a revenue sale or at a partition.
- (XI) Harassing tenants in litigation.
- (XII) Recognition of transfers and subdivisions of holdings.
- (XIII) Abuse of section 29, proviso (ii) about "improvements."
- (XIV) Change in the area of the holding giving ground for supposing that a new tenancy has been created.

[THE DIFFERENT FORMS OF ENHANCEMENT.]

I.—The direct or straightforward method of enhancement is so common that numerous instances could be cited. It obtains largely in Muzaffarpur, Darbhanga, Champaran, Saran, and in fact forms the principal method of enhancement there. In North Monghyr and North Bhagalpur this occurs along with the other methods. In areas where lands are held at particular rates this method is not only easy but also convenient. Where holdings are held on lump rents, instances of enhancement of rents direct are not uncommon.

II.—The amalgamation of *abwabs* with rents is also a common method of enhancing rents. The Attestation Officer of Camp II in thana Partabganj, district Bhagalpur, in 1903-04 gave a list of 47 *abwabs* that obtain, or used to obtain, in the area. He did not, however, mean it to be understood that all those *abwabs* still exist or that they used to be realized in any one village. He observed:—

"But at the same time there is no doubt that some of these *abwabs* have been obtaining in the villages all round. Probably some of them have been mixed up in the rent before the Tenancy Act was passed and the *jamabandi* have been written in such a way that it is impossible to find out the illegal portion of the rent."

Almost every other officer found some kind or other of *abwabs* obtaining in this district, especially in the areas of the petty landlords. [Monghyr Final Report, paragraph 543; Darbhanga Final Report, paragraph 174.]

III.—As regards the assessment of fictitious excess areas with a view to effecting enhancements in a roundabout way, Mr. G. J. Monahan, I.C.S., who had a thorough experience of the zamindari affairs in North Monghyr and North Bhagalpur, thus observed:—

"The malik, by means of a shorter measuring-pole or some change in the method of measurement, discovers a large fictitious increase in the area of the tenants' holding which

* His note dated 9th May 1904.

he proceeds to assess with rent. In one case an Assistant Settlement Officer found a slight variation from this system. In this case, the actual measurement was correct enough, and there was a fair rule that fractions of a cottah, less than 10 dhurs, should be ignored, while those greater than 10 dhurs should be treated as one cottah. However, as a matter of fact, every fraction of a cottah, whether greater or less than 10 dhurs, was treated as one cottah. This gave rise to a very large fictitious excess area in the cases of those raiyats whose holdings consisted of a number of small plots." Referring specially to North Bhagalpur, he made the following remarks:—

"The measurement dodge was very common—in fact it was discovered in some villages in the Lagma Estate, which is under the Court of Wards. The Maharaja of Sonbarsa went in both for successive *kabuliats* and for measurement. * * * * * In the Panchgachia villages the measurement dodge was used as well as the straightforward method of getting tenants to agree verbally to enhancements."

In some of Babu Janeswar Singh's villages also this measurement dodge was noticed. In mauzas Pathraha and Bancholha, thana Madhipura, glaring instances are found of serious enhancements due to measurements with a shorter pole. The pargana *laggi* is one of $6\frac{1}{2}$ *haths*, and it is believed that in old times prior to the partition of 1845 the *laggi* in use in these two villages was one of $6\frac{1}{2}$ *haths*. Up to 1802 the *jamabandi* areas were all on $6\frac{1}{2}$ *haths* *laggi*. In 1803 the then *maliks* (the Shahpur Babus, Hari Persad Singh, etc.) measured the village with a *laggi* of $5\frac{1}{2}$ *haths*. A bigha with a *laggi* of $6\frac{1}{2}$ *haths* comprises 3,906 square yards, while that with a *laggi* of $5\frac{1}{2}$ *haths* comprises 3,306 square yards. The difference is obviously considerable. The result was a serious illegal enhancement in the two villages. In some villages of the Panchgachia estate (e.g., Sattar), there was no shortening of the pole, but the longest and broadest parts of irregular fields were chosen for recording the lengths which obviously gave larger areas than the actual.

Cases are not unknown where the landlord, in suing the tenant for arrears of rent shows a smaller area in the plaint than the actual, and as the rent remains unchanged the tenant's suspicions about the area are not aroused and a decree is passed. With a copy of the decree in his hands, the landlord does not find it difficult to assess rent on the remainder of the holding by making a new settlement (at the old or enhanced rates) with the tenant or a relation of his. As receipts are in many cases granted to the tenants without showing rents and areas in direct contravention of section 56, Bengal Tenancy Act, it is not difficult for the landlord to prove his own version of the rent and area in a civil court. In case of *kabuliats* also, the corresponding *pattahs* are not in most cases given to the tenants. So the tenant, unless he secures a certified copy of the *kabuliat*, remains helpless. To a tenantry, mainly illiterate and lacking in the spirit of resistance, these drawbacks are serious impediments in getting justice in a court of law. These circumstances, added to the ignorance of the masses of the tenants, afford ample opportunities to the landlords for tampering with the areas and rents.

IV.—As regards the reclassification of soil, Mr. Monahan thus describes the method:—

"Thus if a raiyat has three classes of land, say, 2 bighas at Rs. 2, 1 bigha at Rs. 1-8 and 10 cottahs at Rs. 3, making a total rent at Rs. 7, the *malik* shifts these rates and makes him hold, say, $1\frac{1}{2}$ bigha at Rs. 2, $1\frac{1}{2}$ bigha at Rs. 3 and 10 cottahs at Rs. 1-8, making a total of Rs. 8-4. Thus, although the three rates remain the same, the total rent has been illegally enhanced. In adopting this method of enhancements the landlords sometimes claim to be applying the provisions of section 30, Bengal Tenancy Act, for themselves without instituting a civil suit." Obviously these judicial powers could not have been reserved by the Legislature to be exercised by the landlords themselves. The fact that almost no cases have hitherto been instituted in the civil courts on such grounds show that they are not very confident of success in a judicial trial. With regard to mauza Shahogarh, the Maharaja of Sonbarsa had recently sued several tenants for enhancement under section 30 (a), Bengal Tenancy Act, and his claims were dismissed by the lower courts, and he has, I understand, appealed to the High Court. Though the law does not look upon the shifting of rate in any light other than that of an enhancement, several *maliks* claim that they have the right to do so, and the Panchgachia Babus, being among the number, raised rents of holdings by this method. [In the *nathi munsarini* of mauzas Sattar and Jhitkia will be found references on the subject containing discussions thereon.] In mauza Nari Bhadoan, thana Bahera, district Darbhanga, the Darbhanga Raj had considerably raised the rents of many holdings by assessing at higher rates all *parti* lands which had been part and parcel of the holdings immediately on their being brought under the plough. The *parti* was a class of land composing the holding, but the cultivation of the same led the landlord to assess at rates applicable to cultivated lands.

THE MEANS EMPLOYED FOR ENHANCING RENTS.

I.—Enhancements are often effected by direct acts of violence and coercion on the tenants—including looting of crops, preventing the tenants from harvesting their crops, burning their houses, etc. Where there are only a few refractory tenants in a village, they are brought to submission by the landlords' preventing the village barbers, washermen, carpenters, labourers, etc., to work for them. A large number of enhancements are in

fact effected by "the various miscellaneous methods of terrorism open to a strong and unscrupulous landlord." In areas where the element of high caste raiyats (Pathans, Brahmins, Rajputs, Babbans, etc.) is very small and where the low caste raiyats (Goars, Mallahs, Jomahas, Dhunias, etc.) form the bulk of the tenantry—influential landlords find the effecting of enhancements a very easy task, as a mere threat of *zulum* is often enough to serve the landlords' purpose. North Bhagalpur (barring a strip along the western borders) is pre-eminently a country where low caste raiyats predominate, and no wonder that instances of illegal enhancements are commoner here than elsewhere.

II.—The headmen of the villages generally wield considerable influence over the mass of the tenantry; the landlords win over these headmen by promises of granting *mafis*, or favourable rates, and then, with their help, either enhance the rents or introduce a shorter pole. In mauzas Bancholha and Patraha, thana Madhipura, some petty maliks succeeded in measuring the land of all raiyats (except the headmen) with a $5\frac{3}{4}$ *haths laggi* in 1362 F.S., while the former *laggi* was one of $6\frac{1}{4}$ *haths*. It was proved that this fraud was perpetrated on the tenants in collusion with the headmen. Instances of the landlords using the headmen as serviceable levers for raising the rents are common.

III.—By effecting the execution of *Saranamahs* by a few tenants, mainly creatures and servants of the landlords, at higher rates and then writing up rents-rolls for all tenants at those rates, the landlords often start their operations for enhancement in the village. In course of time the resistance of the tenants is overcome and the landlord effects an all-round enhancement in the whole village. [Reference to the *Saranamah* system will be found in page 53 of the Darbhanga Final Report.]

IV.—When an open demand for enhancement is likely to be resisted, the landlord would keep double set of accounts—one showing the real and actually realized rates, and the other the high rates. After some years he is in a position to prove the high rates in the civil courts by production of papers kept in the usual course of business, as he had taken care not to issue receipts showing rents and areas. In mauza Pidri, thana Darbhanga (district Darbhanga), malik Ajodhya Prosad Singh attempted to raise rents by this trick of fraudulent accounts.

V.—By the withholding of rent-receipts or payment of rents and by preparing collection papers showing little or no realization from tenants, the landlord often sues for arrears of rent and, as the plea of payment is most difficult for the tenant to prove, the landlords get decrees for the supposed arrears. Some successive decrees of a similar nature are often effective in inducing the refractory tenants to agree to demands for enhancement. The extent to which tenants would pay up rents without receiving any receipts or any acknowledgment is surprising. [Paragraph 839, Muzaffarpur Final Report, page 321.]

VI.—By false and fraudulent *kabuliats* and decrees the landlord sometimes coerces his tenants to agree to enhancements. He gets a *kabuliat* executed by a servant or creature of his and includes in the *kabuliat* lands of the refractory tenants as the holding of the executant, then gets a decree in the civil court (either *ex-parte* or after a sham contest) and eventually sells up the holding and holds a writ for delivery of possession. The refractory tenant finds himself too far involved to get out of the situation, and often makes the best of it by agreeing to the landlord's demands for enhancements, etc.

VII.—By getting the tenants to execute *kabuliats* for a term of years and renewing the *kabuliats* every five or seven years—often at enhanced rents the landlord perpetuates the belief that the tenant is a mere tenant-at-will. By the fact of having executed *kabuliats* for a limited number of years, most ignorant tenants believe that they have no permanent rights and are easily led to prefer enhancement to possible eviction from the tenancies. In pargana Surjapur and elsewhere, also in Purnea, there exists a custom of taking *kabuliats* (often at enhanced rents each time) every five years. In many villages of the Maharaja of Sonbarsa in North Bhagalpur *kabuliats* are taken every seven years. Under such *kabuliats* the tenants in most cases covenant to give up the lands on the expiry of the terms or on failure to pay rents even without being sued for ejectment in the courts. In fact the terms of *kabuliats* of many landlords are so stringent that the ordinary raiyat, who is ignorant of his strictly legal rights, remains in constant dread of eviction, etc., and is therefore found, in a mood, least calculated to resist illegal enhancements.

VIII.—By the system of keeping apart one or two cottahs per bigha of a holding as *kamat* in the accounts, and settling the same with the tenant at some high rate or at produce rents, the landlord manages to retain an element of uncertainty in the accounts which he often utilizes to his advantage. He takes very good care to leave the position or situation of such *kamat* lands unspecified.

A tenant holding one bigha has 18 cottahs assessed at the ordinary rates of the villages, and two cottahs on produce rents at 6 or 8 maunds a bigha; which portion of the holding these two cottahs comprise remains studiously unknown. As tenants have a persistent and tenacious belief that in produce-rent paying lands or in *kamat* (though *kamat* nominally and not according to the Bengal Tenancy Act) lands they have no occupancy rights, the landlord threatens to dispossess the tenant in respect of the two cottahs and makes no hesitation in pouncing upon the best lands for his pick of the same. The threat is often an effective lever in raising the rent of the holding. By similar means the rate of produce rent is often raised. [The evils attending produce rents were sufficiently indicated in Muzaffarpur Final Report, page 185, and paragraph 402 of the Darbhanga Final Report, page 110.] The system of setting apart a portion of the holding as *kamat* with its attendant

evils exists in several villages of the Baruari Raj, round about Supaul (e.g., mauza Bansbitti).

IX.—By leasing the village to *thikadars* or even by the mere threat of a lease landlords sometimes succeed in enhancing rents of their villages. In some villages the *thikadar* often imposes an *abwab* presumably to defray his expenses—generally called *ijafa thikadari*—and continues to realize the same during his *thika*. The malik, when he gets back his village, finds no difficulty in amalgamating this *abwab* with the rent. *Thikadars* being temporary landlords often make the best of their position and are not unnaturally disliked by tenants. Thus the mere threat to lease a village is often a sufficient inducement to the tenants to agree to enhancements. In Muzaffarpur and Darbhanga districts unscrupulous maliks availed of such threats to raise rents in several cases. [The remarks in paragraph 840, page 321 of the Muzaffarpur Final Report amply illustrate the point.]

X.—Similarly the ignorance of the tenants of their own rights lead them to believe that, with the advent of a new proprietor, either on a revenue sale or on allotment after a partition, their previous rights are liable to be annulled. The enhancements following a partition or a revenue sale have been marked almost everywhere in North Bihar. [Paragraphs 841 and 833 of the Monghyr Final Report, paragraph 172, pages 45 and 46 of the Darbhanga Final Report.]

XI.—By harassing the tenant; by involving him in litigation, the landlord often subjugates his tenants and effects enhancements. When the landlord happens to be a rich person, this method is often the most effectual. This is common throughout North Bihar. Mr. G. J. Monahan, who had a thorough experience of the state of affairs in thana Gogri, in the district of Monghyr, thus observed:—

“Refractory tenants were brought to reason by false criminal charges, or illegal distraint of crops, or by actual physical torture in some cases. This method has been the commonest.”

When proprietors or other landlords combine money-lending business with zamindari, * false suits for money or false claims on bonds instituted against refractory tenants often succeed in bringing them to terms.

XII.—By recognizing transfers and subdivisions of holdings, the landlord very often enhances the rents. As it is difficult for the tenants to prove a custom of free sales and as no purchaser thinks it worth his while to launch into a litigation of a doubtful result, the transferee often makes the best of the situation by agreeing to even heavy enhancements. Instances of this are not uncommon in North Bhagalpur. A holding inherited by several brothers from a common father is often sought to be divided by the brothers. As in the usual course of things, the brothers do not continue friendly all along, and they have to apply to the malik for recognizing their partition, the latter often takes advantage of the situation. Thus, whatever rights of protection against heavy enhancements the holding had in the time of the father ceases to exist shortly after his death when the sons want to decide the parental holdings. Section 26 made the holding heritable; but as it is not clear if the law made it *partible* without the landlord's consent also, the intelligent landlord does not fail to utilize the situation; and as persons are likely to leave more than one son, and as the sons in most cases would not agree and would want a partition of the holding, the landlord can, in this view of the law, very well conclude that section 29 would bar heavy enhancements for one generation of the tenant only.

* Mr. Monahan's note, dated 9th May 1904.

* The Maharaja of Sonbarsa never allows his tenants to alienate whole or a part of their holdings. The result is that when a tenant gets into arrears of rent he is unable to borrow money on the security of his land, and so he is sold up and his holding is settled at a competition rent. This no doubt is no enhancement, but is very effective in increasing the landlord's rent-roll. Instances of settling such sold-up holdings at Rs. 17, Rs. 16, Rs. 12, Rs. 10 a bigha (while the normal rates are Rs. 3 to Rs. 2 a bigha) are common in this Maharaja's zamindari.

XIII.—By an abuse of section 29, proviso (ii), the landlord sometimes succeeds in securing inequitable enhancements. Something is done (though very little in most cases) in shape of an improvement, viz, a *bundh* or a tank, and advantage is taken thereof to raise rents for all tenants, whether benefited thereby or not, and such enhancements continue sometimes long after the benefits conferred by the improvements have ceased to exist. In mauza Maranua (Camp VIII), thana Supaul, the local mahant made some *bundhs* and raised rents by 4 annas in the rupee, while the *bundhs* benefited only a small area. In mauza Sohuria, thana Madhipura, the Maharaja of Sonbarsa considerably enhanced the rents of several raiyats on the supposed utility of a certain *bundh*. The *bundh* which purports to be the source of improvement is a small thing, some 300 feet long and 8 feet broad, and could hardly have benefited all the holdings concerned. Under section 80 the landlord may apply to have an improvement registered, and section 29 does not necessarily require that the improvement must be a registered one. Hence the scope for the abuse. In mauza Balha, thana Gogri, district Monghyr, the proprietor, Rahmat Ali Khan (a big merchant), illegally enhanced the rents of almost all the tenants on the plea of having erected a *bundh*. It was found by the Assistant Settlement Officer that the shadow of a *bundh* which there was benefited the landlord more than the tenants, and he disallowed all the enhancements after thorough enquiry on the spot.

XIV.—By introducing a change in the area of the original holding, the landlord treats it as a new holding and often enhances rents. Several maliks think that if they can

effect a change in the area of a holding either by adding new lands (fictitious or otherwise) or by taking off some lands, the whole character of the holding is changed thereby, and they are entitled to treat the holdings, changed in area as they stand, as new settlements, and can enhance rents any way they like, irrespective of section 29 or any other section of the Bengal Tenancy Act. As the matter is not altogether

The Munsif of Madhipura has recently passed some decisions, agreeing with such malik's views.

free from doubt, and is at any rate debatable, the landlords avail themselves of the situation to enhance rents.

Mauza Channail (thana Supaul, district Bhagalpur) affords a good instance of the kind.

Instances of this kind are not wanting in the estates of the Maharaja of Sonbaria and the Panchgachhia Babus. The situation would appear to be thus :—

A has 4 bighas on Rs. 4 a Re. 1 per bigha. If the mailk enhances the rent to Rs. 6, the enhancement will be declared illegal; but if the powerful malik can take away 1 bigha from him and then raise the rent of the remaining 3 bighas to Rs. 6, he may be supported in the eye of law.



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[No. 21.]

No. 1155R (A)—IS-37, dated Ranchi, the 20th June 1912.

From—J. F. GRUNING, Esq., I.C.S., Secretary to the Government of Bihar and Orissa, Revenue Department,

To—The Secretary to the Government of India, Department of Revenue and Agriculture.

I am directed to forward, for the information of the Government of India, the final report on the survey and settlement operations in the district of Bhagalpur, together with a covering letter No. 4677, dated the 15th December 1911, from the Director of Land Records, Bengal, to the Board of Revenue of the Lower Provinces. Owing to delay in the Press the final proof did not reach the Government of Bihar and Orissa until last month.

2. The Bhagalpur district was taken up in two portions ; work being begun in the north in November 1901 and in the south in the autumn of 1905. The operations continued till 1911 when the recovery of the share of the cost payable by the landlords and tenants was completed. At the time of the permanent settlement large tracts in the north of the district had gone out of cultivation while the Ghatwali areas in the south were in a state of unrest. In these circumstances the zamindars not unnaturally hesitated to accept responsibility for the payment of the revenue and the sums assessed were very low. In some parganas the assessment was below that in force in the time of Akbar while the incidence of the land revenue over the whole district is only three annas and four pies an acre.

3. The Lieutenant-Governor endorses the opinion of the Director of Land Records as to the wisdom of the decision to extend the settlement proceedings to Bhagalpur. The report shows that section 29 of the Bengal Tenancy Act had practically become a dead letter and that illegal enhancements of rent were common throughout the district. In his interesting note, which forms an appendix to the report, Babu Charu Chandra Kumar has described in detail no less than 14 methods employed to force raiyats to agree to pay enhanced rents. Provided that a zamindar can induce his raiyat not to object, the Civil Courts will not in practice go behind the terms of a compromise in order to see whether it contravenes the provisions of section 29, nor do they as a rule make use of section 35 which enables them to refuse to decree an enhancement which is unfair or inequitable. There can be no doubt therefore that it is greatly to the advantage of the raiyats to have their rents fixed by the Settlement Courts. His Honour's attention has been drawn to the suggestion made by the Director of Land Records that rents entered in the settlement records should be given finality similar to them which attach to rents recorded under the Chota Nagpur Tenancy Act and the Sonthal Parganas Settlement Regulation. This matter will be taken into consideration when the time comes to amend the Bengal Tenancy Act.

4. The desirability of supporting the headman system wherever it still exists among the aboriginal tribes has long been recognized and measures have been taken to this end in the Sonthal Parganas. The Sonthals, however, have spread far beyond their original boundaries and where they have come under the ordinary law of the land they have invariably proved themselves incapable of coping with the more civilised races. The Settlement Officer has described the course of events in South Bhagalpur. The Sonthals clear the land and bring it under cultivation ; as long as land fit for cultivation remains they submit to the enhancement of rents demanded of them, but when all the fertile waste land has been taken they object to any further increase. The zamindar then replaces their headmen by outsiders with the result that in the end they are often forced to abandon their lands and to seek new homes. It is not easy to devise a means of protecting these simple people, but enquiries will be made in order to ascertain whether any practical

measures can be taken to prevent their headmen from being ousted from their possessions in favour of strangers and to secure to them the lands which their labour has reclaimed from the jungle.

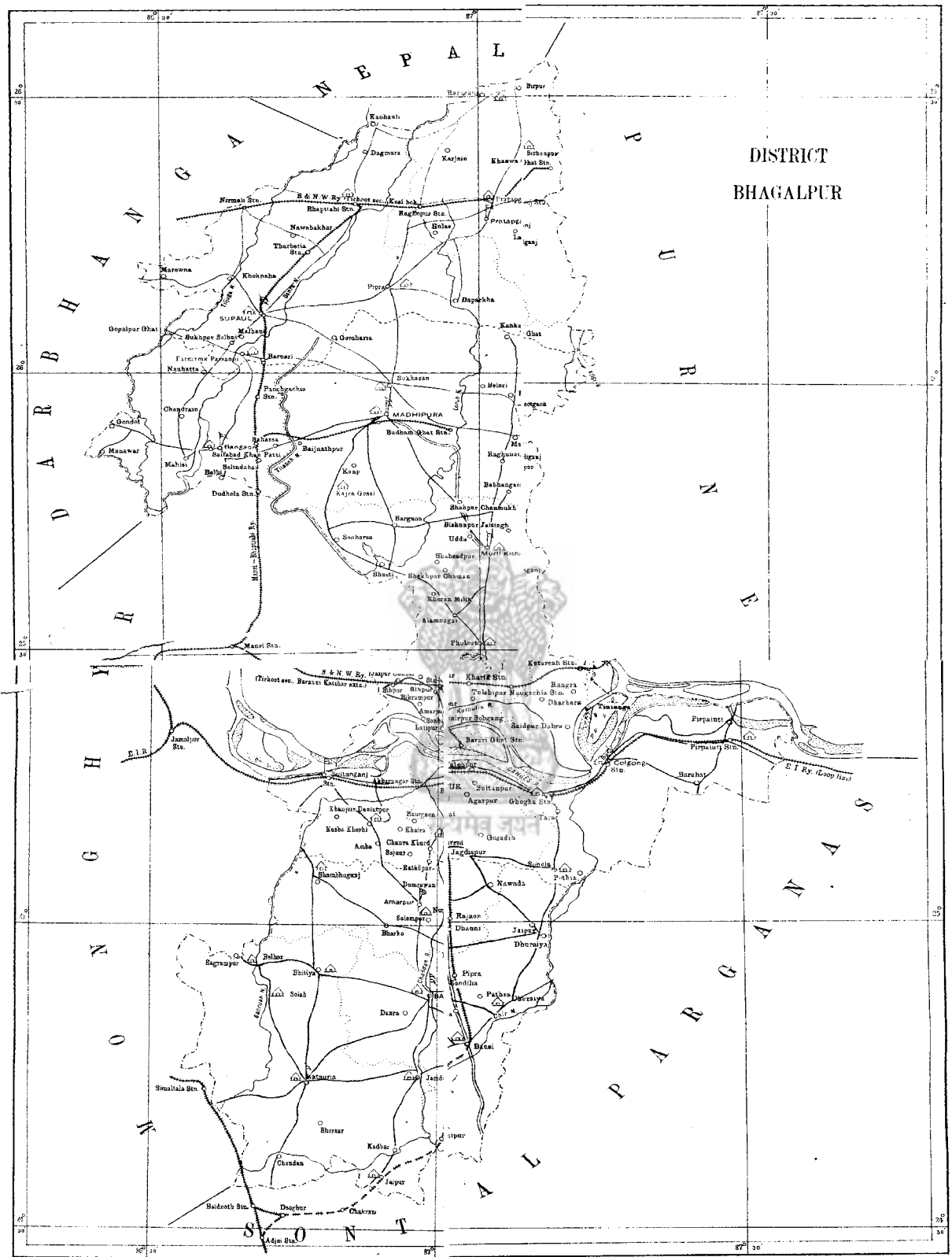
5. The question of the reconciliation of the Collector's land registers and the settlement records is under examination, and orders will issue in due course.

6. Practically the whole of the share of the cost due from the landlords and tenants has been recovered with little difficulty. In North Bhagalpur out of a total demand of Rs. 4,90,284 all but Rs. 43 has been paid, while in South Bhagalpur, out of a demand of Rs. 4,60,764, only Rs. 4,240, due from the portion of the Banaili estate which is under the management of the Court of Wards, remain unrealized.

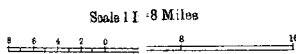
7. The Lieutenant-Governor has read with pleasure this interesting report and desires to acknowledge the care and attention which Mr. Murphy has given to his difficult task.



DISTRICT BHAGALPUR



District boundary	.....
Sub-Division	.....
Thana	.....
Bhainsa Sub-Division, Police	.....



Railway	.....
Mettled Road	.....
Unmettled	.....
Inspection Bungalow	.....