

## CHAPTER X.

### LAND REVENUE ADMINISTRATION.

#### REVENUE HISTORY.

The district of Shahabad under Moghal Administration combined in it the two *Sarkars* of Shahabad and Rohtas. *Sarkar* Chausa formed a separate administrative unit. *Sarkar* Shahabad included in it the northern portions of the present district with the addition of the three important *parganas* of Ratan, Kotah and Mangror. The *Sarkar* Rohtas included in it *parganas* of Chainpur, Sasaram and Rohtas and Siris, Kutumba, Japla and Balaunija on the eastern bank of the Sone. They had got separate revenue rolls and were separate administrative units, under *Faujdar*. These revenue rolls changed from time to time. Under Alivardi Khan's revision in 1750, the assessment of *Sarkar* Shahabad was raised to Rs. 8,26,845 from Rs. 7,77,295 and that of *Sarkar* Rohtas was raised to Rs. 5,39,565 from Rs. 4,55,588. This assessment was raised under Kasim Ali to Rs. 15,47,055 in respect of *Sarkar* Shahabad and Rs. 13,94,218 in respect of Rohtas.

This assessment was again revised by Mohammd Reza Khan in 1766. It is thus observed that the Revenue assessment of the district had a very fluctuating tendency and a gradual increment was common under Moghal Administration.

#### REVENUE ADMINISTRATION, 1766—81.

In the treaties of August, 1765 Shitab Rai, the Imperial *Diwan* was appointed to receive for the Emperor Shah Alam, the annual sum of twenty-six lakhs of rupees. In 1766 he became the Company's *Diwan* for Bihar, and though he still retained the title of Imperial *Diwan*, with an additional title of Maharaja Bahadur, the responsibility for transmitting the reserved revenue was transferred by the Emperor to Moniruddoula. From 1766 settlements were made by Shitab Rai who was nominally controlled by the Chief of Patna Factory, styled at first as Collector of Bihar and in 1769 styled as Supervisor.

In 1770 the Revenue Council at Patna was constituted to supervise revenue matters, and from the very beginning, the Council had intervened in matters of detail. The revenues were formed on a five years term in 1772, and the arrangement remained in existence till 1771. The Directors of the Company announced their desire to stand forth as *Diwan* and ordered that Shitab Rai's post be abolished and that an enquiry should be held into his administration during the famine of 1770. Shitab Rai returned to Patna to die of its

shock, but his son Kallian Singh was appointed in succession to him to the office of the Company's *Diwan*, with Khiali Ram and Sadhu Ram as his *naibs*. Kallian Singh's post was practically sinecure, because the Council continued to administer with increasing inefficiency. From 1776 to 1780 the quinquennial form was continued by annual settlements, but in 1781 the Council was abolished. Maharaja Kallian Singh became the Farmer-General for Bihar and he divided his farm with one of his *naibs*, Raja Khiali Ram, the Agarwala financier of Patna. William Maxwell was appointed as the Revenue Chief to supervise the revenue matters of Bihar. On his death in 1781, he was succeeded by William Augustus Brooke, who remained in his office till it was abolished in 1787.

#### ADMINISTRATION UNDER REVENUE CHIEFS, 1781-87.

In the revenue division of Bihar, Raja Khiali Ram held the least remunerative and the most troublesome *parganas*. These were *parganas* Chainpur and Sasaram and the rest of *Sarkar* Rohtas, an area particularly affected by the disturbances at the time of Raja Chait Singh.

#### SEPARATION OF ROHTAS DISTRICT, 1784.

A large area was cut off from the district in 1784 from the Revenue Chief's jurisdiction, leaving him only the north and west of *Zilla Bihar*, and the old *Sarkar* Shahabad. The new district of Rohtas included Chainpur and Sasaram *parganas* with the *pargana* east of them across the Sone, up to and including the Tikari zamindari. Thomas Law was appointed Magistrate and Collector of the district with headquarters at Gaya.

#### ANNUAL SETTLEMENTS 1785-87.

Brooke pressed for a settlement for a term of at least five years, but he was ordered to continue Shore's settlement by annual extensions. In 1786 a thousand *raiya*ts of Danwar *pargana* exasperated by the exactions of the farmer Santokh Rai, deserted to Sasaram. Brooke asked Thomas Law to hand over the absconders to the farmer, but Law declined, seeing that there must have been real oppression to drive the cultivators to leave their land and home. Some idea of the exactions attempted by the farmer may be gathered from the *Abwabs* levied by Dost Dewan Singh of Dumraon, who held the farm of the northern *parganas*. Brooke found him in 1787 attempting to collect as rent over three-fourths of the produce, but he declined to permit the exaction of rent at this rate, holding the farmer to be not following his covenants which prohibited the collection of more than nine-sixteenth of the produce. This rate had been fixed as the maximum rate by the Patna Council on November 5th 1770, and the standard form of the farmer's *Kabuliyat* contained an undertaking not to collect at higher rates on any pretext.

## CREATION OF SHAHABAD DISTRICT, 1787.

Early in 1787 the Government of Lord Cornwallis decided to divide the country into collectorships of moderate size, in preparation of the new settlement for a term of at least ten years. It was proposed that the collections of a single district should not exceed five lakhs of rupees, but this standard was not observed in south Bihar, where the new districts were large. *Zilla Rohtas* was split up. Its eastern portion formed part of Thomas Laaw's new district of Bihar; while the western portion fell into Shahabad district, of which William Augustus Brooke became the first Collector. The Shahabad district as then constituted, consisted of the areas now included in Shahabad, without Chausa and with the addition of the *Doaba* pargana on the northern bank of the Ganga. The new arrangement was brought into effect in July 1787.

## JOHN SHORE'S SETTLEMENT, 1783-85.

John Shore was specially deputed to make a resettlement of Bihar, which he did in the last three months of 1783. The whole of Shahabad was settled with Ahmad Ali Khan, one of the great revenue farmers, for three years at the annual *Jama* of Rs. 9,10,208. Ahmad Ali tried hard to fulfil the engagement, but he was in trouble from the beginning of the farm and he had to resign in 1785. Renters in those days enjoyed large powers of distraint and of coercion of *raiyyats*, but Shahabad was not a favourable place for the exercise of such powers.

In the rainy season of 1785 Chaudhri Dhawal Singh of Dinara attacked Ahmad Ali Khan's office, and after killing four men and wounding thirteen others, he looted the treasury and released the defaulters, who were in confinement. Ahmad Ali Khan complained that the *raiyyats* would beat his *sarawals*. It was evident that it had been very difficult to realise the stipulated revenue and that the attempt was accompanied by considerable amount of oppression of *raiyyats*. Rai Bakshi, son of Raja Khiali Ram already held a permanent settled estate of Pawarah, but in 1792 he defaulted and his estate was confiscated and settled with petty landlords. In Arrah, Behea, Danwar and Dinara, Nurul Hussain Khan, an ancestor of Koath family held a large estate of which he had been for some years out of possession and held some villages in lieu of *malikana*. He had sold or mortgaged many of these villages, whereby complications arose, which made it difficult to throw back the *malikana* land into zamindari which was a necessary condition for settling the whole with the zamindars. Consequently he was left in possession of his *malikana* villages and the rest of the estate was settled with farmers, who were already in possession of the portions.

Similar settlements were made in the south of the district, that is, in Sasaram and Bhabua area. While making settlement in Chainpur *pargana* some land was held in Khas possession of the Government, which forms the present day Government estates in Kaimur hills.

Considerate views were taken in making settlements and allowing *malikana* land to those zamindars who held high status in the society and were on good terms with the Government.

#### THE DECENNIAL SYSTEM.

In August of 1787 general directions were issued to Collectors to make preparations for the new settlement, which was to be made for a period of ten years, where possible, with the zamindars. At the end of the year Thomas Law prepared his *Mukarrari* plan, for the resettlement of the Narhat-Samai country; and the scheme for a permanent settlement was supported by Brooke, who had certainly seen enough of the evils of the farming system and other short-term settlements. The new settlement was for a term of ten years from 1789, but in 1793 it was made permanent. More than half of the area of the old *Sarkar* Shahabad was settled with the heads of the three great branches of the Rajput family, which had for so long been predominant in this part of the district, Raja Bikramajit Singh of Dumraon, and his kinsmen, Bhupnarain Singh and Bhagwat Singh of Jagdishpore and Buxar respectively. There would have been justification for excluding Chaudhri Dhawal Singh from settlement, but his past violence was condoned; and most of the Dinara area was settled with him.

In the south of the district, the ancient Rajput family which had originally ruled at Chainpur had been ousted early in the 16th century by the Pathans. The head of the family Raja Arimardan Singh of Bhagwanpur had been recognised as zamindar by Muhammad Raza Khan in 1766. The collateral relations of Arimardan Singh held small estates at Ramgarh and Jaitpur. These smaller zamindars obtained settlement in 1789, but the main estates had been confiscated in 1785 when Arimardan Singh had murdered a neighbour, and the greater part of Chainpur was settled with small proprietors, while a part was held by Government as *Khas*, forming the present Government estates in the *Kaimur* hills in the Bhabua subdivision. In the Sasaram *parganas* a Rajput, named Pahalwan Singh had established himself in the first half of the 18th century in a manner, much resembling that of Kamgar Khan in Hasua in Gaya district but the status of his descendants Jagannath Singh and Sannaut Singh had been definitely recognised by the Patna Council, and they were admitted to the settlement of the villages in which their zamindari rights had been acknowledged, while the rest of the *pargana* was settled with petty proprietor-collectors of rent in villages (*mukaddams*) or such in groups of villages (*Chaudhuris*). Haveli Rohtas did not come under the settlement in 1789.

#### CHAUSA PARGANA.

The Revenue history of Chausa *pargana* has proceeded on different lines from the rest of the district. This *pargana* formed part of *Sarkar* Ghazipur in Akbar's time. The *Sarkar* was acquired

by Balwant Singh, the father of Chait Singh between 1740 and 1770 and formed part of the great zamindari of Benaras, which fell to the company in 1775. The zamindari was left by the company with Chait Singh until his rebellion in 1781. Thereafter it was resumed and settled in farm with Raja Mahip Narain in 1783; but in 1794 when the settlement was about to expire, the engagement made was thrown away. In the following year the zamindars accepted new settlement except *Taluqa* Indapur and these settlements were made permanent.

In 1882 Mr. Dunsmure, the Collector of Shahabad to which district, the *pargana* was annexed in 1818 revised the assessment of *Taluqa* Indapur and succeeded in bringing on to the Revenue roll considerable amount of the land which had escaped assessment earlier.

After a very laborious research, Mr. Dunsmure was able to find the *pargana* Chausa to have been divided into 9 *tappas* containing in the aggregate 535 villages *asali* and *dakhili*.

In 1822, the demand from the permanently settled portion of Chausa Pargana was Rs. 40,548 and that for the rest was Rs. 23,650. The result of Dunsmure's settlement was that the latter was raised to Rs. 50,487. The bulk of settlement was accepted by the zamindars both in Indapur *Taluqa* and in the "*Wirani*" villages and it was proposed to make these permanent. Other portions were to be leased to farmers but they failed to keep their engagement and the estate became "*Khas*" again. In the end it was left as a temporary settlement for 10 years with those zamindars who accepted it, while elsewhere the estates were taken in *Khas* management.

#### CONFISCATIONS IN 1857.

In 1857-58, 869 estates of rebels in the district were confiscated, of which the most important was that of Babu Kuar Singh of Jagdishpur, successors of Babu Bhup Narain of 1781. This resulted in a considerable increase in the revenue demand, an addition of Rs. 1,75,000 having accrued from Jagdishpur estate alone. By 1858 the total demand went up to Rs. 15,81,241.

Apart from the temporarily settled estates, there were 103 estates held direct by Government in 1908 with a rental of Rs. 2,22,629. These included the ancient *Nizamati* area of Buxar Bazar and fort, several estates purchased by Government in default of bidders at Revenue sales, some alluvial accretions in the Ganga and estates in the Bhabua subdivision confiscated on the outlay of the zamindar Arimardan Singh in 1785.

#### BANSKATI MAHAL.

Among these estates the *Banskati Mahal* calls for special mention. It is an exceptional and unique estate in a permanently settled district as Government does not possess any proprietary

rights in the land, but only incorporeal rights to certain spontaneous products, fuel, grass, minerals, etc. The estate was in the Rohtas *pargana*, which was held in *Jagir* by Raja Shah Mal and his family from 1765 to 1812, as has been already described. Raja Shah Mal imposed a duty on all wood, bamboos and other forest produce taken out of any part of the *pargana*. When the estate was resumed and settled, Government retained the Rohtas plateau as its property together with the *Banskati Mahal* or the right which Shah Mal and Harbans Rai had exercised of collecting spontaneous products or of levying duties on them when collected by others. The *mahal* was farmed out, except for a brief interval until 1885; but since that time it has been managed direct by the officers of Government.

The right to levy *Banskati* dues extended over about two hundred square miles, and 108 villages were subject to them. The *mahal* was once conterminous with the whole of the Rohtas *pargana*; but various causes have reduced it to its present dimensions, such as mismanagement for many years and the special exemption of different portions.

Thus for the twelve *mauzas* retained by Shah Mal's family in 1847, the Raja of Sonpura, owner of *mahal* Khandaul, an estate covering over sixty square miles and containing 39 *mauzas* in the Sone Valley and the slopes beyond Rohtas, succeeded in obtaining an order from the Commissioner, declaring that the *mahal* was not subject to *Banskati* dues. Lastly, Kachhuhar, an estate extending for over forty square miles on the plateau and the slopes north of the Akbarpur valley, which had been confiscated from Kuar Singh, was also exempted in 1863 from the *Banskati Mahal* by virtue of revenue-free grant, which Government had made of the estate of Mr. Bingham in recognition of the services rendered by him in the rising of 1857.

Dues are levied in various ways. Grazing fees are charged for the privilege of pasturage. A yearly fee was paid by each person carrying the trade of lime kilns for each kiln of a separate size. Permit fees were levied on person entering the forests to collect produce; and when products were collected for exportation, a duty calculated on the amount exported was levied at toll stations. The list of duties is curious. It included such entries as permit fees for collecting cocoons, special fees for cutting wood by comb-makers and carpenters, for Kharwars and inhabitants living near Koel; fees paid by shoe-makers and basket-makers for collecting bark and bamboo shoots, and duties on catechu, *Mahua*, drift wood, mill stones, etc. The tariff was primitive but the duties were of great antiquity and were well understood.

#### MR. MYLNE'S ESTATE.

Among the temporarily settled estates after the 1857 confiscation, Mr. Mylne's estate was the largest. Mr. Earnest Mylne was one

of the partners of the late Mr. Burrows who between 1858 and 1861 obtained settlement of a large area which had been confiscated from Babu Kuar Singh. This included a large area under jungle, which the lessee undertook to clear, for which a definite promise of resettlement on the expiry of the lease in 1908 had been given. Even in this area the status of the lessee was doubtful, because the promise of resettlement gave only a right to such terms as might be in force for the settlement of Government *Khas Mahals*. There was a large area outside this jungle *mahal* (the *baharsi* villages), regarding which no promise of resettlement on the expiry of the original term had been made. On the expiry of the leases in 1908, Mr. Mylne was recognised as a temporarily settled proprietor, and a summary settlement was made by the Settlement Officer of south Bihar for a period of twenty years. The revenue on the basis of the assets, was then increased from Rs. 55,196 to Rs. 77,070 while the effect of the settlement proceedings was to increase the proprietors rent roll from Rs. 1,41,528 to Rs. 1,54,141.

#### PERMANENT SETTLEMENT.

The following table shows the assessment of 1766 compared with that of the Decennial Settlement and with the assessment as it stood in 1815 and later in 1876, when the Statistical Account of the district was prepared. The *pargana* has now been abandoned as the revenue unit.

| Sarkar.  | Parganas. | Area in square miles according to Revenue Survey of 1844-45. | Assessment of 1766 according to grant. |           | Decennial Settlement Assessment, 1791. | Revenue in 1815. | Revenue in 1876. |
|----------|-----------|--------------------------------------------------------------|----------------------------------------|-----------|----------------------------------------|------------------|------------------|
|          |           |                                                              | Asal.                                  | Net.      |                                        |                  |                  |
| 1        | 2         | 3                                                            | 4                                      | 5         | 6                                      | 7                | 8                |
|          |           |                                                              | Rs.                                    | Rs.       | Rs.                                    | Rs.              | Rs.              |
| Rohtas   | Rohtas    | 519                                                          | 30,882                                 | Nil       | 11,119                                 | 19,166           | 26,793           |
|          | Chainpur  | 1,028                                                        | 96,161                                 | 3,94,973  | 2,95,517                               | 2,94,914         | 2,29,968         |
|          | Sasaram   | 843                                                          | 2,43,000                               | ..        | 1,55,664                               | 1,61,136         | 2,32,111         |
| Shahabad | Bhojpur   | 424                                                          | 1,73,220                               | ..        | 1,38,521                               | 1,42,771         | 1,62,008         |
|          | Biheh     | 231                                                          | 1,25,000                               | ..        | 1,22,766                               | 1,40,663         | 1,47,681         |
|          | Piro      | 202                                                          | 40,341                                 | ..        | 43,818                                 | 45,449           | 1,62,360         |
|          | Nonaaur   | 107                                                          | 33,691                                 | 6,09,268  | 22,919                                 | 22,149           | 1,05,743         |
|          | Arrah     | 268                                                          | 1,46,663                               | ..        | 1,25,502                               | 1,65,856         | 2,62,735         |
|          | Danwar    | 336                                                          | 1,36,804                               | ..        | 45,584                                 | 5,847            | 78,409           |
|          | Dinarah   | 55                                                           | 1,36,804                               | ..        | 13,025                                 | 17,021           | 21,019           |
|          | Pawar     | 113                                                          | 22,226                                 | ..        | 32,141                                 | 44,594           | 53,604           |
|          | Barahgaon | 84                                                           | 31,226                                 | ..        | 25,075                                 | 28,437           | 35,766           |
| TOTAL    |           | 4,202                                                        | 10,79,214                              | 10,04,241 | 10,30,639                              | 11,34,003        | 16,18,197        |

## PERMANENT SETTLEMENT, 1793.

More than half of the area of old *Sarkar* Shahabad was settled with the heads of the three great branches of the Rajput family which had for so long been predominant in this part of this district, namely, Raja Bikramajit Singh of Dumraon and his kinsmen, Bhupnarain Singh and Bhagwat Singh of Jagadishpur and Buxar respectively. There would have been justification for excluding Chowdhary Dhawal Singh from settlement but his past conduct was condoned and most of the *Diara* areas was settled with him.

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## SURVEY AND SETTLEMENT OPERATIONS.

Between 1844 and 1846, village boundaries were surveyed and a map on the scale of four inches to the mile was prepared by the revenue survey party. In 1863 Survey and Settlement proceedings were carried out under Act IX of 1848 in respect of the *diara* land of the Ganga. Between 1873 and 1878 a cadastral survey was made of the land irrigable from the Sone canals. In 1881–1883 a revenue survey was made under Act V of 1875 for the estates bordering on the Ganga. Between 1901 and 1904 surveys were made and a record-of-rights under B. T. Act (Bengal Tenancy Act, 1885) was prepared for scattered areas, amounting in all to 17,757 acres. A record-of-rights for the rest of the district was prepared by the staff under the Settlement Officer, Bihar between 1908 and 1916.

## ABOLITION OF ZAMINDARIS.

English notion of land ownership which resulted in introducing permanent settlement, was planted on the grounds of expediency in



sincere belief that it would be source of blessing here. But only 26 years later Lord Hastings observed in his Minute of 31st December 1819—"Never was there any measure conceived in a purer spirit of generous humanity and disinterested justice than the plan for the permanent settlement in the lower provinces. It was worthy of the soul of Cornwallis, yet his truly benevolent purpose fashioned with great care and deliberation, has, to our painful knowledge, subjected almost the whole of the lower classes throughout these provinces to the most grievous oppression, too, so guaranteed by our pledge that we are unable to relieve the sufferers". It was only after 66 years, i.e., in 1885 that the Bengal Tenancy Act was passed when some steps were taken to improve the condition of *Raiyats* and to relieve them of the oppression.

#### RELATION BETWEEN LANDLORDS AND TENANTS.

The relation between the landlords and the tenants during the thirties and the forties were not very good, rather strained. During the thirties and even in early twenties, the All-India Congress Committee had decided by resolutions that the zamindari system should be abolished. The tenants had started realizing their rights and interests and were no more to be kept oppressed. Kisan movement started on its peak throughout the district. The causes of the estrangement were firstly, rent being enhanced on the one hand and the rise in the prices of foodgrains on the other. The continued efforts of the *Kisan Sabha* helped much in the growth of the discontent, and also the oppressive tactics of some estates particularly the Dumraon estate, where *abwabs* of very severe types were realized ruthlessly.

In 1924-25 tension in certain villages of the Bhabua subdivision and the Dumraon estate in the Buxar subdivision due to commutation cases, was very high; but since then there was no report of any mishap during the twenties.

The discontent in the Dumraon estate was acute in 1931-32 due to the exaction of very high *salami*. The situation continued to be worsening year by year and by 1940-41 rose to its peak.

During the forties, the relation was strained on the issue of *bakasht* lands, *bhauli* lands, *batai* lands and other similar issues.

The landlords having known that the Congress Government was determined to abolish zamindari system, started dispossessing the tenants of the *bhauli* and *batai* lands. There was widespread agitation among the tenants on the issue of giving their share to the landlords of the produce of the *bhauli* lands. There were several cases under section 40 of the Bihar Tenancy Act. There was the neglect of irrigation by the landlords and the *Kisan Sabha* and Communists were continuing their work exciting the *kisans*.

## ABWABS.

*Abwabs* like *ghee*, *dahi* and fuel were exacted from the tenants in Dumraon estate at the time of festivals and other occasions like marriage and *Saradh* in the family of the zamindar. The estate realized at the rate of one pice per maund of grain sold by the *raiya*t. It also realized grazing charge on *Gairmazrua Am* lands. Several cases took place between the landlords and the tenants on the payment of *abwabs*. The *Karamcharis* of the zamindars were very oppressive in realizing *beyayi* (weighing tax) but they all ended in acquittal. There was a general complaint from the Buxar subdivision that the tax collecting staff of the zamindars levied a small charge of an anna at the time of collection.

## RENT REDUCTION.

The reduction of rent in the district of Shahabad was made under section 112A of B. T. Act (Bengal Tenancy Act) as inserted by the Bihar Tenancy Amendment Act, 1937 (Bihar Act 8 of 1937). The reduction was made on application being made on behalf of the tenants or the landlord or in some cases on the motion of the Collector. The power was conferred only on Deputy Collectors who exercised the power of the Collector for reduction of rents under B. T. Act on the grounds mentioned in several clauses of the afore-said section by virtue of which all the rents of the occupancy holding enhanced under section 29 or under clause (a), (b) or (d) of section 30 between 1st of January, 1911 and 31st of December, 1936, were cancelled. Besides, the rent commuted under section 40 or by agreement between the tenants and the landlord of such holding between the period referred to before, was reduced to such an extent that the reduced rent could bear to the previous rent, the same proportion as the then amount prices bore to the average prices during the decennial period, immediately preceding the time when the rent was commuted. Under the two sections there were a large number of applications filed on behalf of the occupancy tenants and in the majority of these cases, rent reduction was made. There were some cases, but very few where partial or entire remission of rent was made of the holdings, the soil of which deteriorated on account of the deposit of sand on the same or on account of the land going under water. Such cases were mostly in respect of the lands near the river Ganga or on the Sone. The landlord did contest the proceeding up to the Collector generally and in certain cases up to the Commissioner and the Board of Revenue, although the order of Collector in majority of cases remained final.

## RENT COMMUTATION.

During the course of last survey (1907-16) 4,613 applications were filed in the whole of the district and the area covered by the application allowed (3,411 applications) was 7.15 per cent of total area entered in the finally published records, as held by settled or

occupancy *raiyyats* on produce rents. On general average throughout the district it was found that realization by landlords in produce rents, did not in all probability exceed Rs. 5-4-0 per acre. It was also found that the produce rent-paying lands throughout the district were distinctly inferior to the cash-rent lands of the district and landlords were awarded on the average a rent of 25 per cent larger than the average cash rents for these lands and commuted rents in South Shahabad were so favourably received by the landlords that some of them applied for commutation.

But even after the major settlement operation which was completed in 1916, there remained in the district a good number of lands in which the landlords realized produce rent which varied from place to place and even from landlord to landlord, who in some cases realized produce rent arbitrarily. To do away with this system, which was of the oppressive nature, section 40 (1) of the Bihar Tenancy Act was provided for both the *raiyyats* and the landlords to apply to get the rent commuted, and this measure resulted in the commutation of a good number of lands having produce rents. After the abolition of entire intermediaries in the district, tenants have been coming up with petition for commutation of the produce rents. Instances are there that at the time of filing returns under Bihar Land Reforms Act, 1950, landlords fixed rents arbitrarily high against the tenants in such kinds of lands and all these cases are being tackled now by the revenue staff employed in zamindari work.

#### BAKASHT DISPUTE.

(a) The Bihar Act IX of 1938, i.e., the Bihar Restoration of *Bakasht* Lands which received the assent of the Governor on 11th October, 1938 was passed to provide for the restoration to the former tenants of certain lands which were sold for arrear of rents between 1st of January 1929 and 31st of December, 1937 on account of the inability of the tenants to pay such arrears by reason of unprecedented fall in prices between the said dates.

(b) *Bakasht Dispute Settlement Act, 1947 (Bihar Act XIII of 1947).*—The main feature of the Act is to refer any dispute regarding *Bakasht* lands which may be necessary for the maintenance of peace and order to a Board under Government Notification consisting of the Chairman, who shall be an independent person and two members representing the parties. The duty of the Board is to bring about amicable settlement of the dispute or to decide the issue in case no amicable settlement is reached. The opinion of the majority in case of disagreement is to prevail and the decision of the Board shall not be subject to any appeal or revision.

The Congress had pledged itself to a set of agrarian reforms including abolition of zamindari as a step towards removal of tremendous inequalities in the society.

Measures of land reforms have a special significance, both because they provide social, economic and institutional framework for agricultural development and because of the influence they exert on the life of the vast majority of the population. Indeed, their impact extends much beyond the rural economy. With the increase in population, growth of towns and industrial centres and improvement in incomes and standard of living, the internal demand for food is increasing in volume and becoming more diverse. The ambitious programmes for industrial development also depend largely upon the capacity of Indian agriculture to provide the surpluses needed and to meet steadily increasing claims both on raw materials and on food production.

Against the background of these complications, the objectives of land reform are twofold; firstly, to remove such impediments upon agricultural production as arise from the character of the agrarian structure, and secondly, to create conditions for evolving as speedily as possible an agrarian economy with high levels of efficiency and productivity. These aspects are inter-related. To achieve these major objectives of land reforms, came the abolition of intermediaries, tenancy reforms and ceiling on land, which are steps in right direction to stabilise the agrarian structure and reduce the disparities in land ownership. The steps taken by the Bihar Government towards the abolition of intermediaries were the passing of the Bihar State Management of Estates and Tenures Act, 1949 and the Abolition of Zamindaris Act of 1949. The former Act, i.e., the Bihar State Management of Estates and Tenures Act, 1949 which received the assent of the Governor-General on 29th September, 1949 was however not for the abolition of intermediaries but was an interim step in that direction by providing the estates and tenures to be passed over to the management of the State Government on proper notification of the same, in the *Bihar Gazette* as provided in the Act. But the Act, which was of the interim type, was declared *ultra vires* according to the Indian Constitution (1950) by the Patna High Court. The Bihar State Acquisition of Zamindaris Bill was introduced in the State Legislative Assembly and was passed in 1948. It was then sent for the consideration of the Governor-General of India under the Government of India Act, 1935. The Bill was referred back for amending certain portions dealing with mineral rights. The amended Bill was introduced and passed by the Bihar Legislatures in 1949 and after the Bill had received the assent of the Governor-General on 6th July, 1949, it became an Act in the same year.

The validity of the Act was challenged by certain landlords and the Patna High Court allowed some injunctions in the year 1950. Meanwhile it was felt that the Act did not have sufficient provisions for land reforms, and it has also certain constitutional defects and hence it was decided to repeal it, which was later on done by the

Bihar Abolition of Zamindari Repealing Act of 1950. In the year 1950 it was decided to introduce another comprehensive Bill. Accordingly, the Bihar Land Reforms Bill was introduced which provided for making over management of estates to Gram Panchayats, if the Provincial Government so decided, and for formation of a Land Commission consisting of both officials and non-officials to advise the Government regarding the agrarian policy to be followed. The Bill was passed by both the Houses of Bihar Legislatures in the year 1950 and it received the assent of the President on 11th September in 1950 and was declared as an Act. It came into force from 25th September, 1950.

The validity of the Act was challenged in Patna High Court in 1950 which decided that the Act contravened Article 14 of the Constitution, and was, therefore, null and void. The State Government considered the matter afresh in consultation with the Government of India, and it was thought that such an important issue of land reforms could not be delayed and that the constitution should be specifically amended so that such legislations could not be challenged in future. Accordingly the Constitutional Amendment Bill was introduced in Union Parliament in 1951 by Prime Minister Nehru which *inter alia* provided for certain amendments of Article 31 of the Constitution.

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The Bill was passed by Parliament and it received the assent of the President and was included in the Constitution. The amending Act provided *inter alia* that the Bihar Land Reforms Act would not be deemed to be void or even to have been void on the ground that it took away any of the rights conferred by or any provisions of Part III, and notwithstanding any judgment, decree or order of any Court or tribunal to the contrary, the Act would continue in force.

Some of the landlords challenged the validity of Parliament to amend the Constitution and the Supreme Court issued injunction against taking over the estates under the Bihar Land Reforms Act. The Supreme Court ultimately rejected the application of the landlords and decided that the constitutional amendment was valid.

Some landlords again took the matter to Supreme Court and got an injunction against taking possession of their estates under the Bihar Land Reforms Act, pending the decision of the Supreme Court regarding the validity of the Bihar Land Reforms Act. The Supreme Court held that the Act was a valid legislation, but three of the learned Judges held that the State would not have any claim on the arrear rents, and would not be entitled to make any deduction on account of works of benefit to the tenantry. It was after this decision that the implementation of the Act started in 1952 in Shahabad.

The following table will indicate the total number of estates in different categories and the total demand and receipt under them during the years 1924-25, 1929-30, 1934-35, 1939-40, 1944-45 and 1949-50:—

| Kinds of Estates.                              | 1924-25. |          |          | 1929-30. |              |           | 1934-35. |         |          |              |           |          |    |    |    |
|------------------------------------------------|----------|----------|----------|----------|--------------|-----------|----------|---------|----------|--------------|-----------|----------|----|----|----|
|                                                | Number.  | Demand.  | Receipt. | Number.  | Demand.      | Receipt.  | Number.  | Demand. | Receipt. |              |           |          |    |    |    |
|                                                | 1        | 2        | 3        | 4        | 5            | 6         | 7        | 8       | 9        | 10           |           |          |    |    |    |
|                                                |          | Rs.      | a.       | p.       | Rs.          |           | Rs.      | a.      | p.       | Rs.          |           |          |    |    |    |
| Permanently settled Estates                    | ..       | ..       | ..       | ..       | 12,989       | 15,00,969 | 1        | 11      | ..       | 13,932       | 15,14,958 | 14       | 8  | .. |    |
| Permanently settled Estates<br>(Revenue Free). | ..       | ..       | ..       | ..       | 735<br>Cess. | 23,096    | 3        | 0       | ..       | 752<br>Cess. | 27,908    | 5        | 0  | .. |    |
| Temporarily settled Estates                    | 528      | 1,72,828 | 10       | 9        | ..           | 539       | 1,76,663 | 3       | 7        | ..           | 559       | 1,75,959 | 1  | 7  | .. |
| Government Estates                             | ..       | ..       | ..       | ..       | ..           | ..        | ..       | ..      | ..       | ..           | ..        | ..       | .. | .. |    |

| Kinds of Estates.                              | 1939-40.     |                 |          | 1944-45.     |           |          | 1949-50. |           |              |           |    |    |           |
|------------------------------------------------|--------------|-----------------|----------|--------------|-----------|----------|----------|-----------|--------------|-----------|----|----|-----------|
|                                                | Number.      | Demand.         | Receipt. | Number.      | Demand.   | Receipt. | Number.  | Demand.   | Receipt.     |           |    |    |           |
|                                                | 11           | 12              | 13       | 14           | 15        | 16       | 17       | 18        | 19           |           |    |    |           |
|                                                |              | Rs.             | Rs.      |              | Rs.       | a.       | p.       | Rs.       |              | Rs.       | a. | p. | Rs.       |
| Permanently settled Estates                    | 14,244       | 15,19,255       | 4,92,735 | 14,357       | 15,17,951 | 9        | 2        | 15,13,711 | 14,431       | 15,19,387 | 14 | 6  | 14,84,633 |
| Permanently settled Estates<br>(Revenue Free). | 789<br>Cess. | 27,908<br>Cess. | 16,191   | 817<br>Cess. | 26,870    | 0        | 0        | 17,640    | 821<br>Cess. | 40,182    | 0  | 0  | 14,035    |
| Temporarily Settled Estates                    | 570          | 1,82,591        | 1,80,117 | 573          | 1,75,922  | 4        | 8        | 1,67,631  | 572          | 1,75,299  | 7  | 1  | 1,46,523  |
| Government Estates                             | 75           | 1,89,533        | 1,05,273 | 79           | 1,76,401  | 0        | 0        | 1,63,969  | 86           | 1,96,993  | 0  | 0  | 1,70,865  |

## OPERATION OF THE ACT.

In the first phase of zamindari abolition all the estates having an income of Rs. 50,000 and above per year, were taken over. The following statement shows the number of estates taken over year by year:—

|      |    |    |    |             |
|------|----|----|----|-------------|
| 1952 | .. | .. | .. | 14 estates. |
| 1953 | .. | .. | .. | 4 „         |
| 1954 | .. | .. | .. | 115 „       |
| 1955 | .. | .. | .. | 766 „       |

Since 1st January, 1956 there has been a complete abolition of intermediaries and all intermediary rights vested in the State. About 14,000 *tauzis* have been taken over as a consequence thereof. Originally 50,797 returns were filed which after amalgamation land-lordwise came down to 26,272 cases involving approximately 70,028 intermediaries including co-sharers.

The following statement shows the payment of *ad-interim* amount and annuity to the institutions in the past years:—

|         |    |    |    | Rs.           | a. | p. |
|---------|----|----|----|---------------|----|----|
| 1953-54 | .. | .. | .. | 3,716         | 0  | 0  |
| 1954-55 | .. | .. | .. | 1,99,417      | 11 | 0  |
| 1955-56 | .. | .. | .. | 1,76,338      | 12 | 0  |
| 1956-57 | .. | .. | .. | 9,45,175      | 5  | 9  |
| 1957-58 |    |    |    | Not available |    |    |
| 1958-59 |    |    |    | Ditto.        |    |    |
| 1959-60 |    |    |    | Ditto.        |    |    |
| 1960-61 |    |    |    | Ditto.        |    |    |

Government have sanctioned the payment of *ad-interim* amount as a relief to the landlords, and this has been distributed as below:—

|                                |    |    | Rs.      | a. | p. |
|--------------------------------|----|----|----------|----|----|
| Arrah Subdivision              | .. | .. | 1,97,651 | 13 | 9  |
| Buxar Subdivision              | .. | .. | 1,55,000 | 0  | 0  |
| Sasaram Subdivision            | .. | .. | 2,30,000 | 0  | 0  |
| Bhabua Subdivision             | .. | .. | 1,85,500 | 0  | 0  |
| Additional Collector's account | .. | .. | 1,31,848 | 2  | 3  |
| TOTAL                          |    |    | 9,00,000 | 0  | 0  |

This *ad-interim* payment had been continued after 1957 also.

## ORGANISATION OF LAND REVENUE DEPARTMENT.

Before the Survey and Settlement Operations of Mr. Hubback in 1916, the Revenue Administration of the district was done on the old pattern of Moghal Administration, that is, *parganawise*, but since 1916 the Revenue Administration of the district was totally changed and new arrangements were made in the administrative units for better management and control. Under the new scheme the district was divided into 11 Revenue *thanas*, each of these having a certain number of villages and each village in turn having its area and revenue rolls of the *thanas* formed the total revenue area of the district.

The following table indicates the administrative pattern of the district for revenue purposes up to 1949-50:—

| Subdivision.  | Revenue thanas. | Total number of villages. | Area in acres. | Revenue collection in rupees. | Remarks.                                  |
|---------------|-----------------|---------------------------|----------------|-------------------------------|-------------------------------------------|
| 1             | 2               | 3                         | 4              | 5                             | 6                                         |
| Arrah (Sadar) | Arrah ..        | 446                       | 2,18,967       | 9,652                         |                                           |
|               | Piro ..         | 449                       | 2,02,266       | 6,166                         |                                           |
|               | Shahpore ..     | 297                       | 1,47,782       | 3,879                         |                                           |
|               |                 |                           |                | 55,105                        | Mr. Mylne's Estates in Piro and Shahpore. |
| Buxar         | Buxar ..        | 614                       | 1,93,412       | 81,556                        |                                           |
|               | Dumraon ..      | 470                       | 2,01,928       | 4,265                         |                                           |
| Sasaram       | Sasaram ..      | 704                       | 4,37,715       | 9,992                         |                                           |
|               | Dehri ..        | 180                       | 1,06,690       | 10,739                        |                                           |
|               | Bikramgunj      | 693                       | 2,33,542       | 3,001                         |                                           |
|               | Karghar ..      | 502                       | 1,69,553       | 12,465                        |                                           |
| Bhabua        | Bhabua ..       | 1,038                     | 5,82,725       | 361                           |                                           |
|               | Mohania ..      | 677                       | 2,46,732       | 9,824                         |                                           |

The following figures indicate the number of Estates of different categories and receipt in 1949-50 under them:—

| Kinds of Estate.                               | Number. | Receipt.  |    |    |
|------------------------------------------------|---------|-----------|----|----|
|                                                |         | Rs.       | a. | p. |
| 1. Permanently settled Estates                 | 14,431  | 14,84,633 | 0  | 0  |
| 2. Permanently settled Estates (Revenue Free). | 821     | Nil       |    |    |
| 3. Temporarily settled Estates                 | 572     | 1,46,523  | 0  | 0  |
| 4. Government Estates ..                       | 86      | 1,70,865  | 0  | 0  |



person he deems fit, for a period of one year only from the 15th June to the next 15th June. For the period, the persons, who are in cultivating possession of the land, are required to pay to the occupier the rent, thereof, payable to the landlord.

The Bihar Waste Land Reclamation and Cultivation Improvement Act, 1946 empowers the Collector to take temporary possession of any waste land, with a view to bringing it under cultivation. The period of such reclamation cannot exceed ten years and the Collector is required to retain the land in *Khas* possession and to make arrangements for its reclamation, cultivation and improvement.

Government have decided to introduce the Consolidation of Holdings and Prevention of Fragmentation Bill in order to check the rapid fragmentation of the land holdings and to consolidate the fragmented land pieces for an extensive and intensive cultivation. The Bill received the President's assent on the 6th September, 1956 and was published in the *Bihar Gazette* on 10th October, 1956.

Government have introduced another Bill, called Bihar Agricultural Land Ceiling and Management Bill in 1955, which has been considered by the State Legislature and has been submitted to a Select Committee. This Bill intends to fix the ceilings on land.

#### LAND TENURES.

Before the Zamindari abolition period, there were certain intermediate tenure-holders in the district, between the proprietor (who held his estate from Government) and the actual cultivator. The most common tenure as reported in the old Gazetteer, is that of the *zarpeshgi thikadar*. The *zarpeshgidar* pays a certain sum to the proprietor, in consideration of which, he is entitled to collect rent from the cultivator for a term of few years, a portion of the annual collections being credited towards liquidation of the *zarpeshgi* debts, where the contract is of this nature. The tenure ends with the lease but when the *zarpeshgi* money is so high that the whole profit from the collection is absorbed by the interest on the original advance, the lease is definitely a usufructuary mortgage, and it continues till the proprietor can obtain the means of reducing it. The lease was also common whereby the proprietor leased the village or villages to the tenure-holders, who might or might not have paid premium of *nazrana* on entry.

The *thikadar* collected the rent from the *raiya*s and paid a certain sum annually to the landlord, who thereby avoided the trouble of collecting the rent himself. There is always a condition in such lease that the lessee shall have no power to create permanent tenures, but such a condition can hardly bar the acquisition of permanent rights by a settled *raiya*, who has taken in good faith the land, which happened to be abandoned during the pendency of the lease.

The *thikadar* tried to settle with his relations land of this nature, and also proprietor's private land, and disputes arising from these transactions gave much work to the Civil Courts.

Another more dignified form of tenure was *Mukarrari* which was less common than the temporary tenures. It is a grant at a fixed rent which may be permanent and heritable (*istmrari mukarrari*) or a grant for life (*hinhayati mukarrari*). Considerable grants of *istmrari* and *hinhayati* have been made by the zamindars of this district from time to time.

#### *Guzastadars.*

*Gazastadars* were *raiya*s at fixed rates and enjoyed permanent tenures. They held, as the old Gazetteer reports, 28½ per cent of the occupied areas in the two northern subdivisions. These *raiya*s, as have been estimated, were originally village *maliks*, but the distinguishing mark of a *malik* is his right to *malikana* of which we find no trace here. The name by which they were commonly known, appeared at first sight to lend plausibility to a theory, that they are descendants of some kind of military *jagirdars*, but they did not, before the permanent settlement, hold at privileged rates. Mr. Hubback thinks that the term *Guzastadar* merely implies that the *raiya*s have occupied their holdings from time anterior to the Permanent Settlement.

The *Guzastadars* are evidently representatives of *Khudkasta raiya*s of the 18th century, who have been successful in preserving their rights up till now (before zamindari abolition). Dr. Buchanan remarks that the Judge at Arrah had decided before 1812 that their rents could not be enhanced on the expiry of the term, for which *pattas* had been granted under the permanent settlement. This might have accounted for the survival of their rights. The subject of the treatment of claims of the *raiya*s to be *Guzastadars* in the sense of the *raiya*s at fixed rents took a large portion of time of the Attestation Officer during the last survey. Such *raiya*s said that their rents had never been or could not be altered by their landlords. Mr. Philip, the Assistant Settlement Officer incharge, after a careful enquiry, held that roughly speaking the tract in which the *Guzastadars* held its full meaning was that which lay north of East Indian Railway main lines. In the case, Mr. Murphy, the then Settlement Officer issued instruction to the effect that *Guzastadars* were to be given the status of "*Shareh Muayan*" which is the vernacular phrase used in Bihar to denote fixed rent holdings within the meaning of Bengal Tenancy Act, and accordingly a circular was issued by the Settlement Officer that all *raiya*s who claimed to have *Guzastadar*-holding should be recorded as "*Shareh Muayan*" unless the landlords could prove that the rent of the holdings had ever been enhanced or had been converted from *Bhau*li to *Nagdi* or that holdings had been created from the date of the permanent settlement.

It will appear accordingly that *raiya*s generally claimed that one of the incidence of *Guzastadar* tenancy was a right to hold lands at fixed rents. As regards the boundary of the true *Guzasta* area it was found that true *Guzasta* tenancies existed in Bikramganj and Piro while in Buxar, Dumraon and Shahpur the area covered was to be mainly north of Eastern Railway main lines.

Besides the passing of Land Reforms Act, 1950, a number of other measures have also been taken with a view to secure the rights of tenants of scheduled castes and under-*raiya*s. The Bihar Tenancy (Amendment) Act, 1955 (Bihar Act XIX of 1955) and the Bihar Tenancy (Second Amendment) Act, 1955 (Bihar Act XXIV of 1955) were passed in the Bihar Legislative Assembly and were assented to by the Governor on the 2nd November, 1955 and the 22nd November, 1955 respectively.

Salient provisions in the first Act, i.e., Bihar Tenancy (Amendment) Act, 1955 (Bihar Act XIX of 1955) are as below:—

- (1) The financial year beginning from 1st day of April was taken as an agricultural year to facilitate collections of land revenue and its accounting as in the matter of collection of other Government dues.
- (2) For the words "ABORIGINALS" in the heading of the Chapter VIIA of the Bihar Tenancy Act which dealt on the restriction on alienation of land by aboriginals, the words "protected tenants" were substituted so as to include scheduled tribes, scheduled castes and backward classes.
- (3) Settlement of waste lands belonging to the State Government was henceafter required to be made by a *patta*.
- (4) With a view to see that the waste land settled is brought under cultivation, it has been laid down in the Act that in the event of any land not being brought under cultivation within a period of five years from the date of settlement or the land being alienated in contravention of the provision, it shall be open to the Collector of the District to set aside the settlement and to make re-settlement of the land.

Salient provisions of the second amendment of the Tenancy Act (Bihar Act XXIV of 1955); which was brought only with a view to safeguard the rights and interest of under-*raiya*s are as below:—

- (1) A limit to the extent of not exceeding 7/20th of the produce of the land has been fixed as produce rent to be recoverable from under-*raiya*s.
- (2) Restrictions on payment of certain kinds of rent by an under-*raiya*t such as *danabandi*, *manhunda*, *mankhat* or *chaurahi* under which fixed rent in kind is payable, have been put on.

- (3) An important feature of the amendment is the power provided in the Act to restore possession of under-*raiyats* unlawfully ejected. The Collector has been empowered to take *suo moto* action under section 48 (E) of the Act.

#### BHOODAN.

The District Bhoodan Movement was started in 1952 and accordingly a District Bhoodan Committee was formed. Till 1956 there were 2,260 donators in the district and 82,063.64½ acres of land have been donated in the *Bhoodan Yagna*.

The following table shows the details of the lands:—

| Subdivision.  | Thana (police-station). | Donors. | Acres of land. |              |  |
|---------------|-------------------------|---------|----------------|--------------|--|
| Sadar (Arrah) | Jagdishpur              | 145     | 229 acres      | 1½ decimals. |  |
|               | Sandes                  | 97      | 100 "          | 73 "         |  |
| Sasaram       | Dehri                   | 344     | 223 "          | 18½ "        |  |
|               | Nokha                   | 22      | 7 "            | 8½ "         |  |
|               | Bikramganj              | 94      | 216 "          | 5½ "         |  |
|               | Nasriganj               | 46      | 47 "           | 17½ "        |  |
|               | Rohtas                  | 460     | 32,469 "       | 87½ "        |  |
|               | Chenari                 | 391     | 6,092 "        | 4 "          |  |
|               | Sasaram                 | 474     | 42,330 "       | 5½ "         |  |
|               | Karghar                 | 98      | 76 "           | 91 "         |  |
| Bhabua        | Kudra                   | 89      | 270 "          | 18 "         |  |
| Buxar         | Buxar                   | 143     | 521 "          | 6 "          |  |

According to orders of Government passed in 1956, the Bihar Bhoodan Yagna Committee will file *Danpatras* containing full particulars of lands donated as early as possible, and give all possible assistance to Revenue Officers in disposal of the proceedings under the said Act. The Committee or its representative should remain in constant touch with Revenue Officers and make available to them all relevant papers promptly and render full co-operation in the abovementioned matters, so that the cases may be disposed of quickly. The above table indicates that in the Sasaram subdivision the gifts have been the largest, more than 90 per cent of the total land donated; only 599 acres donated in other subdivisions.

#### SURVEY AND SETTLEMENT OPERATIONS.

The last survey and settlement operations in the district were conducted from 1907 to 1916. They covered the entire district except—

- (i) the area included in the administrative district of Shahabad lying between the southern high bank of the Ganga,

- (ii) area for which a record of rights had already been prepared under Chapter X of the Bengal Tenancy Act, and
- (iii) congested urban area in Arrah, Dumraon, Buxar and Sasaram municipalities. According to the last survey the district consisted of 6,018 villages covering 4,232.38 square miles. The total number of L.S. plots was 37,18,423 and the *khatians* 6,83,586. The number of plots per square mile was 878 and that of plots per *khatian* was 5.43. It is interesting to note that the average size of plot in last survey was .73 acre and the average size of holding 5.43 acres. The total number of *khanapuri* disputes instituted during last survey was 1,17,964, the number of disputes per square mile being 28. The total number of objections filed was 1,14,857, the number of objections per square mile being 27. There were 5,67,560 *raiya* holdings in the district in last survey and during the last settlement operations fair rents of 51,906 holdings were settled. The total net cost of last survey and settlement operations was Rs. 14,78,584.

At the time of last survey the principal crops in the district were rice, wheat and gram. Out of a total net cropped area of 17,45,810 acres, 7,31,806 acres had at least one source of irrigation. The most important source of irrigation was Government canals which covered 22.28 per cent of net cropped area.

The following statement shows the manner in which the land of the district was held in the last survey:—

| Serial no. | Name of status.                             | No. of holdings. | Percentage of total number of holdings. | Area.     | Percentage of total occupied area. |
|------------|---------------------------------------------|------------------|-----------------------------------------|-----------|------------------------------------|
| 1          | 2                                           | 3                | 4                                       | 5         | 6                                  |
| 1          | Zirat .. ..                                 | 320              | 0.00                                    | 3,008     | 0.16                               |
| 2          | Held by proprietor but not zirats..         | 25,341           | 4.06                                    | 2,12,082  | 11.57                              |
| 3          | In cultivating possession of tenure-holder. | 9,622            | 1.52                                    | 79,467    | 4.34                               |
| 4          | Raiyats at fixed rent or rates ..           | 97,524           | 15.36                                   | 2,50,213  | 13.66                              |
| 5          | Settled or occupancy raiyats ..             | 4,64,919         | 73.18                                   | 12,36,476 | 67.49                              |
| 6          | Non-occupancy raiyats ..                    | 5,117            | .81                                     | 16,332    | 0.90                               |
| 7          | Rent-free holders .. ..                     | 32,506           | 5.13                                    | 34,534    | 1.88                               |

The following statement shows the position regarding cash rent in last survey:—

| Name of thana.       |       | Raiyats at fixed rent. |             |                   | Occupancy and settled raiyats. |             |                   | Non-occupancy raiyats. |             |                   |
|----------------------|-------|------------------------|-------------|-------------------|--------------------------------|-------------|-------------------|------------------------|-------------|-------------------|
|                      |       | Total area.            | Total rent. | Average per acre. | Total area.                    | Total rent. | Average per acre. | Total area.            | Total rent. | Average per acre. |
| 1                    |       | 2                      | 3           | 4                 | 5                              | 6           | 7                 | 8                      | 9           | 10                |
| BUXAR SUBDIVISION.   |       | Acres.                 | Rs.         | Rs. a. p. *       | Acres.                         | Rs.         | Rs. a. p.         | Acres.                 | Rs.         | Rs. a. p.         |
| Buxar                | .. .. | 39,107                 | 1,28,537    | 3 4 7             | 79,286                         | 2,81,890    | 3 8 11            | 1,454                  | 5,404       | 3 11 6            |
| Dumraon              | .. .. | 60,565                 | 2,12,436    | 3 8 1             | 90,518                         | 3,51,884    | 3 14 3            | 1,232                  | 4,811       | 3 14 6            |
| TOTAL                |       | 99,672                 | 3,40,973    | 3 6 4             | 1,69,804                       | 6,33,774    | 3 11 10           | 2,686                  | 10,215      | 3 13 0            |
| SADAR SUBDIVISION.   |       | Acres.                 | Rs.         | Rs. a. p. *       | Acres.                         | Rs.         | Rs. a. p.         | Acres.                 | Rs.         | Rs. a. p.         |
| Arrah                | .. .. | 84,981                 | 4,18,792    | 4 14 10           | 66,543                         | 3,07,541    | 4 9 11            | 304                    | 2,670       | 8 12 6            |
| Piro                 | .. .. | 3,918                  | 19,624      | 5 0 2             | 1,33,411                       | 6,86,732    | 5 2 4             | 72                     | 297         | 4 2 0             |
| Shahpur              | .. .. | 47,621                 | 1,97,274    | 4 2 3             | 65,075                         | 3,10,296    | 5 12 4            | 720                    | 2,200       | 3 0 10            |
| TOTAL                |       | 1,36,520               | 6,35,690    | 4 10 6            | 2,65,029                       | 13,04,569   | 4 14 9            | 1,096                  | 5,167       | 4 11 5            |
| SASARAM SUBDIVISION. |       | Acres.                 | Rs.         | Rs. a. p. *       | Acres.                         | Rs.         | Rs. a. p.         | Acres.                 | Rs.         | Rs. a. p.         |
| Bikramganj           | .. .. | 3,288                  | 11,027      | 3 5 8             | 1,51,340                       | 6,00,027    | 3 15 6            | 1,436                  | 3,621       | 2 8 4             |
| Kargahar             | .. .. | 2,482                  | 6,432       | 2 9 6             | 69,021                         | 2,46,248    | 3 9 1             | 835                    | 2,089       | 2 8 0             |
| Sasaram              | .. .. | 212                    | 474         | 2 3 9             | 73,791                         | 2,62,435    | 3 8 1             | 1,615                  | 3,442       | 2 2 1             |
| Dehri                | .. .. | 717                    | 3,553       | 4 15 3            | 48,344                         | 2,08,775    | 4 5 1             | 477                    | 1,838       | 3 13 9            |
| TOTAL                |       | 6,699                  | 21,486      | 3 3 4             | 3,42,496                       | 13,17,485   | 3 10 8            | 4,363                  | 10,990      | 2 8 4             |
| BHABUA SUBDIVISION.  |       | Acres.                 | Rs.         | Rs. a. p. *       | Acres.                         | Rs.         | Rs. a. p.         | Acres.                 | Rs.         | Rs. a. p.         |
| Bhabua               | .. .. | 1,988                  | 5,527       | 2 12 6            | 1,01,510                       | 4,04,606    | 3 15 9            | 2,839                  | 11,281      | 3 15 7            |
| Mohania              | .. .. | 5,334                  | 16,048      | 3 0 2             | 1,01,787                       | 3,26,013    | 3 3 3             | 2,384                  | 5,836       | 2 7 2             |
| TOTAL                |       | 7,322                  | 21,575      | 2 15 1            | 2,03,297                       | 7,30,619    | 3 9 6             | 5,223                  | 17,117      | 3 4 5             |
| GRAND TOTAL          |       | 2,50,213               | 10,19,724   | 4 1 2             | 9,80,626                       | 39,86,447   | 4 1 0             | 13,368                 | 43,489      | 3 4 0             |
| Bhabua Hill villages |       | Nil                    | Nil         | Nil               | 14,596                         | 14,316      | 0 15 8            | 295                    | 240         | 0 13 0            |



In the last survey the most important question which shadowed all other attestation problems was the treatment of claims of raiyats to be *gujashtadars* in the sense of raiyats at fixed rent. There was uproar in the district over the circular of Mr. Phillip, I.C.S., on the interpretation of *gujashta* tenancies. On account of the agitation in the district the original circular of Mr. Phillip was modified and the landlords who might have been prejudiced by its application were permitted to file free of cost objections under section 103A of B. T. Act.

#### EFFECTS OF LAST SURVEY AND SETTLEMENT OPERATION.

The Survey and Settlement Operations created a very considerable amount of unrest but in the district of Shahabad the operation was accepted and most welcomed. The opinions of the Judiciary on the value of the record-of-rights are of first class importance as they see far more record-of-rights after it is finally published than any other officer and the then District Judge Mr. T. S. Mcpherson wrote in the year 1915 about the effect on crime of violence. "It is remarkable that in the district of Shahabad there should have been only one session trial on charges of rioting with culpable homicide and it would seem that the record-of-rights which had been finally published throughout the non-*diara* area of the district and the absence in jail of certain notorious *diara maliks* have brought unaccustomed peace to the district."

In his annual report of Civil Justice, the same District Judge wrote on increase of civil litigation.

"The pressure of work experienced in the Civil Court of Shahabad in 1913-14 as the alternate of Survey and Settlement operations; did not sensibly diminish in the year under report. Though the pending file at the end of the year seems high, it includes large number of rent suits which will be decided *ex parte* and it is possible to say that though for some year the new institution will be heavy; the file will tax the energy of the district staff to the utmost, the worst is over and there are signs that the flood of litigation is tending to subside and certainly the proportion of rent suit in which a strenuous contest is to be expedited, is diminishing."

It will thus appear that in the two observations of Mr. Mcpherson the effects of Survey and Settlement Operation have been fully explained.

The Revisional Survey and Settlement Operations in the district of Shahabad were initially started as minor operations covering 671 villages, some falling under the category of temporarily settled estates resumed by the Government and the others lying in the *diara* belt of the rivers Ganga and Sone. There were also 10 villages in the Dumraon Revenue Thana which formed part of what was known as Nirmal Kumar Jain's Estate and those 10 villages



had never before been surveyed cadastrally. It was, therefore, thought necessary that all those 671 villages be surveyed first in order to ensure correct *jamabandis* and rent collection and secondly, in order to settle land disputes which were rampant in *diara* area.

Due to alluvial and diluvial action certain villages of Uttar Pradesh emerge almost every year on the side of Shahabad and conversely. The Deep Stream verification is no doubt conducted by or on behalf of the Collector of Shahabad and his counterpart in Ballia (Uttar Pradesh) every year after the recession of the floods, but after 1946 or 1947 there has practically been no exchange of Revenue Rolls of the villages that were affected by the riparian action of the river Ganga. The collection of rent or revenue was not therefore put on any clear or stable footing.

Accordingly, the Government in the Revenue Department through letter no. 4148-LR, dated 24th September, 1953 communicated their decision to undertake survey operations under Regulation VII of 1822, of *diara* areas, which had vested in the State by the operation of the B. L. R. Act. The Collector of Shahabad sent a proposal in his letter no. 869-LR, dated 1st March 1954 for survey of the *diara* area at an estimated cost of Rs. 1,11,449. It was subsequently felt that the scope of the survey had to be extended to cover the villages of the temporarily settled estates but resumed by the Government and also the villages of Nirmal Kumar Jain's estate and the Collector of Shahabad sent revised proposal in his letter no. 627-LR, dated 8th January, 1955 for surveying 671 villages. The Collector of Shahabad justified the proposal on the ground that as a result of the Revisional Survey and Settlement Operations, the *jama* may be expected to increase by 10 per cent although he pointed out that it was very difficult at that stage to estimate correctly the extent of increase in the *jama*. The proposal of the Collector of Shahabad was endorsed by the Commissioner, Patna and was recommended by the Board to the Government in Board's letter no. 17-50/55-61, dated 30th July, 1955. Although the Collector recommended that survey should be taken up under Regulation 7 of 1822, the Board had hinted that the operations may be taken up under section 101 of B. T. Act. The Government, however, decided that the Revisional Survey of 671 villages should be taken up under Regulation 7 of 1822 read with Regulation 9 of 1825 and communicated their sanction through Revenue Department Memo. no. A/S-101/58-338-R, dated 12th January, 1959 at an estimated cost of Rs. 2,93,250.

The minor Settlement Operations were placed in charge of Shri S. K. Bose, Charge Officer, working under the general control and supervision of the Collector of Shahabad. Further the survey of 331 villages out of the proposed 671 villages was notified under Regulation 7 of 1822 read with Regulation 9 of 1825 by the Government of Bihar in exercise of the powers vested in him under section 3 of the Bengal Survey Act V of 1875.

One *khanapuri* circle was set up in the year 1959 and 209 villages were surveyed. Again under the aegis of the Minor Settlement Operations three more circles were set up in the season 1959-60 and 385 villages were surveyed and *khanapuri* records were prepared. Since most of the villages which had been notified for survey under Regulation 7 of 1822, had previously been surveyed cadastrally in the course of the last Settlement Operations from 1907-16, the Collector of Shahabad asked for permission that the villages should be surveyed under the provisions of Bihar Tenancy Act instead of under the Regulation and also that those villages should be surveyed on blue-print maps instead of on the original square sheets supplied by the Traverse Party with new traverse station located on them. Accordingly, a revised notification was issued in Revenue Department notification no. A/S-105/59-6477-R, dated 23rd July 1960. Wherever possible, the survey was conducted on blue-print maps. Where survey had already been done on original square sheets furnished by Traverse Party, adequate precaution was taken for proper *sarhad milan*.

In the year 1960 the Government also considered the desirability of converting the Minor Settlement Operations into Major Settlement Operations covering the entire district of Shahabad and decided in favour of it. Necessary notification under section 101 of B. T. Act, 1885, was published under the Revenue Department memo. no. A/S-105/60-9136-R, dated 10th October, 1960. By this notification the Governor of Bihar ordered that survey be made and record-of-rights prepared in respect of the land including railway and Government lands comprised within the external boundaries of the villages included in the revenue thanas in the district of Shahabad except the lands comprised in the local limits of the municipalities and Notified Area Committees constituted under the Bihar and Orissa Municipal Act, 1922. The formal sanction for the revisional survey and settlement of the entire district at a total estimated cost of Rs. 32 lakhs was communicated by the Government through Revenue Department memo. no. A/S-105/60-10343-R, dated 11th November, 1960.

#### *Officers.*

Shri C. R. Vaidyanathan, I.A.S., assumed charge of his duties as Settlement Officer in October, 1960. Shri A. K. M. Hasan, I.A.S., joined Shahabad Settlement as Charge Officer in November, succeeded Shri Vaidyanathan as Settlement Officer in April, 1963.

One Deputy Collector and four Sub-Deputy Collectors have been posted permanently to this settlement. In addition a number of officers belonging to I.A.S., I.P.S., Bihar Judicial Service and Bihar Junior Civil Service were posted to this settlement as Assistant Settlement Officers, on training.

## PROGRESS.

The progress of settlement operations up to 31st October, 1963 is shown in Appendix A. It would be seen that out of a total of 6,078 villages 3,603 villages covering 2,730 square miles have been surveyed up to October, 1963 and record-of-rights prepared. Thirty-two thousand seven hundred and forty-six *khanapuri* and attestation disputes have been instituted and disposed of. The number of objections decided under section 103A of B. T. Act is 61,339.

In the field season, 1963-64, it is proposed to take up *kistwar* and *khanapuri* work in 1,513 villages covering 1,160 square miles. *Kistwar* and *khanapuri* work is likely to be completed in respect of the entire district by the end of next field season (1964-65).

## CERTAIN IMPORTANT ASPECTS OF SETTLEMENT OPERATIONS.

## BOUNDARY DISPUTES.

Up to the end of October, 1963, 26 boundary disputes have been instituted and disposed of. As a matter of fact not many boundary disputes were instituted as in the Revisional Survey the authorities have to follow the boundaries established in the cadastral survey that took place during the period 1907-16.

There was an interesting boundary dispute in which the districts of Patna and Shahabad were concerned (Boundary Dispute no. 1 of 1960-61). The dispute related to land measuring about 70 bighas on the boundary between village Suraundha (Thana no. 131) of the district of Shahabad and village Modahi (Thana no. 40) of the district of Patna. The disputed land was originally shown in the last survey as part of village Suraundha and subsequently it was tagged to village Modahi. The confusion in the boundary between the two villages was the source of endless and costly litigation between the parties. After due enquiry and scrutiny of papers it was finally held that the disputed lands were part of village Suraundha of Arrah Revenue Thana.

## DISPUTES AND THEIR NATURE.

Most of the disputes instituted related to questions of title and possession. The documents produced by the parties were examined and all the disputes were decided on merits. In a number of cases local enquiries were also held before deciding the disputes. It was noticed that the hold of ex-intermediaries on the *rai-yats* is still considerable. In one of the villages it was noticed that the *rai-yats* are dividing their produce with ex-intermediaries even after the abolition of intermediary interests. Most of the ex-intermediaries were reluctant to get the rights of their under-*rai-yats* recorded. Even when it had been recorded during *khanapuri* they took prompt steps to file objections under section 103A of B. T. Act to get entries cancelled.

### IMPACT OF THE ABOLITION OF ZAMINDARI.

The intermediary interests in the district have been abolished with effect from 26th January, 1955. The Government has taken upon itself the task of collecting land revenue. The total rental demand of the district has been ascertained after verifying the *jamabandis* filed by the ex-intermediaries. The rent collection work at present is being done through *Gram Panchayats*.

The more conspicuous effect of abolition of zamindari is the wholesale encroachment on *gairmazrua malik* and *gairmazrua am* lands by interested persons. It must be admitted that the encroachments were not promptly removed as was the case under the zamindars. In a number of cases the encroachments have been legalised by fixation of rent. It is necessary that the Land Reforms staff remain more vigilant and safeguard the *gairmazrua malik* and *gairmazrua am* lands from the onslaught of encroachers.

The land reforms set up is comparatively recent. Most of the land reforms staff are new to the work. They are gradually getting used to their present responsibilities. It is also necessary to give them proper training so that they can discharge their duties more efficiently.

### OBSTRUCTIONS TO SETTLEMENT OPERATIONS.

At the time of traverse survey of villages Isarpura (Thana Dumraon no. 1), Sonbarsa (Thana Dumraon no. 27) and Ramkarhi (Thana Dumraon no. 299) the cadastral boundaries of the villages were not maintained and portions of villages Nawranga Chak (Thana no. 1530), Bhuwal Chapra (Thana no. 1527), Nawranga (Thana no. 1440), Bariarpur and Sheopur were also included in contiguous southern villages. On account of change in the course of the Ganga the above mentioned villages which originally were in Uttar Pradesh appeared on the southern side of the mid stream of the river. Dumraon Raj purchased the lands by virtue of a decree and started setting the lands. Tenants belonging to Isarpura, Sonbarsa, etc., began occupying the lands by force with the help of Dumraon Raj.

At the time of Settlement Operations the tenants who paid rent to Dumraon Raj wanted that the survey should be conducted on the existing traverse sheets of villages Isarpura Noubarar, Sonbarsa Noubarar and Ramkarhi Noubarar. The tenants who did not pay rent to Dumraon Raj largely belonged to Uttar Pradesh equally opposed the scheme and wanted that last survey cadastral boundary should be restored and survey be conducted on blue-print maps after retraverse survey. The tenants of village Nawranga prevented the *amin* deputed for *kistwar* from starting his work. The *kistwar* of village Pandeypur (Thana no. 122) was obstructed by the tenants

on the ground that only a small portion in the south of the village was surveyed by the traverse party and not the entire village extending towards north. The *khanapuri* of village Shobhanathhi which was on both the sides of mid stream of the Ganga was obstructed by the tenants as the midstream of the village had changed transferring the village to Uttar Pradesh. The village of Jagdeopur (Thana no. 298), Revenue thana Shahpur was carved out of Isharpura, Thana no. 1 and Sonbarsa (thana no. 27) and delineated in the year 1936-37 by the Collector of Shahabad with the sanction of the Board of Revenue. The rent of the lands in this village was realised by Dumraon Raj. The Collector, Shahabad purchased the estate comprising the village and got it delineated and surveyed in 1936-37. Even after the date of vesting of Dumraon Raj, the rent was not realised by the *Khasmahal* Department or any other agency of the Collector of Shahabad. The tenants of Isharpura who held lands in the village vehemently opposed survey on the basis of blue-print maps as they thought that it would be disadvantageous to them.

#### SURVEY OF KAIMUR PLATEAU.

Out of 776 square miles surveyed during the season 1961-62, 457 square miles lay within the Kaimur Range. The survey of the plateau which is covered by jungle for the most part, created considerable difficulties. In the first place, transport of men and materials presented a serious problem. There were no facilities worth the name of communication. Almost the entire plateau within Bhabua subdivision is served by only one extra departmental post office at Adhaura. Transport facilities were restricted to pack bullocks but even those were neither sturdy nor readily available. It was only in big villages where the grain merchants from the plains came for business and trade used to be carried on by pack bullocks. More often one had to walk miles to fetch drinking water from the *Chuans*, the local term for the natural spring. Another curious fact about the plateau was that the local inhabitants were not enthusiastic about growing vegetables and there is an occasional supply of potatoes brought by the village *Bania* from the plains. There was in addition constant fear of wild animals, although it must be mentioned that indiscriminate poaching had destroyed a considerable portion of wild life on the plateau. Life, in short, was hard for the survey staff posted on the plateau and this was accentuated by the difficulties that had to be faced during *kistwar*. On account of the shifting nature of the cultivation on the hills, it was difficult to establish adopted stations for revisional survey. Due to the growth of forests, the traverse stations established during the last cadastral survey could not be easily identified or approached, which incidentally required considerable felling of trees. Due to the difficulties many of the *amins* ran away or pleaded illness or actually fell ill.

*Khanapuri* was fairly simpler, essentially on account of the fact that the people living on the hills have not yet become accustomed to the use of dubious means by which the *raiya*s of the plains try to covet the lands of others. But the main stumbling block was the manoeuvring of the money-lenders who belonged to the plains. The poor *raiya*s of the hills used to mortgage their lands to such money-lenders, who, however, allowed the *raiya*s to cultivate the lands on *batai* terms. The money-lenders used to go to the plateau at the time of harvest and collect their share, leaving the poor *raiya* poorer. The alienation of land by members of the scheduled tribes and scheduled castes without the permission of Collector is prohibited under section 490 of B. T. Act. This provision of law was not enforced strictly. Hence a large number of such cases of mortgage or sale of land by the protected tenants of the hills to the money-lenders of the plains had to be faced. All such cases were, however, dealt with and decided according to law.

#### SPECIAL INSTITUTIONS OF THE PLATEAU.\*

Throughout the plateau in Bhabua subdivision which was taken up for survey, it was noticed that the villages had two leaders, one the temporal and the other spiritual. These offices are more or less hereditary, although it must be said that after the advent of the gram panchayats, the importance of these traditional institutions is on the decline. The temporal leader is known as '*Gauhan*' while the spiritual is called '*Baiga*'. They had often to work in collaboration and in important spheres of work there was no clear-cut or water-tight division between the two. The dispensation of justice in minor cases constituted a major responsibility of the two, previously. It is also interesting to note that in the plateau if any person dies issueless the *Baiga* succeeds to the estate. After the panchayats have been constituted the judicial functions have more or less, been taken over by the *Sarpunches*. But as a matter of fact, the good offices of these leaders are still available to the people for settling minor differences when the parties do not choose to go to the panchayats. As a reward for undertaking this responsibility, the *Gauhan* and *Baiga* were formerly given rent-free tenancies which are referred to as '*Neyayi Jagirs*'. But after the vesting of the zamindari all those *jagir* lands have been assessed to rental by the State of Bihar. After the judicial functions were taken over by the Gram Panchayats, there was perhaps no justification for continuing those *jagirs*.

The *Gauhan* was entrusted with the task of receiving and entertaining guests of the village landlords, Government officers and the others, but this custom has mostly fallen into disuse. *Baiga* is the village priest and he is called upon to initiate all auspicious operations and functions. No villager will cultivate the land

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\* More details will be found elsewhere (P. C. R. C.).

until the *Baiga* has initiated the cultivation operations on his own land. The officers employed in the survey and settlement operations found that the *Gauhan* and the *Baiga* were very useful in the sense that they had a fund of information and could reel off the genealogical tables of several families of the village and also give precise particulars about the transactions that have taken place in respect of lands. In *khanapuri*, the *partalling* officers had often to send for the *Baiga* or the *Gauhan* to check the correctness of the entries. Although these two institutions are declining in their importance in the eyes of the administration, the local villagers still treat them with respect and give them a place of honour in their society.

There is a *Baiga* for each village worth the name but not for separate *tolas* of a village. On a query the Settlement Officer informed that the total number of *Baigas* and *Gauhans* was not readily available with him. The institution of *Baigas* survives but the institution of *Gauhans* is on the verge of extinction. The Settlement Officer further informed that a number of *Baigas* have occupied the lands which once belonged to persons who died issueless or migrated to the plains.

#### CHOUKIDARI CHAKRANA IN KAIMUR HILLS.

On Kaimur Hills the choukidars are in possession of *chaukidari chakrana* lands for which they pay no rent and they also receive no pay. Over and above the profits of their *chakrana* lands, they used to get from each *raiya* of their village one bundle of crop once a year and also 25 to 30 seers of crop at harvest time. The former contribution was locally known as '*Puri*' and the latter as '*kharwan*'. From the month of *Aghan* to *Magh* the choukidar was expected to go to each house every night where he used to get  $\frac{1}{2}$  to  $\frac{1}{8}$  seer of cooked food from each villager which maintained him and his family for about three months in the year. This was called '*Bhatia*'. The villagers also used to make small contributions to the choukidars for clothing, etc. Recently choukidari *chakrana* lands have been resumed in certain villages and rent assessed on them in lieu of pay to the choukidars.

#### EXPENDITURE.

The total expenditure incurred on Shahabad Settlement Operations up to 31st October, 1963 is as follows:—

|                                         |    | Rs.                 |
|-----------------------------------------|----|---------------------|
| (1) Pay of officers .. ..               | .. | 1,64,785.76         |
| (2) Pay of establishment .. ..          | .. | 6,95,801.40         |
| (3) C. L. A. and other allowances .. .. | .. | 5,36,575.47         |
| (4) Travelling allowance .. ..          | .. | 1,19,951.06         |
| (5) Contingency—Non-contract .. ..      | .. | 11,18,102.49        |
| <b>TOTAL</b> .. ..                      | .. | <b>26,35,216.18</b> |

## PARTAL.

The statement given below will indicate the quantum of *kistwar partal* done during the various seasons in terms of linear miles per square mile of area surveyed:—

| Season. |    |    |    | Linear miles<br>of <i>partal</i> per<br>square mile<br>done by<br>A. S. Os. | Linear miles<br>of <i>partal</i> per<br>square mile<br>done by<br>Kanungos<br>and Survey<br>Inspectors. |
|---------|----|----|----|-----------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|
| 1959    | .. | .. | .. | 0.03                                                                        | 0.85                                                                                                    |
| 1959-60 | .. | .. | .. | 0.45                                                                        | 2.00                                                                                                    |
| 1960-61 | .. | .. | .. | 0.42                                                                        | 1.90                                                                                                    |
| 1961-62 | .. | .. | .. | 0.18                                                                        | 0.97                                                                                                    |
| 1962-63 | .. | .. | .. | 0.61                                                                        | 2.54                                                                                                    |

The comparatively low figure of *partal* in 1961-62 was due to the fact that out of 776 square miles surveyed during the year 457 square miles lay within the belt of Kaimur Range covered by forest.

In *khanapuri* there was adequate *partal* as will be revealed by the following figures:—

| Total number<br>of plots<br><i>khanapuri</i> . | Number of<br>plots checked<br>by A. S. Os. | Percentage<br>of A. S. Os.<br><i>partal</i> . | Number of<br>plots <i>partal</i> led<br>by Kanungos<br>and S. Is. | Percentage of<br>Kanungos<br>and S. Is.<br><i>partal</i> . |
|------------------------------------------------|--------------------------------------------|-----------------------------------------------|-------------------------------------------------------------------|------------------------------------------------------------|
| 31,19,340                                      | 91,847                                     | 2.9                                           | 13,00,095                                                         | 41                                                         |

## ANTI-CORRUPTION MEASURES.

Steps taken to stamp out corruption in the settlement operations may be classified into three categories:—

- (a) Educative, (b) preventive, and (c) punitive. Before commencement of the field season, meetings of *mukhiyas* and leading agriculturists are convened to educate the people in the meaning and methods of survey and settlement operations so that people may not be misled by the *amins*. Leaflets have also been printed and distributed in the villages indicating the different stages of settlement operations and also the



steps that the *raiya*s will have to take to have their lands correctly mapped and recorded. The people are told that there are several stages at which the errors, if any, may be corrected without having resort to unfair means. It is also made clear to the people that the entries made by the *amin* are not final and that those entries in *khanapuri* records are capable of revision not merely at some subsequent stage of the settlement operations but by an order of the superior inspecting officers like the Assistant Settlement Officer, Charge Officer or the Settlement Officer.

#### PREVENTIVE.

The Assistant Settlement Officers are easily accessible to the public so that the tenants may have no difficulty either for getting some mistake corrected or for getting their fears allayed. The Settlement Officer, Charge Officer as well as the Assistant Settlement Officers tour in the interior of the district and ascertain from the people whether they have any grievances against the survey staff. There is a consistent *partial* by all ranks of inspecting staff so that the scope for extorting illegal gratification may be minimised. Also experience showed that it was at the point of making entries of the lands covered by sale deeds, mortgage deeds, deeds of exchange, etc., that extortion by the survey staff is usually resorted to. In order to obviate this difficulty a circular letter was issued to all the *mukhiyas* soliciting their co-operation and requiring them to prepare statements in which the details of such deeds as have been acted upon, might be given. The *mukhiyas* have been asked to sign those statements themselves so that future enquiry may not, as a rule, be necessary and *khanapuri* entries may be based on the statements furnished by the *mukhiyas*. The response of the *mukhiyas* is encouraging.

#### PUNITIVE.

Miscellaneous petition registers are kept in all camps as well as in the headquarters office. All petitions received from the public are entered in those registers and petitions containing allegations of corruption or dishonesty are dealt with in the confidential section of the Settlement Officer. The allegations are enquired into without loss of time and where the allegations are proved, the persons at fault are sternly dealt with. In a majority of cases, the *amins* and inspectors against whom the allegation were found to be *prima facie* correct, were discharged and in a number of other cases their earnings and securities were also forfeited. In a good many cases where the allegation could not be proved but there were grounds for reasonable suspicion, the *amins* and inspectors were fined heavily.

A statement given below indicates the number of persons discharged on grounds of dishonesty or misconduct till 30th November, 1963:—

|                                |    |    |    | Total<br>number<br>discharged. | Number<br>discharged<br>on ground of<br>corruption<br>and<br>misconduct. |
|--------------------------------|----|----|----|--------------------------------|--------------------------------------------------------------------------|
| 1. Amin                        | .. | .. | .. | 266                            | 32                                                                       |
| 2. Munsarim                    | .. | .. | .. | 31                             | 5                                                                        |
| 3. Surveyor Munsarim           | .. | .. | .. | 7                              | 3                                                                        |
| 4. Notice Muharrir             | .. | .. | .. | 2                              | 1                                                                        |
| 5. Survey Inspector            | .. | .. | .. | 15                             | 7                                                                        |
| 6. Record Muharrir             | .. | .. | .. | 1                              | ..                                                                       |
| 7. Camp peon                   | .. | .. | .. | 7                              | 2                                                                        |
| 8. Orderly peon                | .. | .. | .. | 10                             | 6                                                                        |
| 9. Process server              | .. | .. | .. | 12                             | 1                                                                        |
| 10. Draftsman                  | .. | .. | .. | 3                              | 1                                                                        |
| 11. General muharrir           | .. | .. | .. | 4                              | ..                                                                       |
| 12. Peshkar                    | .. | .. | .. | 2                              | ..                                                                       |
| 13. Draft Publication Muharrir | .. | .. | .. | 1                              | ..                                                                       |
| TOTAL                          |    |    |    | 361                            | 58                                                                       |

Care is also taken to circulate the names of the discharged hands to other Settlement Officers as well as the Consolidation Officers with a request that the discharged hands of this settlement may not be employed there. The other Settlement Officers also communicate such information.

#### U.P.-BIHAR BOUNDARY DISPUTES.

At present a number of villages are under dispute between U. P. and Bihar. The dispute was referred to the Prime Minister who had appointed Shri C. M. Trivedi, Member, Planning Commission as the arbitrator. Shri Trivedi visited Arrah in August, 1963 to examine the claims of Bihar over the disputed villages. It is expected that his award will be announced shortly. Pending the announcement of his award, survey and settlement operations have not been taken up in the villages under dispute.

It may be mentioned that the Shahabad Survey and Settlement Operations are likely to be completed by the end of 1967.

STATEMENT SHOWING THE PROGRESS OF SHAHABAD SETTLEMENT OPERATIONS UP TO 31ST OCTOBER, 1963.

Area notified for Survey Settlement in the district.

Villages in square miles: 4,392 .. 6,078

APPENDIX "A".

LAND REVENUE ADMINISTRATION.

597

| Season. | Area and villages taken up in the year.      |                          |                            | Area in square miles. |                       |                       | Area in square miles. |                       |                       | Plots. |
|---------|----------------------------------------------|--------------------------|----------------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|--------|
|         | Finished from Kistwar and disposed of during | Area in Total Khanapuri. | No. of disputes instituted | Area in square miles. | Area in square miles. | Area in square miles. | Area in square miles. | Area in square miles. | Area in square miles. |        |
| 1       | 1                                            | 2                        | 3                          | 4                     | 5                     | 6                     | 7                     | 8                     | 9                     | 9      |

|         |       |       |       |       |           |        |       |           |    |    |
|---------|-------|-------|-------|-------|-----------|--------|-------|-----------|----|----|
| 1959    | 209   | 97    | 209   | 97    | 1,45,832  | 3,231  | ..    | ..        | .. | .. |
| 1959-60 | 385   | 277   | 385   | 277   | 3,43,592  | 6,161  | ..    | ..        | .. | .. |
| 1960-61 | 876   | 768   | 876   | 768   | 11,69,527 | 10,698 | 570   | 4,69,983  | .. | .. |
| 1961-62 | 718   | 776   | 718   | 776   | 4,12,076  | 4,025  | 607   | 6,37,960  | .. | .. |
| 1962-63 | 1,415 | 814   | 1,415 | 814   | 10,46,368 | 8,641  | 645   | 7,09,903  | .. | .. |
| Total   | 3,603 | 2,730 | 3,603 | 2,730 | 31,17,360 | 32,746 | 1,722 | 18,17,846 | .. | .. |

| Season. | Finished from draft publication. |        | Under draft publication. |        | Objections under section 103A, B.T. Act. |        | Instituted. Decided. Pending. |        |
|---------|----------------------------------|--------|--------------------------|--------|------------------------------------------|--------|-------------------------------|--------|
|         | Village.                         | Plots. | Village.                 | Plots. | Village.                                 | Plots. | Village.                      | Plots. |
| 1       | 10                               | 11     | 12                       | 13     | 14                                       | 15     | 16                            | 17     |

|         |       |           |    |    |          |        |          |    |
|---------|-------|-----------|----|----|----------|--------|----------|----|
| 1959    | ..    | ..        | .. | .. | ..       | ..     | ..       | .. |
| 1959-60 | ..    | ..        | .. | .. | ..       | ..     | ..       | .. |
| 1960-61 | 669   | 4,63,961  | .. | .. | 29,329   | 14,411 | 14,918   | .. |
| 1961-62 | 503   | 6,27,040  | .. | .. | 45,196   | 18,716 | 41,398   | .. |
| 1962-63 | 650   | 7,26,845  | .. | .. | 36,432   | 28,912 | 49,634   | .. |
| Total   | 1,722 | 18,17,846 | .. | .. | 1,10,957 | 62,039 | 1,07,970 | .. |

N. B.—Attestation of 25,376 plots to be kept pending till decision of boundary dispute between Bihar and U. P.