

FINAL REPORT

ON THE

RESETTLEMENT OF THE KOLHAN GOVERNMENT ESTATE

IN THE

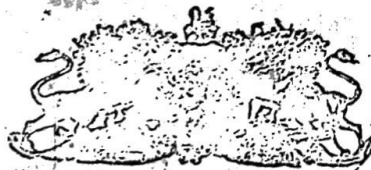
DISTRICT OF NGHBH

1913-1918

BY

A. D. TUCKEV, I.C.S.,

Assistant Settlement Officer, Chota Nagpur



PATNA:

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1920

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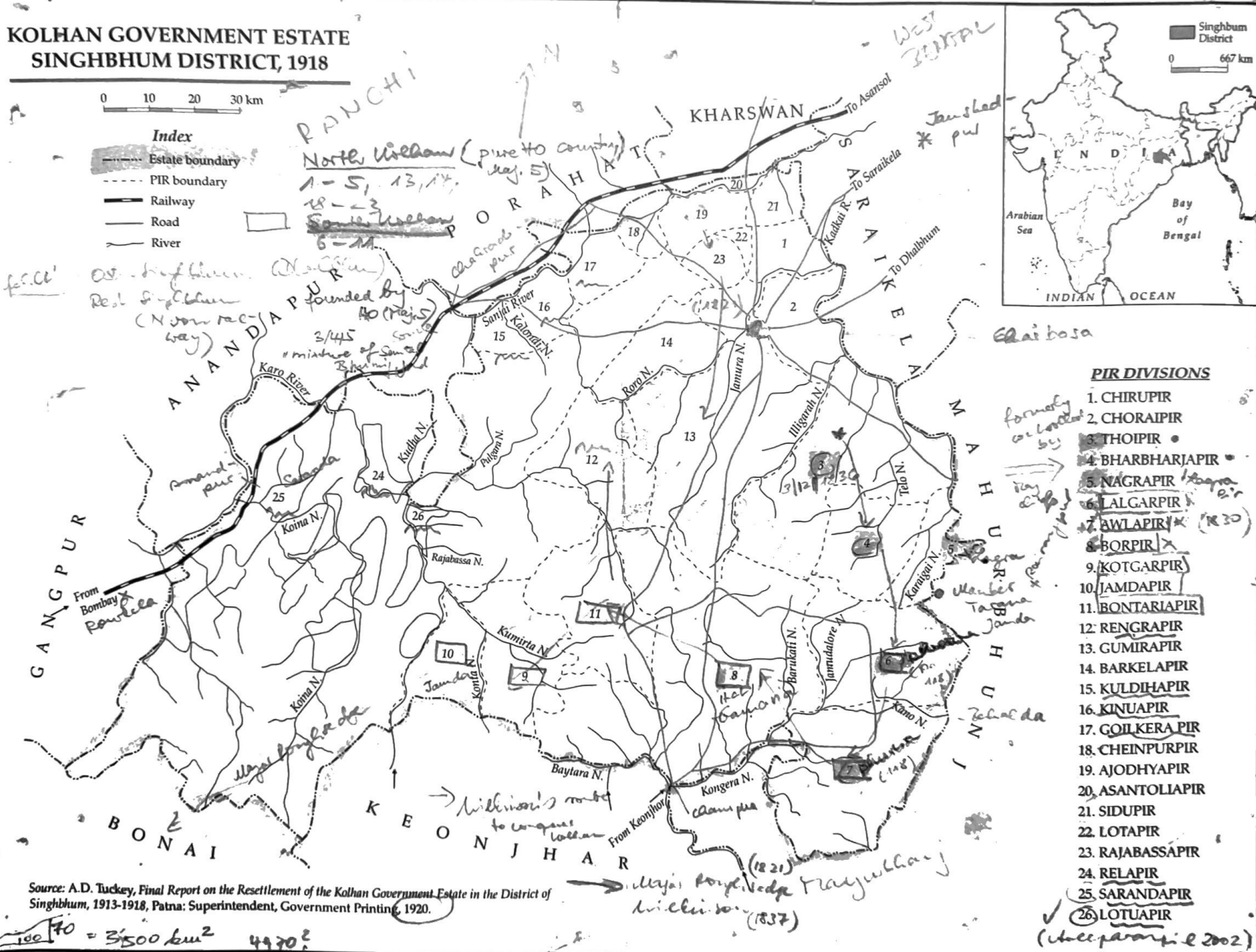
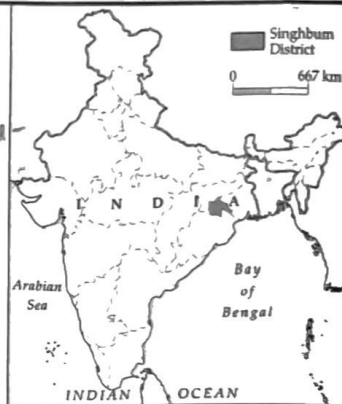
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**KOLHAN GOVERNMENT ESTATE
SINGHBHUM DISTRICT, 1918**

0 10 20 30 km

Index

- Estate boundary
- PIR boundary
- Railway
- Road
- ~~~~~ River



PIR DIVISIONS

1. CHIRUPIR
2. CHORAPIR
3. THOPIR
4. BHARBHARIPIR
5. NAGRAPIR
6. LALGARPIR
7. BAWLAPIR (R 30)
8. BORPIR
9. KOTGARPIR
10. JAMDAPIR
11. BONTARIPIR
12. RENGAPIR
13. GUMIRAPIR
14. BARKELAPIR
15. KULDIHAPIR
16. KINUAPIR
17. GOILKERAPIR
18. CHEINPURPIR
19. AJODHYAPIR
20. ASANTOLIPIR
21. SIDUPIR
22. LOTAPIR
23. RAJABASSAPIR
24. RELAPIR
25. SARANDAPIR
26. LOTUAPIR

Source: A.D. Tuckey, Final Report on the Resettlement of the Kolhan Government Estate in the District of Singbhum, 1913-1918, Patna: Superintendent, Government Printing, 1920.

15070 = 3500 km² 4970²

3112/1836 - February 1837

DEPARTMENT OF LAND RECORDS AND SURVEYS,
BIHAR AND ORISSA.

No. 1659.

FROM

P. W. MURPHY, Esq., I. C. S.,
DIRECTOR OF THE DEPARTMENT OF LAND RECORDS
AND SURVEYS, BIHAR AND ORISSA,

TO

THE SECRETARY TO THE BOARD OF REVENUE,
BIHAR AND ORISSA.

Dated Patna, the 31st May, 1920.

Sir,

I have the honour to submit the Final Report on the Survey and Settlement Operations in the Kolhan Government Estate in district Singhbhum written by Mr. A. D. Tuckey, I.C.S.

2. The history of the estate, its physical features and the characteristics of the Hos who constitute two-thirds of its population, have been dealt with fully in previous reports, and in the District Gazetteer of Singhbhum. It is a compact block measuring 1,910 square miles, of which 537 are reserved forests and 244 protected forests. Chaibassa town, which covers one square mile, a *lakhiraj* tenure measuring 14 square miles, and the reserved forests, were not dealt with in the recent operations, which covered an area of 1,367 square miles. Nearly half of the total area outside the reserved forests is cultivated, and nearly one-third of the remainder is capable of being cultivated.

A comparison of the statistics given in Mr. Tuckey's report with those collected by Mr. Craven at the last settlement of the estate in 1897 show an increase of 29 per cent. in the area under cultivation, the increase in rice land being 13.6 and in upland 50.4 per cent. Mr. Craven's area figures are, however, not reliable; he under-estimated the total area of the estate by 36 square miles; and there are reasons for believing that at the last settlement a considerable tract of upland escaped survey and assessment. It is probable, therefore, that the actual increase in rice-land is greater, and in upland less, than the figures mentioned.

The area under cultivation is now 671 square miles, the proportion which rice-land bears to upland being 100 : 105. About 25,000 acres or 6.7 per cent. of the total cultivated area are artificially irrigated. The irrigated area is all rice-land, the sources of irrigation being the small *bandhs* or *ahars* so common in Chota Nagpur. Mr. Craven in 1897 estimated the irrigated area at over 73,000 acres, a figure which, in view of the fact that the number of *ahars* has undoubtedly been increased since Mr. Craven's time, cannot be accepted as correct.

Mr. Craven (1897 figures)
not reliable

3. In the most highly developed villages, where most of the good uplands have been terraced and converted into rice-land, the proportion of inferior rice-lands yielding a precarious crop is naturally highest, and it was such villages that suffered most in the dry years 1915-16 and 1916-17. The jungly villages, where only the best lands have as yet been terraced, and where there is still a fair proportion of superior upland, are the least affected by drought. The extension of the system of village *bandhs* which provide means of irrigation for the inferior rice-lands, is the only possible insurance against a widespread failure of crops in seasons of drought. In 1915-1916 seventeen such *bandhs* were constructed or enlarged. The nature of the country, unfortunately, renders the construction of big works, irrigating large areas, impracticable.

4. The recent settlement operations began in October 1913, and were completed by the end of 1919. They were supervised by the Settlement Officer of Chota Nagpur who was at the same time carrying out the settlement of Palamau district. Mr. Tuckey was in subordinate charge throughout the operations. The programme was interrupted in 1915-16 when the attestation which was to have been done in that season was postponed for a year.

5. The early settlements made in 1837 and 1854 were not based on a detailed survey. Rents were assessed at a certain rate per plough, the assumption being that the number of ploughs or bullocks owned by each raiyat was a fair indication of the extent of his cultivation. In the first settlement the rate of assessment was eight annas per plough, which was raised in 1854 to one rupee. In the third settlement, carried out in 1867, a regular survey was made, and the rice lands only were assessed at $6\frac{1}{2}$ annas per bigha, a rate which corresponded roughly to a rate of two rupees per plough. No assessment was then imposed on upland. The rent roll which in 1837 stood at Rs. 5,168 had increased in 1867 to Rs. 61,928. In Mr. Craven's Settlement, completed in 1907, the rate of $6\frac{1}{2}$ annas per bigha for rice-lands was maintained, and uplands were assessed, for the first time, at a rate of one anna per acre. The effect of the settlement was to raise the rent-roll to Rs. 1,52,032, 80 per cent. of the total increase being ascribed to extension of cultivation.

6. By the recent settlement the gross rental has been raised to Rs. 2,52,351, an increase of 38 per cent. Out of the total rental Rs. 4,415 is received by the owners of the *lakharaj* villages and Rs. 69,309 is taken as commission by the *Mankis* and *Mundas* who collect the rents. Government receives a net income of Rs. 1,77,597.

The new rental was arrived at by the application of the following rates:—

			Rs.	a.	p.	
Superior rice-land (<i>bera</i>)	...	...	0	9	0	per bigha of 2,500 square yards.
Inferior rice-land (<i>bad</i>)	...	...	0	7	0	Ditto.
Upland	...	...	0	1	6	Ditto.

Dikhus, i.e., foreigners or non-privileged raiyats, have been assessed at double these rates. There is no danger that the enhancement of 38 per cent. will bear hardly on the raiyats. Most of it is accounted for by the great increase in cultivation. The rates which have been adopted are, as Mr. Tuckey shows in paragraph 123 of his report, low even for Singbhum, which is a highly rented district, and there is no doubt that were it not for the adherence of Government to the traditional policy of treating the *Hos* with extreme leniency, a much higher assessment might without harshness have been imposed. Mr. Tuckey, on the basis of crop-cutting experiments made in the estate, estimates that the rentals paid by the *Hos* do not exceed three or four per cent. of the annual value of the normal gross produce of their lands.

7. The recent operations were carried out under the Chota Nagpur Tenancy Act. Although this Act applies to the whole of Chota Nagpur, its provisions had never been acted on in the management of the Kolhan, the administration of which has been based on executive rules framed before that Act was passed.

The decision to prepare the record-of-rights under the Chota Nagpur Tenancy Act was arrived at after a discussion which showed marked differences of opinion among the officers consulted by Government. The local officers feared that the introduction of the Chota Nagpur Tenancy Act would render it impossible to enforce in future the executive rules referred to, which were framed with the object of preventing outsiders from obtaining a footing in the estate and ousting the aboriginal inhabitants. They recommended that a special act, applicable only to the Kolhan and legalizing the principles on which the administration of the estate had hitherto been carried out, should be enacted before beginning the re-settlement. Government accepted the opposite view, viz., that the preparation of a record-of-rights under the Chota Nagpur Tenancy Act and the application of that Act to the estate would not necessarily revolutionise the existing system of administration, or endanger the interests of the Hos. It was recognized, however, that some amendment of the Act would probably be necessary. Appendix D to the report contains extracts from the correspondence on the subject besides a letter from Mr. Hallett, the Deputy Commissioner of Singhbhum, written while the settlement was in progress, in which he makes proposals for the amendment of the Act.

8. So far as the settlement operations were concerned, the chief effect of applying the Chota Nagpur Tenancy Act, was to render it necessary to prepare a record of *khuntkatti* rights. It also prevented the enhancement, during fair rent settlement, of the rents of those *khuntkatti* holdings which were in existence before 1883. The impression generally prevails that the Hos are the aboriginal inhabitants of the Kolhan, and that practically all the land now under cultivation has been reclaimed by them. One would expect, therefore, to find in nearly every village raiyats having *khuntkatti* rights. For many reasons, however, this is not the case. In many villages, situated chiefly in the south of the estate, investigation showed that the original reclaimers of the soil were not the Hos but other tribes whom they had driven out. In the north of the Kolhan the Hos were undoubtedly the original reclaimers, but owing to their wandering habits, which they have only recently abandoned, the present inhabitants of many villages are not the descendants of the founders. As the Chota Nagpur Tenancy Act, following the customs prevalent among the Mundas of Ranchi, restricts the acquisition of *khuntkatti* rights to the descendants of the original founders, all claims to *khuntkatti* were, in such villages, disallowed. Further, even where the family of the founders still inhabited the village, it was not always easy to ascertain which of the present raiyats are descended from them. Among the Mundas of Ranchi the distinction between the family of the original founders and the descendants of later arrivals in the village is very clearly drawn. The former have superior rights, and the strictness with which the Mundas adhere to the tribal customs connected with burials renders it easy to ascertain whether any claimant to these rights is really entitled to them. Among the Hos all reclaimers of land, whether they belong to the family of the original founders of the village or not, have by local custom, equal rights in their lands. The Hos are, moreover, lax in their observance of burial customs, so that the task of identifying the descendants of the founders of any village was not an easy one. The result of the enquiry into *khuntkatti* rights was that raiyats possessing such rights were discovered in only 566 villages out of 913. In 23 villages the *khuntkattidars* are not Hos but other castes, chiefly Bhumijs and Gondas.

In addition to recording *khuntkatti* rights the Settlement Officer had also to ascertain which of the *khuntkatti* holdings were in existence before 1883, for the rents of such holdings are not enhancible. In the absence of any previous record of *khuntkatti* rights it was decided, with the approval of Government, to assume that all rice-lands held by a raiyat at the time of Mr. Craven's Settlement in 1894 had been held by him or his ancestors since before 1883. As uplands were first assessed to rent in 1897 no claims to fixity of rent in respect of them could be entertained. The identification of the rice-land under cultivation in 1895, the inquiries as to whether they are still in the possession of the same raiyat or his descendants, the apportionment of rent in

Cases where rice-lands held in 1894 are now held on a consolidated rent with other rice-lands or with uplands, added considerably to the difficulty of preparing the record. The net result of the proceedings is that 90,161 acres of rice land representing 23 per cent. of the whole of the rice land in the estate have been recorded as *khuntkatti* on fixed rent. The average rate of rent paid for this land is 6-3 annas per acre, and the amount of enhancement which Government has lost is under Rs. 6,500. It is doubtful if the result of applying to the estate the sections of the Chota Nagpur Tenancy Act dealing with *khuntkatti* rights has been worth the trouble involved. *Khuntkatti* raiyats are entitled, when an enhancement of rent is being made, not to have their rents enhanced so as to exceed half the rate paid by other raiyats for similar lands. In the Kolhan, however, the Hos have always been treated as privileged raiyats, and assessed at only half the rates paid by unprivileged raiyats. The Hos who have been merely recorded as *khuntkatti* raiyats have therefore gained nothing thereby, and the entry in the record, if they pay any regard to it at all, must puzzle them exceedingly. Those who have been recorded as holding *khuntkatti* lands on a fixed rental have doubtless gained something, but it is certain that neither they nor the other raiyats of the estate have the slightest understanding of the principles followed in deciding who were entitled to this privilege.

9. The objections of the local officials to the application of the Chota Nagpur Tenancy Act to the Kolhan were, however, chiefly due, not to the apprehension of a loss of revenue from the recognition of *khuntkatti* rights, but to a fear that if the Mankis and Mundas were recorded as permanent tenure-holders, the Deputy Commissioner might find it difficult to compel them to carry out the police, revenue and other duties for the performance of which they were originally appointed. It was also feared that arrears of rent due from raiyats, in place of being recovered by a simple and summary procedure, as they are at present, would have to be recovered by a civil suit instituted by the Munda, a procedure which would have the double disadvantage of bringing the Hos into contact with the courts and of enabling undesirable outsiders to acquire a footing in the estate by purchasing holdings brought to sale. The abolition of the power of summarily ejecting undesirable settlers hitherto exercised by the Deputy Commissioner would also, it was said, encourage such persons to acquire lands from the aborigines, either by purchase in defiance of the provisions of the Chota Nagpur Tenancy Act, or by persuading the Manki or Munda to disobey the standing orders on the subject by settling unoccupied lands with them.

That there is considerable ground for apprehension on all these points is shown in Mr. Hallett's letter No. 1269-R., dated the 9th June, 1917, in which he discusses the whole subject and makes proposals for an amendment of the Tenancy Act applicable to the Kolhan, with the object of preserving to the Deputy Commissioner his power of dismissing Mankis and Mundas for disobedience to lawful and reasonable orders, and his power of ejecting undesirable settlers even though they may have purchased lands belonging to Hos or may have been allowed to take possession of them by the Manki or Munda. He also proposes amendments enabling arrears of rent, whether due to a headman or to Government, to be recovered by the certificate procedure, and forbidding their recovery in either case by a civil suit.

The amendments proposed by Mr. Hallett are in my opinion necessary, and the only possible ground for objection to them is that they may not be adequate. It may be argued that Government is claiming in the Kolhan rights over its village headmen which it refuses to grant to private landlords elsewhere in Chota Nagpur. I see no reason why it should not do so. The private landlords of Chota Nagpur for the most part regard village headmen as undesirable buffers interposed between them and their raiyats, whose abolition is a necessary preliminary to the more effective enhancement of rents. To deny to such landlords powers which they would certainly abuse is no reason for not allow-

ing Government to exercise these powers for the purpose of protecting the raiyats of the Kolhan against a Manki or Munda who misuses a position of trust by allowing outsiders to acquire a footing in the villages which Government, in the interests of the Hos, is endeavouring to protect from exploitation.

10. In paragraph 62 of his report Mr. Tuckey gives statistics to show the success of the rules introduced after Mr. Craven's settlement in 1897 to restrict the influx of *dikkus* or foreigners into the estate. Between 1867 and 1897 their number had increased from 1,600 to over 15,000. The number of foreigners who have settled in the estate since 1897 is only 3,334, of whom 2,456 are non-agriculturists. Most of these, moreover, have settled in villages which are solely populated by foreigners, the number who have settled in Ho villages being under 1,000. This explanation is necessary in view of the fact that when the subject was being discussed in 1914, it seems to have been assumed that the rules were in force between 1869 and 1867 and had proved ineffectual. This assumption was incorrect; the rules were introduced for the first time in 1897, and since then the increase in the foreign population has been kept under control. It would be deplorable if the recent settlement operations should lessen the power of the Deputy Commissioner to safeguard the Hos from exploitation by foreign money-lenders, and I strongly recommend the acceptance of Mr. Hallett's proposals, drawn up in consultation with Mr. Tuckey, to confer on him legal power to eject undesirable settlers within a prescribed period of their arrival.

11. The report contains much useful information about the estate and its inhabitants which is not to be found in previous reports. Mr. Dhan Masih Panna, himself an Oraon of Ranchi district, has contributed a note on the social customs of the Hos, which is printed as Appendix E to the report. Chapter VI gives an account of the forests, of the rights possessed in them by the villagers, and of the customs regulating the rights in trees situated in tenants' holdings. Chapter II contains a very full account of the village officials, their duties, and privileges. The chief of these are, of course, the Manki, the Munda, and the Tahsildar. Among the minor officials Mr. Tuckey mentions the *Dakua*, an assistant of the Munda. This person, although not recognized by the Deputy Commissioner, holds a responsible position, and sometimes wields as much power as the Munda. Many of them are *dikkus*, and Mr. Tuckey suggests that in order to prevent this post from being monopolized by Tantias and Gowalas, Government should give it official recognition, and should endeavour to secure the appointment of Hos wherever this is found practicable.

12. In paragraph 149 Mr. Tuckey expresses the opinion that it is unnecessary to employ a special staff for the purpose of maintaining the record and mapping new cultivation in the interval between this and the next settlement, an opinion which any one who has had experience of the work done by the maintenance staff in the Palamau Government Estate will have no hesitation in accepting. He also recommends the appointment of a Sub-Deputy Collector to be employed solely on the management of the estate.

13. The total cost of the operations was Rs. 3,13,025 or 6½ annas per acre. This is practically the same as the cost rate of the Hazaribagh operations, and is higher than might have been expected, having regard to the simple nature of the land tenures and the absence of disputes. As Mr. Tuckey explains in paragraph 147 of his report, the cost was raised by the postponement of the work on account of failure of crops in 1915, by the difficulty of the survey due to the disappearance of the old traverse stations, by the delay in deciding whether the operations should or should not be carried out under the Chota Nagpur Tenancy Act, and by the complicated comparison of the old and new maps and records necessary to identify the *khuntkatti* land held on fixed rents. With the exception of a sum of Rs. 1,822 recovered from the owners of certain *lakhiraj* villages, the whole of the cost was borne by the Local Government.

The final report will form a most useful manual of reference indispensable in the management of the estate. Mr. Tuckey's energy and his sympathetic interest in the Kolhan, its inhabitants and its problems have qualified

him in a special manner to conduct the settlement operations and to write this report. Although he acknowledges his indebtedness to the Deputy Commissioner and to his own staff for their co-operation, the chief credit for the success of the operations is due to him.

I have the honour to be,

Sir,

Your most obedient servant,

P. W. MURPHY,

*Director of Land Records and Surveys,
Bihar and Orissa.*

BOARD OF REVENUE, BIHAR AND ORISSA.

No. 17-83-2.

FROM

T. W. BRIDGE, Esq., I. C. S.,
SECRETARY TO THE BOARD OF REVENUE,
BIHAR AND ORISSA,

To

THE SECRETARY TO THE GOVERNMENT OF
BIHAR AND ORISSA, REVENUE DEPARTMENT.

Dated, the 12th July 1920.

SIR,

UNDER rule 615, Part II, Chapter XVI, page 162, of the Bengal Settlement Manual, 1908, I am directed to forward for the information and orders of Government, the Final Report of the Survey and Settlement operations in the Kolhan Government Estate in the district of Singhbhum, prepared by Mr. A. D. Tuckey, I. C. S., the late Assistant Settlement Officer in charge, of the Chota Nagpur Settlement, together with a copy of the review written by Mr. P. W. Murphy, I.C.S., the Director of Land Records and Surveys, Bihar and Orissa.

2. The total area of the Kolhan, which is subdivided into 22 Pirs, is 1,919 square miles. Out of this, 537 square miles are reserved forests and 244 square miles protected forests, so that the area open to cultivation is 1,138 square miles. Of this, about 1 square mile representing the Chaibasa town and a lakhiraj tenure of 14 square miles have been excluded from the operations. A comparison of Mr. Tuckey's figures with those of the previous settlement will show that there has been an increase in cultivation amounting to 29 per cent. namely 13.6 per cent. in the rice land and 50.4 per cent. in upland. Mr. Murphy, in his review, gives good reason for thinking that the area figures of the previous settlement are not reliable, so that the increase in rice lands has probably been under-estimated while that in upland has been over-estimated. The total area of cultivation is 681 square miles of which slightly more than half consists of rice lands. Of the total rice lands, about 28,000 acres have been shown as irrigated by bandhs. This irrigation is unsystematic. It is done by percolation mainly, there being no openings, or bhaos, in the embankments by which water can be let out in due season, as there are in Palamau. Messrs. Tuckey and Murphy have pointed out, with reference to the scarcity which occurred in 1915-16 and 1916-17, that much of the rice land is high land unprotected by any irrigation, and have urged that a policy of increasing embankment (abars) should be undertaken. Since the Kolhan is a Government Estate such a policy would naturally be executed by Government officers and at Government expense. Here, however, a word of warning is necessary. It is admitted that the configuration of the country is unsuited to big reservoirs. The new works would therefore of necessity in most cases be small. But as experience elsewhere has shown, small reservoirs unless they have deep beds and considerable catchment areas do not retain water for any length of time, or do not collect it at all except in years when there is already a sufficiency of rain. In other words, they are often rather a distributing agency for a plentiful rainfall, or a means of tiding over minor breaks in the rains than a guarantee of good crops in a bad year. While the Board approves of works of improvement, be they big or small, which have sufficient sources of supply and storage capacity to enable them to secure

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reserved
protected forest

reasonably good crops in the lands they serve during lean years, it is alive to the danger of a policy of extending rice cultivation by means of inadequate reservoirs to lands which without such aids would naturally be better suited to the growth of an upland crop during the rains; and it apprehends that in the Kolhan where the natural features are generally unfavourable to the construction of ahars and the tendency of the people is already to extend the proportion of rice cultivation beyond the limits of prudence, there is a danger that a policy of improvements unless very carefully directed may fail in its purpose of securing the crops against the vicissitudes of the seasons.

3. The soil in the Kolhan settlement has been classified into two classes of rice land, called Bera and Bad and 2 classes of upland, called Bakai and Gora, but as Mr. Tuckey says, it has been found that there are really 3 classes of rice land in the Kolhan, just as there are in the rest of the Chota Nagpur Division. The second class is called Longar and is well recognized locally. In the record-of-rights, Bera and Longar have been grouped together to form one class and the Bad, or third class, has been shown in the other. Most of the Kolhan Baris or Bakais, being of inferior quality, have been classified as Gora or ordinary upland, and only those which grow two crops annually have been shown in the first class as Bari. As, hitherto, all rice land paid the same rate of rent without distinction, the classification has been a matter of small practical importance. But at the present settlement, the better lands have been rightly assessed at a slightly higher figure than the inferior ones. If it is desired at the next revision to carry further this process of differentiation, the natural three-fold classification should be borne in mind.

4. Mr. Murphy has given an excellent summary of the earlier settlements of the Kolhan which it is not necessary for the Board to recapitulate. By the recent settlement, the rent of the estate has been raised from Rs. 1,82,032 to Rs. 2,52,351 i. e., by 38 per cent. Of this total sum, Rs. 1,415 are enjoyed by certain Lakbirajdas and Rs. 69,309 from the *nala*, or remuneration, of the Mankis, Murdas and Tahsildars. Thus Government now receives from the estate Rs. 1,77,597. It will be seen that the system of management under the indigenous tribal system through the agency of Mankis and Mundas is very expensive, but there is no doubt that it has hitherto resulted in great prosperity and contentment among the people. The enhancement, which has been effected might appear to be severe, were it not for the fact that the assessment throughout the estate is exceedingly light. The rate of rent now paid for first class rice land by a Ho is only Re. 1-9-0 a bigha or something less than Re. 1-2-0 an acre while for second class rice land, he pays Re. 0-7-0 a bigha and for upland only Re. 0-1-6. Foreigners pay the theoretical estate rate, which is double those figures. The assessment therefore works out to only about 4 or 5 per cent. of the value of the gross produce which may be compared with the proportion of 12½ per cent. taken recently by the Government as the standard for the Palamau Estate, and 20 per cent. as the standard for the private estates. Both these standards were much below the existing rent incidence of Palamau. The Board agrees with the Director of Land Records that the enhancement which has been made is not excessive.

5. The local officers have during the course of the operations which commenced in October 1913 and continued up to the end of 1919 opposed the application of certain sections of the Chota Nagpur Tenancy Act. The agrarian conditions of the estate have been hitherto regulated by executive rules which were framed so as to preserve the tribal system of administration through Mankis and Mundas and to exclude foreigners from invading the Kolhan, where it was feared that by superior intelligence they would soon oust the Hos from their lands, through the medium of the Courts.

6. It is true that the application of the Khuntkatti sections of the Chota Nagpur Tenancy Act occasioned a great deal of difficult work for the Settlement staff, but this has been surmounted; and the Board hopes that the difficulties still anticipated in connection with the Khuntkatti sections, the

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Classification
of land.

official duties of the Mundas and Mankis and the maintenance of the Kolhan as a Ho reserve under the Cheta Nagpur Tenancy Act may prove to have been exaggerated. Should this hope not be realized legislation will be necessary. The Board is strongly opposed to any relaxation of the policy of conserving the Kolhan for the children of the Kolhan soil.

7. Much of the difficulty connected with the Khuntkatti sections has been got over by the order of Government allowing all Hos to share for the present the privileged rates assessed upon the ordinary Khuntkattidars; while the privilege of fixed rates enjoyed by Khuntkattidars in respect of the rice lands which they have held since 1888 has not yet caused a very marked differentiation of rates such as might occasion resentment in the minds of those Hos who have had their rents raised, or cause them to refuse to pay the enhanced demand.

8. As regards the duties customarily attaching to the tenures of the Mankis and Mundas, the Board is inclined to think that Section 77 of the Act is applicable. But in any case it trusts that no serious tendency will manifest itself on the part of the tenure-holders to disobey the instructions of the Deputy Commissioner, as a result of the preparation of the record-of-rights in which their obligations and duties have been fully recognized. Under the amended Act, it would appear that the Certificate procedure will now be open to the tenure-holders in such cases as the Deputy Commissioner may think fit. Finally the Board hopes that the penetration of the country by outsiders through the instrumentality of auction sales will prove to be inconsiderable in the future as in the past, and trusts that the authority which the Deputy Commissioner still exercises over the Mundas will be sufficient to deter them from connivance with any tendency of the sort. Time will show whether the legislation recommended by Mr. Hallett is necessary, and in the meantime the situation should be carefully watched by the local officers. In order to help them in maintaining the close supervision, which is essential for this purpose and in view of the material disclosed in the Final Report, the Board now fully endorses the proposal that an extra Sub-Deputy Collector should be appointed for the Kolhan Estate to work under the Superintendent, which was put forward by Mr. Hallett and disapproved by the Board on the material then available in its letter to Government No. 8-26-4, dated the 9th September 1918. It is intended to address Government separately on this subject.

9. The Board agrees with the Director of Land Records that Mr. Tuckey's report contains much useful information on social customs and rites and village officials, and notices Mr. Tuckey's proposal that the Dakua, the Munda's assistant, should receive official recognition.

In conclusion, the Hon'ble Member fully endorses the recognition of Mr. Tuckey's work contained in the last paragraph of the Director's forwarding letter and invites the attention of the Government to the good services of the officers commended by Mr. Tuckey, in his report.

I have the honour to be,

SIR,

Your most obedient servant,

T. W. BRIDGE,

Secretary

FINAL REPORT
ON THE
RESETTLEMENT OF THE KOLHAN GOVERNMENT ESTATE

IN THE
DISTRICT OF SINGHBHUM.

CHAPTER I.

GENERAL DESCRIPTION.

1. The Kolhan Government estate is situated in the district of Singhbhum. For a general description of its physical features, people and history reference may be made to the Final Report of the Settlement in 1897 by J. A. Craven, Esq., and to the Singhbhum District Gazetteer by L. S. S. O'Malley, Esq., I.C.S.

2. *Divisions.*—The Kolhan is divided into 26 Pirs. The whole estate is a non-police tract, but for administrative convenience three of the north-western Pirs, Kuldiba, Kainua and Gulkera, have been put in the jurisdiction of Chakradharpur police station, and Saranda and Relu Pirs in the south-west in Manoharpur. The remaining 21 Pirs constitute the Kolhan thana. The larger Pirs are further subdivided into Mankis' divisions or *ilakas*, each under a Manki or divisional headman. There are 75 such divisions. The number of villages under one Manki varies from 3 to 33, and the area from 1,002 acres to 31,349 acres. In each village there is a Munda or village headman.

3. *Tracts.*—The Kolhan falls naturally into three tracts—North Kolhan, South Kolhan, and the Forest area.

North Kolhan comprises the following Pirs:—Chainpur, Asantalia, Ajodhya, Sidiu, Chiru, Lota, Rajahasa, Charai, Barkela, Gumra, Thai, Bharihariya and Lagra. It is divided from South Kolhan by the Singhasan and other ranges of hills and tracts of protected forest which run from Lagra Pir and the Mayurbhanj boundary to the eastern boundary of Rengra Pir past the villages of Bhagabila and Hat Gamharia. South Kolhan comprises Lalgarh, Anwla, Bar, Bantaria, Kotgarh and Jamda Pirs.

The forest area comprises Saranda, Latua, Relu, Rengra, Kuldiba, Kainua, Gulkera Pirs and the Reserved Forest. North Kolhan is fairly level undulating land containing practically no jungle. It is fully cultivated, and there has been little increase of cultivation except where it borders on the forest area. South Kolhan consists of level well cultivated country in the centre, but is jungly and hilly in the eastern parts of Lalgarh and Anwla Pirs and in Kotgarh and Jamda Pirs in the west. In the forest area villages are smaller and more scattered and are divided by large blocks of reserved and protected forest, and there is still room for a great extension of cultivation.

The Reserved Forest and the forest villages within it, have not been included in this survey and settlement, nor has the Manoharpur *lakhiraj* tenure of Babu Bir Kishore Tung Singh Deo consisting of six villages round Manoharpur which was surveyed and settled between 1907 and 1913. These are, however, within the boundaries of the Kolhan.

4. *Area.*—The area that came under the present settlement operations is 874,720 acres or 1, 67 square miles. The total area of the Kolhan including the Reserved Forest and the Manoharpur tenure is 1,228,217 acres or 1,919 square miles. These figures do not agree with those given in Mr. Craven's final report but his area figures have been found to be very inaccurate, and no comparison with the area found by the traverse survey seems to have been made at that time.

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Just under one-half of the total area is cultivated and of the remainder a little less than one-third is available for cultivation.

5. *Railways.*—The main line of the Bengal-Nagpur Railway runs nearly parallel to the north and west boundaries of the Kolhan. Lota Pahar, Posaita and Manoharpur stations lie within the Kolhan. There is a light railway belonging to the Bengal Iron and Steel Company running from Manoharpur to Duia in Saranda Pir, where the main iron ore mines of the company are situated. A survey has been made for a light railway from Chakradharpur to Jaintgarh but it could not be started owing to the war, and now a survey of a line from Sini through Chaibasa to Jamda has been sanctioned for the Bengal-Nagpur Railway, owing to the discovery of iron ore in Bonai and the Kolhan beyond Jamda, for which Tata and Company hold mining leases.

6. *Roads.*—The Kolhan is very well provided with roads and there are few parts of it to which a motor car cannot be driven in the dry weather. The principal road is the Public Works Department road which runs from Chakradharpur to Jaintgarh through Chaibasa and which is part of the road planned to run through the province connecting Patna with Cuttack. Fifty miles of this road lie within the Kolhan. It is metalled and bridged throughout and passes by a fine new bridge over the Baitarni river into the Keonjhar State at Jaintgarh. There are three other classes of road in the Kolhan—District Road Cess Committee roads, Kolhan estate roads, and Forest Department roads, and on the whole the Kolhan is probably better provided with roads than any other tract of similar size in Chota Nagpur. The principal roads and bungalows in the Kolhan have been shown in the map accompanying this report.

7. *Camping grounds.*—The Hos do not plant groves and there is a great dearth of camping grounds in the Kolhan. In many villages it is hard to find any suitable place to pitch a camp, or any good shelter from the sun.

8. *Post offices.*—There is a main post office at Chaibasa and branch post offices at Hat Gamharia, Jagarnathpur and Jaintgarh. Another branch post office in Thai or Bharbhariya Pir would be of convenience.

9. *Schools.*—There are 150 Lower Primary schools in the Kolhan and 26 Upper Primary schools. There are four Middle Vernacular schools at Asura in Gumra Pir, Dumuria in Bar Pir, Chittimiti in Thai Pir and Purnia in Ajodhya Pir, two Middle English schools at Jagarnathpur in Bantaria Pir and at Chaibasa, the latter being an S. P. G. Mission school, and one Guru training school in Jorapokhar in Gumra Pir. There is a High English Zilla school outside Chaibasa in village Kaparsai.

10. *Markets.*—There are thirty-seven weekly markets in the Kolhan, thirteen new markets have been started since the last settlement and one, at Chota Nagra, has ceased to exist. The list of markets is given in Appendix A. As before, the most important market is that held at Chaibasa and the next in importance the Jaintgarh market.

11. *Rainfall.*—The following table shows the rainfall at the four recording stations in the Kolhan since 1905. The rainfall is heaviest at Jagarnathpur which is in a more jungly area than any of the other stations.

Station.	1905	1906	1907	1908	1909	1910	1911	1912	1913	1914	1915	1916	1917	Average.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Chaibasa	64.71	55.82	49.33	67.64	60.93	48.64	43.13	61.83	67.40	68.60	31.37	35.23	58.61	50.91
Kathhari	53.05	63.05	63.01	49.30	66.86	60.98	60.47	48.50	67.06	31.03	30.74	46.76	63.36	50.40
Jaintgarh	44.33	60.80	62.11	63.73	64.08	44.61	64.50	61.41	62.30	60.69	38.44	51.10	61.04	50.31
Jagarnathpur	49.91	61.21	43.19	67.41	66.24	63.07	46.12	60.23	71.17	43.20	37.58	46.48	61.04	60.07
Average	49.22	61.09	64.41	66.55	61.77	60.63	49.07	55.13	60.72	48.21	31.09	43.61	59.06	51.03

markets
37 weekly

Mr. Craven's

Craven's figures.

	Square miles.
	5
735	525
69	450
17	217
50	212
71	1,404
40	531
98	*20
39	1,053

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12. *Classification.*—At the last settlement the lands were divided into three classes—*bera*, *bad* and *gora*. *Bera* and *bad* are the lower and higher embanked rice lands for wet cultivation, and *gora* is the general name for upland. It was found at this settlement that, as in most other parts of Chota Nagpur, there are really three well recognized classes of rice land—1st class *bera*, 2nd class *longar* or *nali*, 3rd class *bad*, *badi* or *pi*.—*Bera* is the lowest land at the bottom of the hollows, almost always irrigated from *bandhs*, streams or springs. *Longar* is a longish narrow strip of low land lying between saddles of high land and taking their drainage, or else a field low down on a slope of rice land receiving some drainage from the terraces above it. *Bad* is the usual high terraced land, dependent entirely on the rainfall on its own surface.

All rice land was assessed at the same rate at the last settlement, and it was not considered necessary to make a very detailed classification. The former two classes of rice land, *bera* and *bad*, were retained, and *longar* was classed with *bera*. *Bera* land is practically safe from a drought but may be damaged by excessive rain. *Longar* will give as good an outturn as *bera* in a good year, but is liable to fail in a very dry year. It has the advantage that a *rabi* crop can be grown on it after the rice while *bera* is usually too damp for this. A twofold classification was made of upland into *bari* and *gora*. *Bari* is the fenced land beside the homestead which in most parts is well manured owing to its proximity to the house, and produces two good crops in the year. The Hos however always place their villages on high ground where the soil is stony, and their *baris* which they call *bakais* are as a rule little better than third class upland elsewhere. In consequence the class *bari* was made to include only *bakais* which did grow two crops in the year, usually *makai* and *garson*, and single cropped *bakais* have been classed as *gora*. The *gora* is of very poor quality in the Kolhan, particularly in North Kolhan where all available land has been terraced for rice cultivation and only the stony tops of the ridges and undulations are left as *gora* land. In parts of South Kolhan where the soil is more fertile and much less riceland has been made the *gora* land is better.

13. *Increase in cultivation and comparison of classification.*—Our classification of rice land has been a great deal higher than Mr. Craven's classification at last settlement, and this is evidently because he classed *longar* with *bad* while we have classed it with *bera*. The area of each class in bighas is as follows:—

	Present settlement.	Last settlement.
1	2	3
Bera	153,635	91,435
Bad	274,736	252,579
Total Rice land	428,371	377,014
Upland (<i>Bari</i> and <i>gora</i>)	410,752	272,968
Total cultivated area	839,123	649,982

The total increase in cultivation is thus 188,941 bighas or 29 per cent. The increase in riceland is 51,157 bighas or 13.6 per cent. and that in upland 137,784 bighas or 50.4 per cent. on these figures, but for the present settlement area, the last settlement figures are rice land 357,355 bighas, upland 275,629 bighas, total cultivated area 662,987 bighas. Owing to the change in classification *bera* shows an increase of 59,200 bighas and *bad* a decrease of 8,013 bighas. The very great increase in upland is partly due, I think, to a certain amount of *gora* escaping survey at the last settlement. The area recorded as *bari* in this settlement is 3,921 bighas. The real increase

in cultivation must be greater than these figures indicate owing to the nominal decrease in the total area of the Kolhan.

14. *Irrigation*.—The area found to be irrigated in the Kolhan at the present settlement was 27,950 acres or 6.7 per cent. of the total cultivated area. This is practically entirely riceland irrigated from *bandhs*, or *ahars* as they are more usually called in other parts. The irrigated area of other crops is negligible. About one-eighth of the total riceland is irrigated. This estimate differs very widely from Mr. Craven's figures which are given in statement 5, Appendix A of his final report, and discussed in paragraphs 94 to 97 of the report.

These figures are :—

Irrigated from rivers	...	...	14,085 acres.
" " Government <i>landis</i> and tanks	...	...	25,363 "
" " Private <i>bandhs</i>	...	...	33,826 "
Total	...	...	73,274 "

The different crops irrigated are given in paragraph 97 as follows :—

Rice	...	...	71,752 acres.
Wheat	...	...	1,020 "
Sugarcane	...	...	74 "
Tobacco	...	...	124 "
Miscellaneous	...	...	304 "

There are no signs that irrigation has decreased since the last settlement. On the contrary 3,000 acres of land irrigated from *bandhs* constructed in the famine of 1915-17 have been added. I find myself unable to accept Mr. Craven's figures as correct, and it is particularly hard to understand the figure for land irrigated from rivers, for no artificial irrigation from this source was found. I think that rice land which is naturally irrigated by springs or by being made in the course of a *nala* by terracing must have been included. In this way nearly all *bera* land is irrigated, but settlement figures are usually only for land artificially irrigated. Of the crops other than rice, wheat is grown on rice land in North Kolhan after the rice and is not irrigated as a rule. The acreage under tobacco and sugarcane found at this settlement was only 7 acres and 6½ acres, respectively.

The Pirs in which a large proportion of the rice land is irrigated are Ajodhya, Lota and Rajabasa in which about ½ of the rice land is irrigated, Asantalia ½, Kuldihā, Kainua, Gulkera, Chaiapur and Jamda ½, Sidia ½, Bantaria ½, Kotgarh ½, Lagra ½. The proportion drops to ¼ in Bar, Thai and Barkela, ¼ in Bharbhariya, ½ in Gumra, ½ in Chiru, ½ in Auwla, ½ in Charai and ½ in Lalgari. The irrigated area in the forest Pirs of Itengra, Latua, Rela and Saranda is insignificant.

The extension and improvement of irrigation in the Kolhan is a matter of great importance with reference to liability to famine. Something was done in this respect during the scarcity of 1915-16 and 1916-17. Seventeen *bandhs* were constructed or enlarged irrigating an area of about 3,000 acres, the most important being at Jintugara and Jagarnathpur in Bantaria Pir, Bara Torlo in Thai Pir, Purnia in Ajodhya Pir and Katikora in Kotgarh Pir. Owing to the undulating and broken nature of the country few suitable places can be found for big schemes, and small irrigation projects are more suitable. Mr. Hallett has given one instance where 1½ miles of channel had to be cut to bring water less than ¼ of a mile from the *bandh*.

It would be of advantage if the Hos could be taught to irrigate from the *bandhs* by means of earthenware pipes at the base of the embankment (*bhaos*) as is done in Palamau. These can be opened and closed at will. At present the irrigation from *bandhs* is mainly by percolation, and if direct irrigation is needed, the embankment has to be cut.

15. *Liability to famine*.—The Pirs in which distress was felt in 1915-16 were Ajodhya, Asantalia, Sidia, Chiru, Charai, Thai, Bharbhariya, Lagra, the north of Bar Pir, Gumra, Barkela, Bantaria and Kotgarh, and of these Charai

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Thai, Bharbhariya and Gumra Pirs suffered most. In 1916-17 those four Pirs with Ajodhya and Sidiu were affected. The Kolhan is entirely dependent on its rice crop for food and the scarcity was the result of the failure of the crop on *bad* land, and to a less extent on *longar* land. The crop on real *bera* land is almost immune from complete failure through drought. In Chainpur, Ajodhya, Asantalia, Lota, Charai, Thai, Bharbhariya, and Lagra Pirs, over 70 per cent of the rice land is *bad*. In Chiru and Gumra it is 66 per cent. The parts of the Kolhan most liable to famine are those Pirs which have a high percentage of inferior embanked rice land, which is not protected by natural or artificial irrigation and on which the crop is liable to fail if the rainfall is insufficient or badly distributed. The forest Pirs are hardly liable to famine. The rainfall is better, jungle produce helps to maintain the people and there is work for a certain number under the Forest Department. As the development of the Kolhan continues, and more and more land is embanked into *bad* and more and more jungle cleared the liability to famine will grow greater, and the need for irrigation works will become more pressing.

16. *Cultivation*.—The Ho is not a good cultivator. He is too lazy to take much pains about it, and if he can obtain sufficient from his land to support himself and his family he does not worry much about improvements. The Oriya Gowalas in the south are better cultivators of rice land but they pay little attention to any other crop. Most of the rice land in the Kolhan is sown broadcast, including much land that is fit for the cultivation of transplanted rice. The principal kinds of rice grown are given in Mr. Craven's report. They are nearly all coarse rice. Little attention is paid to changing the seed in different years or procuring seed from other villages. The ploughs are small and only scratch the ground, and the plough cattle are very poor. The Hos do not drink milk or milk their cows but they use cows for ploughing and they are overworked and cannot breed good calves. The Hos do not keep bulls for breeding, and the young bulls serve the cows only when they are too young to be fit for the plough and after that are turned into plough oxen. It would be worth while experimenting with Government bulls placed in charge of the Mankis. Buffalos are used only by the richer classes. The harvesting is done in a manner which is very wasteful of the straw. The Ho is in a hurry to get his crop harvested and too lazy to cut it level with the ground. It is cut about half-way up, and often only the ears are harvested. He says that he leaves the straw in the ground for the cattle to graze on, but at that time of year there is sufficient grazing without this, and the result is that in the hot weather there is no stock of straw to supplement the grazing which has by then become quite insufficient. *Rabi* crops are grown in rice land to a certain extent being sown broadcast while the rice is in ear, mainly in *longar* lands, real *bera* being still too wet, and *bad* not retaining sufficient moisture. This cultivation of *rabi* crops on rice land was restricted during the settlement operations and concealed where possible owing to the people being apprehensive that *dosuli* lands would be assessed at a higher rate. It is confined mainly to North Kolhan, the best cultivation being in Rajabasa Pir which was the only Pir where I found the rice land ploughed after the crop was cut and a *rabi* crop then sown. The Ho manures his *bakai* from the refuse of his house, and where possible manures rice land once a year with cowdung, but this is done irregularly, the manuring depending on the amount of cattle kept by the riyat. *Gora* lands are not manured except by burning leaves on them, which is usually done before pulses are sown. *Gora* rice, *surguja* and *gonatti* are the principal crops grown on *gora* and *makai* on the *baris*. Fourteen crop cutting experiments showed the average outturn of *surguja* to be one maund fifteen seers per acre. *Gora* land is not cultivated every year, but is left fallow every second year or two years out of three. Special crops are not much grown, chillis, tobacco, vegetables and sugarcane are grown to a very limited extent.

Oil is obtained from the fruit of the *Nim*, *Karani*, *Alahua* and *Kusum* trees, as well as from oil seeds. The oil mills in use are of a most primitive description.

17. *Weights and Measures*.—(a) *Dry measure*.—No unit of weight is used and the *paila*, a hollow cup of wood or iron or brass, is used for measuring

grain. Wooden *pailas* are sold in the local *hats* for 2 pice to one anna each. An attempt was made to standardize the *paila*, and stamped *pailas* of 80 tolas weight of rice were issued; but this has not succeeded and the *pailas* vary according to the purpose for which they are used and according to the market. Not only are different *pailas* used for loans, payment of wages, selling paddy, rice and oil, but different *pailas* are used for the same purpose on the same day. The rates are not varied in sale and barter by the number of *pailas* but the size of the *paila*, and a man who goes to market to sell any commodity will take 4 or 5 *pailas* of different sizes with him and use them as occasion offers. Twenty *pailas* make one *bisya*. Paddy is stored in a receptacle made of coiled straw rope known as *bandhi* or *pura*. These also vary in size according to the harvest and the holding of the owner.

(b) *Field measurement*.—The official measure for fields is the local *bigha* of 2,500 square yards equal to $\frac{516}{100}$ of an acre. But the Hos have no idea of *bigha* measurement at all, and measure their fields in a very rough way either by the number of *puras* or *bandhis* of paddy that they will produce or the amount of seed that is required for sowing them.

(c) *Distance*.—Distance is measured in *gaudis*. A *gaudi* is equivalent to a *kos* but is even more indefinite and varies from two to five miles. In the jungly areas a *gaudi* is taken as distance during the passage of which the green leaves of a fresh branch plucked and carried will wither. *Muka* is the general term for measurement and is equivalent to a *hath* or cubit.

18. *Population*.—The population of the Kolhan according to the census of 1911 was as follows:—

Thana Kolhan	...	...	...	2,71,924
„ Chakradharpur	...	...	...	15,133
„ Manoharpur	...	...	...	10,921
			Total	2,97,978

It was found subsequently by the Deputy Commissioner that about ten villages had been omitted, and the figures were obtained from the Mankis and the total raised to 300,096. The census report gives 1970 villages for thana Chaibasa (Kolhan), and it is clear that the survey units were not followed but *tolas* were taken as villages.

Owing to parts of the Kolhan falling within thanas Chakradharpur and Manoharpur it is not possible to make a comparison with the figures of the previous census, but a comparison can be made for thana Kolhan. The population in—

1901 was	...	...	...	250,404
1911 „	...	...	...	271,924

an increase of 9.26 per cent.

Dr. Hayes' estimate of the population of the Kolhan in 1867 was 118,291 and Mr. Craven's in 1897, 237,320.

The only figures of the 1911 census which could be obtained for the whole Kolhan are given below:—

I. <i>Population</i>	...	...	...	2,97,978
Urban	...	...	...	9,009
Rural	...	...	...	2,88,969
Males total	1,43,479
Urban	4,656
Rural	1,38,793
Females total	151,199
Urban	4,323
Rural	150,176

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Thus excluding Chaibasa town, which is the only urban area, there are 11,383 more females than males.

Religion.	Male.	Female.	Total.
1	2	3	4
Hindu	39,608	41,100	80,708
Musalman	1,250	944	2,194
Christian	822	934	1,756
Animist	101,700	1,11,519	213,219

19. *The Hos.*—The Hos form the main part of the population and Kolhan has been called after the name Kol which the Hindus apply to them. They have been described at length in the District Gazetteer. Now-a-days the Ho of the cultivated parts is very different from the wild Larka Ho of former days, and it is only in the remote jungle villages that the Ho retains unimpaired the shyness, truthfulness, physical courage and physical development for which he used to be noted.

The first point that strikes one about the Hos is the very feeble physical standard of the men, and the contrast they form to the women, who present a picture of health and strength that must be unrivalled in this side of India. Whether it is the amount of *illi* (rice beer) that they drink or their constant smoking, for a Ho starts smoking from about the age of five, that has caused this physical degeneration, I do not know, or it may be their extreme laziness. The Ho's ideal of existence is to lie on a string cot and bask in the sun, his women-folk do most of the work. Their chief amusement is cock-fighting and cock-fighting is a great feature of all the markets, while attendance at the attestation camps provided an opportunity of indulging in this pastime which was eagerly seized unless the attestation officer prevented it. The women do all agricultural work except ploughing and sowing, and in the recent past it was found impossible to keep men as diggers and women as carriers at relief works. The women did their share of the digging and did it quite as well as the men. It is only in the jungles that the male Ho retains his good physique.

The Hos have however kept their own manners, or lack of manners, customs and their exclusiveness to a very large extent, and they are an interesting and attractive people to work among. The absence of caste among them and their independence, their good spirits and smiling faces and the position which their women hold, bring them into closer touch with the European than is the case with the Hindu. They were not at all prepared to submit to the exactions which the subordinate survey and settlement staff considered due and had a nasty habit of reporting attempts in this direction which made work in the Kolhan very unpopular among the Hindu and Muhammadan amins. One traverser who exacted Rs. 5 or Rs. 10 from the village in which he was working was complained against for this and because he insisted on being carried to and from his work which was in the jungle at some distance from the village. The gist of the complaint was that they did not much mind paying a small sum for his food, and carrying him back to the village when he had done his day's work, but they drew the line at having to carry him out before he had done any work. This man had three months in which to think over characteristics of the Hos.

The Hos are very strict in their relations with foreigners or Dikkus they call them. Any woman going astray with or marrying a Dikku is casted and expelled from the Ho community. They live apart from Dikkus if there are any in the village, and will not even drink water from a well or spring which Dikkus have used, until it has been purified. In a village in which an attestation camp was for nearly a month, the Hos gave up drinking from the only good spring and preferred to find what water they could elsewhere, because the Dikku *amla* of the camp used the spring.

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An interesting note on the Hos and their customs by Mr. Dhan Masil. Patna is given in Appendix E.

The number of Hos in the Kolhan was calculated at 167,921 out of a total population of 237,320 by Mr. Craven. The number now must be over 2,00,000 out of 213,228 animists. The total number of other aboriginal tribes is given by Mr. Craven as 7,742 and this includes 2,955 Tamarias, most of which would, I expect, have recorded themselves as Hindus. The total number of Hos in Bihar and Orissa excluding the Native States in 1911 was 255,800 and these were all found in Singhbhum. There are about 40,000 more in the neighbouring Feudatory States. The Kolhan thus contains about two-thirds of the Ho race.

20. *Other castes.*—The other principal castes and tribes in the Kolhan in order of number are Gowalas, including Mahakurs and Khondwals, Tantis, Bhuiyas, Kamars or Lohars, Tamarias, Kumhars, Santals, Dhuruas or Gonds, Muhammadans, Oraons and Ghasis. No other caste exceeded one thousand in Mr. Craven's enumeration.

Gowalas.—A clear distinction must be drawn between the Magadha Gowalas and other classes of Gowala and kindred castes. The Magadha Gowala is a semi-aboriginal, and from his appearance must have a large admixture of Ho blood in his veins. He is a necessary adjunct to the communal life of the Ho, and is not considered a Dikku by him. He tends the Ho's cattle and makes his rice-beer, and lives in perfect amity with him. He is usually poor and often a landless labourer who wanders from one village to another.

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The other classes of Gowala are Oriyas, who live mainly in the south of the Kolhan and appear to have gradually spread from the Orissa States, and were probably displacing the Bhuiyas and Dhuruas from the south, about the same time as the Hos were driving them out from the north. They are found in the east of Thai Pir also in large numbers. Gowalas are the *khuntkattidars* of seven villages in the Kolhan, four of which are in the centre of Bar Pir. The south of Bar Pir was evidently already reclaimed when they came into the Kolhan and they helped to reclaim the jungle in the centre of the Pir. They are mainly agriculturists.

The Tantis are in origin a caste of weavers and are certainly semi-aboriginal. They are not considered a clean caste by Hindus. As weavers they are necessary to the Hos, in every other capacity their presence and influence is pernicious, and I support all that has been said about them by Mr. Craven and others. Tantis are to be found in practically every village.

The Bhuiyas are found mainly in the south where they appear to have displaced the Dhuruas or Gonds and in turn to have been displaced by the Hos. They must at one time have been in possession of nearly the whole of Janda and Kotgarh Pirs, parts of Bantaria and the south-west of Bar Pir; there are Bhuiya villages in Gumra Pir also. Kamars like Magadha Gowalas are essential to the Hos. They have been brought in by the Hos and are nowhere *khuntkattidars*. Even now there are not enough of them in some parts of the Kolhan. They are blacksmiths and labourer and few hold much land.

Tamarias have come into the Kolhan as petty traders and dealers. They are to be found everywhere except in the extreme north which is the most purely Ho part of the Kolhan.

The Kumhars are needed as potters. They are nearly all agriculturists too and generally live in *tolas* by themselves. Santals and Bhumijis are found in Thai, Bhabhariya and Lagra Pirs. They are very simple people even more so than the Hos. The Bhumijis seem to have come to these parts before the Hos, and are the *khuntkattidars* of seven villages. The Santals are more recent comers but founded one village Bara Dangua (No. 161). The Dhuruas or Gonds are found chiefly in Lagrah and Awla Pirs where they are the oldest inhabitants. There are traces of their existence all over the south of the Kolhan, and they seem to have been displaced by the Bhuiyas before the Hos reached those parts. Thai in Thai Pir is a Gond village and the Gonds in it call themselves Kshatriyas.

The Muhammadans are mainly to be found in Chaibasa town; outside this there are two colonies of Muhammadan traders in Jaintgarh and Majganw.

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The Oraons are in Chaibasa town, where they form the bulk of the servant and labouring class, and in Saranda Pir where they were brought in to work in the Duia mines. The Ghasis too are mostly in and around Chaibasa.

21. *General condition of the people.*—The Kolhan raiyat possesses several advantages over his brethren in other parts of this province; first, there are no zamindars, middlemen or even Khas Mahal staff to make what they can at his expense; secondly, there are no non-cultivating raiyats, such as are found among the higher castes elsewhere, and thirdly, the money-lender has been kept under control, and the exploitation of the aboriginal by more advanced races has been prevented. The people are poor but not indebted. A few of the Mankis are well off, but the Ho as a rule is too lazy and improvident to lay money by. He uses up a large proportion of his rice in making his national drink, rice-beer, which he calls *diang* or *illi*, and as long as he has enough to eat and drink he will not exert himself to improve his condition. Whether he has enough or not, he remains cheerful. He is, however, improving, both in methods of cultivation, and in enterprise, and since the British occupation, the development of the country has been continuous and rapid.

CHAPTER II.

VILLAGE OFFICIALS, TENURE-HOLDERS.

22. *Manki and Munda officials not real tenure-holders.*—Except in the *lakhdwaj* villages there are no real tenure-holders in the Kolhan and all the land is held directly under Government in raiyati tenancy. The position of the Munda and Manki is different from that of the aboriginal headmen in other parts of Chota Nagpur. They are primarily officials—officials chosen from the people and to some extent by the people, responsible not only for the collection of the revenue, but also for the police work of the country, for looking after the jungles, trees, roads and irrigation works within their jurisdiction, in fact for all the work that is done elsewhere by the subordinate staff of Government and of local bodies. They are remunerated by a commission on the rent collections, and are liable to removal from office as well as to lesser penalties, for failure to perform their duties. Their lands are entirely separate from their office and are not held rent-free or at privileged rates, and removal from office does not involve ejection from their holdings. They have been recorded as tenure-holders in the *Khecol* as it is not possible to record them otherwise under the Chota Nagpur Tenancy Act, but in fact their position cannot be correctly defined within the four corners of the Act. They are under the executive control of the Deputy Commissioner, and the whole administrative system of the Kolhan depends on the retention of that control. Their rights and duties have been recorded in a special headman's record-of-rights which is part of the record and is final and conclusive under section 132 of the Act. These rights and duties have been found to be uniform throughout the Kolhan.

23. *The Munda.*—The Munda is the village headman, and every village in the Kolhan has a Munda. He is responsible for the payment of the full rent of his village to Government less the commissions due to the Manki, Tahsildar and himself. He receives 10 per cent. of the gross rent and 10 per cent goes to the Manki and 2 per cent to the Tahsildar.

There are two *kists* for payment of the rent, six annas in Kartik and ten annas in Magh. These *kists* are due from the raiyats to the Munda on the 15th of Kartik and the 15th of Magh; from the Munda to the Manki on the last day of Kartik and Magh, and from the Manki to Government on the 15th of Aghar and the 10th of Bhagan. In practice, however, the Munda does not pay the rent to the Manki and the Manki to Government, but the Munda pays the net rent due to Government directly into the treasury, and pays the commissions due to the Manki and Tahsildar to them. If the Munda fails to pay the rent according to the *kists*, he has no right to receive any *uata*, he can be fined or dismissed by the Deputy Commissioner and his property can be distrained and sold under the Deputy Commissioner's orders.

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24. *Rights of the Munda in his village.*—The Munda has the right of settling an abandoned holding with another raiyat but (1) he must inform the Manki; (2) he will offer settlement first to a resident raiyat of the same caste as the absconding raiyat; (3) if no such raiyat takes settlement he will settle the land with a resident Ho raiyat; (4) if no resident Ho raiyat takes settlement, he may take the land into his own cultivation or settle it with a non-resident Ho; (5) he may not take the land into his own cultivation without the written permission of the Deputy Commissioner; (6) he has no right to settle land with a non-resident Dikku. The Munda has no right to increase the rent when making settlement of an abandoned holding. The Munda has the right to settle uncultivated land with any resident settled raiyat or any Ho raiyat, but he must inform the Manki. He has no right to make any settlement within the protected forest. New settlements will be enjoyed rent-free for three years and after that, with the agreement of the Manki, the Munda may impose a fair rent on the land. Of this rent he is entitled to half and the Manki to half within the term of their settlement. The Munda has no right to take any *salami* when settling an abandoned holding or uncultivated land, but he may take the arrear rent due on an abandoned holding.

The Munda has no right to obtain any remission of rent because of raiyat's absconding, or failure of the crops, or for any other reason. On the other hand, he has the right to retain his village during the term of the settlement without his rent being raised. He has the right to receive a commission on the collections of the lac and *tassar* rent. His present commission is two annas in the rupee.

In two uninhabited villages near Jaintgarh which are cultivated by Dikkus, the Munda has the right to settle abandoned holdings with non-resident Dikkus, provided that they are settled raiyats of the village. The right to settle rent on new cultivation has hardly ever been exercised by the Munda and Manki, and practically the whole of the new cultivation since the last settlement was found to be enjoyed free of rent.

25. *The Munda's duties.*—The Munda must give information to the Deputy Commissioner of all transfers of land by gift, sale, mortgage, inheritance or partition, and of new settlements of abandoned holdings or uncultivated land. In practice, however, reports of transfers by inheritance and of new settlements of uncultivated land are not made and not insisted on.

He must give information to the Deputy Commissioner when any Dikku settles in his village. He is responsible for saving the protected forest from fire and putting out all fires therein; he must report to the Deputy Commissioner any infringement of the protected forest rules, and he must keep the forest lines clear. He must preserve trees on cultivated or waste lands and the village forest from harm and see that the raiyats do not go beyond their rights in this respect. He is responsible for the preservation of groves and of trees planted by the road-side. He must with the help of his raiyats guard and keep in repair *bandhs* and tanks, rivers and works of irrigation, boundary stones and village roads.

The Munda is the responsible police officer of his village and he will carry out all his police duties according to the orders of Government and the Manki. He has to collect from the raiyats the rent and all other Government dues and see that the Tahsildar keeps his accounts properly and gives receipts according to rule. He must supply *rasul* and coolies to Government officers on payment of a fair price. As a police officer the Munda has the powers of a Head-constable.

26. *The rights of the Munda in his office and the reasons for which he can be dismissed or removed.*—If he is fit to perform his official duties, and is of good character, the Munda has the right to receive a fresh settlement on the expiration of the existing lease. The Munda's office is hereditary, and the next male heir has the right to the appointment, if he is considered fit for it in the opinion of the Deputy Commissioner, but if the Munda be dismissed, his heir loses this right. The Munda has no right to transfer the whole or any part of his village by gift, sale or mortgage. Nor has he the right to entrust his duties

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to anyone else, but, with the consent of the Deputy Commissioner and on conditions laid down by him, he may appoint a *juridar* Munda. A *juridar* Munda's office is not hereditary and the Deputy Commissioner can discharge him when there is no longer need for his services. The Munda may be removed by order of the Deputy Commissioner for any breach of the conditions of the record-of-rights, or for unfitness or bad character, or for not living in his village, and he may be fined for any of the reasons for which he may be dismissed.

If the Munda is removed from office he has the right to keep his *khuntkatti* and raiyati land, but has no right to retain any land recorded as his *bakasht* (that is, abandoned raiyati land of which he has taken possession without the Deputy Commissioner's permission).

27. *Government's right of appointing a Munda.*—Government has the right to divide a village and appoint a new Munda for any part of it. If on the death or resignation of a Munda there is a fit heir, the Deputy Commissioner will appoint him to be Munda, and if the heir be a minor, he will be appointed along with a *juridar* Munda until he comes of age. If the Munda have no heir or be dismissed, the Manki and the raiyats have the right to appoint, with the Deputy Commissioner's consent, any fit resident raiyat as Munda. Government orders have now been issued that in future no non-Ho should be appointed as Munda without the previous sanction of the Commissioner.

28. *The Manki.*—The Manki is the headman over a group of villages, and is usually also the Munda of the village in which he lives. Originally there was probably one Manki for each Pir, but as the country developed, it became impossible for one Manki to do the work in the larger Pirs, and they were divided into suitable units. The Manki gets a commission of 10 per cent on the rent-roll of the villages in his charge. If the rent is not paid according to the *kists* he is not entitled to receive his commission and is liable to dismissal, fine and distraint and sale of his property just as is the Munda.

29. *Rights of the Manki in his ilaka.*—He has not the right to settle land but he is to see that the Munda makes settlement according to rule and conserves the interests and welfare of the raiyats. He is entitled to half the rent which the Munda, with his consent, settles on new cultivation. He has no right to any remission of rent, but has the right to keep his *ilaka* without increase of rent during the term of the settlement. He has the right to receive a commission on the collections of lac and *tassar* rent. The present commission of the Manki on lac and *tassar* collections is two annas in the rupee.

30. *The Manki's duties.*—The Manki's recorded duties in his *ilaka* are exactly the same as the Munda's in his village, and in addition the Manki has to appoint a *Dakua* for his *ilaka* to help him in his police and other duties. He will also, with the Deputy Commissioner's consent, appoint a *Tahsildar* in each village to keep the rent accounts and give receipts, and he is responsible that the *Tahsildar* does his work according to rule. He will see that the Mundas deposit into the treasury the village rents *kist* by *kist* and all other Government dues.

The rights of the Manki in his office and the reasons for which he can be dismissed or removed are the same as those noted above for the Munda.

31. *Government's right of appointing a Manki.*—Government has the right to divide a Manki's *ilaka* and appoint a new Manki for any part of it. On a Manki's death or resignation, if there is a fit heir, the Deputy Commissioner, with the consent of the Commissioner, will appoint him. If the heir be a minor he will be appointed along with a *juridar* Manki until he comes of age. If there is no fit male heir in the family of the Manki or if the Manki be dismissed, then the Deputy Commissioner will appoint another Manki but, except with the Commissioner's consent and for some special reason, the Manki must be selected from the caste of the majority of the people of the Pir or that of the former Manki. A woman cannot be appointed to the office of Manki. As a police officer the Manki has the powers of a Sub-Inspector.

32. *Historical position of the Manki and Munda.*—The aboriginal headman's position originated in the need for a representative between the people and the overlord, a representative who would on the one hand be responsible for paying the rent, and keeping his kindred in control, and on the other, would stand

between the people and the emissaries of the Dikku zamindars and enable the former to live their lives in their own way without undue interference from without.

In the Kolhan it appears that before the British occupation of the country there were headmen only in those parts which were under some control from the neighbouring chiefs and which paid rent or taxes for each village.

Lieutenant Tickell, Assistant Political Agent, Singhbhum, in a letter dated the 1st February, 1842, to the Governor-General's Agent on the subject of assessing the Kolhan, writes as follows:—

These border tracts had their chiefs or Mankis who were elected on paying a *salami* for the distinction by the zamindars and who used to present the amount of tax required. But in the interior, the Kolhan from the first presented, and indeed does in measure still present, the anomaly of a people living together without an acknowledged head or ruler of any kind whatever.

For these parts the headmen were first appointed by the Government according to Lieutenant Tickell. In a letter dated the 13th May, 1837, to the Assistant Agent in charge of Singhbhum, on the administration of the Kolhan, the Agent to the Governor-General (Sir Thomas Wilkinson) writes:—

"* * * Each subdivision consisting of a number of villages has been placed under the superintendence of a Manki, who has been chosen chiefly owing to the influence that he is supposed to possess, and with the general consent of the inhabitants of those villages over which he is placed."

The following is the translation* of a *patta* given to Jamadar Manki of Asura by the Assistant Agent in 1838, and it will be seen how much emphasis is laid on the Manki's duties and how far removed was his position from that of a tenure-holder:—

To Jamadar Manki of Asura—

Be it known to you that you have been appointed Manki of Gumra Pir. This *sanad* is presented to you according to the sanction of the Agent to the Governor-General, dated the 11th December of the present year. In accordance with your promise before the Agent you will be held responsible for all matters concerning the villages under you, such as theft, murder, robbery, etc. If the revenue of your *ilaka* is not paid in proper time you will be held responsible for it and it will be realized from you. You will work with heart and soul and render help. You will arrest guilty persons and produce them before me. You should not knowingly let off guilty persons by taking bribes or on the consideration that they are your relatives. If you try to conceal guilty persons or show any partiality you will be taken to task for it. You will at once inform me when a theft, murder, or dacoity is committed in your *ilaka*. You are empowered to decide or compromise minor cases, such as insult and assault, which you think should not come before me, and you should inform me of your decisions. You will always readily obey any orders given to you by me or my successors.

In every village of your *ilaka* there will be a Munda who will be subordinate to you. The Munda will promise before you and before the Agent that he will render every help to you and inform you or your Naib of any important matter occurring in his village. He will promise that he will give a substitute in case of his illness or absence from the village on private business. If I or my successor orders you to arrest any guilty person you will at once arrest him and produce him before me. If he absconds from your *ilaka* and takes refuge in other *ilakas* you will arrest him there also. You will try your best to arrest guilty persons. If you go to some other place on private business you will give charge of your duties to your Naib who has been appointed by Government, and if your absence is to be for a long time you will inform me. If any order comes to you from any Raja, Babu or Bhaiya you should not, according to your promise, carry it out but will produce before me the *mutua* who comes with such orders from them. You will carry out all orders. You will receive a separate *patta* that you will get one-tenth of the total revenue of your *ilaka*. If you show negligence in the discharge of your duties this *sanad* will be taken away from you and given to another man. You will always work according to this *sanad*.

In 1851 the Agent (J. H. Crawford) in issuing instructions to the Assistant Agent of Singhbhum on the subject of the appointment of Mankis laid down that the office was neither purely elective nor strictly hereditary, but that the individual who exercised the greatest degree of local influence, for the best purpose, was the one best qualified for the office, and that while a good Manki's heir or a member of his family, if he had no heir, should be given the preference, "the Coles should continue to feel that the authorities have unrestricted control in such matters".

* The original is in Oriya.

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It appears, then, that the position of the Manki and Munda is neither in origin nor at present that of a tenure-holder, but that of an official representative of the village. This position has been to some extent created and always carefully fostered by Government, according to the ideas and in the interests of the Hos.

33. *The Tahsildar.*—The office of Tahsildar was created at the settlement of 1867. The Tahsildar is the village accountant. His appointment rests with the Manki, subject to the approval of the Deputy Commissioner. He may be fined or dismissed by the Deputy Commissioner. His duties are to help the Munda in collecting the rent, to grant receipts to the raiyats in the prescribed form, and to keep such accounts as may be prescribed. He receives 2 per cent of the gross rent as his remuneration. In theory there should be a Tahsildar for each village, but in practice the Manki appoints one or at most two Tahsildars for the whole of his *Baka*, and the Tahsildar is usually a member of the Manki's family. This system has its advantages and keeps the post in the hands of a responsible Ho of influence and position. If a separate Tahsildar was appointed in each village, the work would be apt to get into the hands of the Tantis, as Hos would not be found of sufficient intelligence and education for it.

No complaints of the Tahsildars attempting to take illegal exactions from the raiyats came to notice during the settlement.

34. *The Dakua.*—The word *dakua* is not a Ho word but is derived from the Hindi "dak" to call or summon. The Dakua is the person who summons the villagers when wanted for any purpose. There are two kinds of Dakua, the Manki's Dakua and the Munda's Dakua. (1) The Manki's Dakua is recognised by Government and the Manki is bound to appoint a Dakua. The Dakua is the Manki's constable and helps him in his police and other duties. The amount of his pay has to be approved by the Deputy Commissioner, and he is liable to dismissal by him for misconduct. The Dakua is probably the same as, or has taken the place of, the *naib* mentioned in the old *patta* of Jamadar Manki of Asura. (2) The Munda's Dakua is not a recognised official but he is a person of considerable importance in the village. There is a Dakua in almost every village, except in very small ones or, where there is a *juridar* Munda, for the Munda is as a rule unable to perform all his duties without help, as he is a large cultivator and will not neglect his cultivation. The office of Dakua was probably of Dikku origin, and was equivalent to that of the *gorail* in other parts. "When the Hos came under the control of the British, the Mundas had to borrow the institution in order to carry out their duties, for they felt the want both of a messenger and of some one who knew the foreign Hindi language to interpret for them. As the villages grew in population and the duties of the Munda became greater, the position of the Dakua grew in importance. In Dikku villages, with a Dikku Munda the Dakua is still very much a servant of the Munda, but with Ho Mundas he is more of an assistant, and when the Munda is weak and incapable, the Dakua's influence is sometimes greater than his. The Dakua is very like a *chaukidar*. He accompanies the Munda in all his official duties, helps him to apprehend offenders and does so alone also, and takes reports to the court and the *thana*. He summons the villagers before the Munda and Tahsildar to pay their rents, and he summons them to *panchayats*. He keeps watch over the jungle. He attends officials when they come to the village, and sees to the supply of coolies and *rasad*. He gathers the villagers for work on roads or irrigation *bandhs*.

The Dakua is appointed usually with the consent of the villagers assembled in *panchayat*, and the Munda seldom appoints a Dakua without consulting the villagers. He is paid by the Munda anything from Rs. 2 to Rs. 20 a year, according to the size of the village, and in some big villages there are two Dakuas. The villagers do not pay him anything either in cash or kind, but he receives many a free meal while going about in the course of his duties. The Dakua is usually a man without much land, sometimes altogether landless, and he is chosen for his intelligence, and not for his position. He is very often a Dikku, either a Tanti or a Gowala, but sometimes a Ho and occasionally a relation of the Munda. The Dakua is a necessity in the administration and it would be better if the post were recognised by Government, and a list of Dakuas kept. It would be well to prevent, as far as possible, Tantis being

appointed as Dakuas, and as education spreads, it should be possible to find Hos fit for the position.

35. *The Deuri.*—The Deuri is the village priest. The name is not a Ho word, and is probably a variation of the Hindi "Dehri" or "Dihri", the priest of the village gods. The Hos seem to have borrowed the word from the Bhuiyas. The Deuri is the spiritual head of the village and is treated with respect, but he has not at all the same position as the *Pahan* among the Mundas. He does not possess much influence and he does not concern himself with social matters at all. He has no voice in questions of outcasting and does not sit in the village *panchayat*. In fact he keeps quite aloof from mundane affairs and does not take part in village strifes and factions.

The Hos worship three kinds of deities. First come *Marang Bonga* the supreme God and *Sing Bonga* the sun-god who commands the weather, and certain other minor deities. Next are the *Hatu bongas* or village gods and lastly, the *Oa bongas* or house gods. Any Ho can approach the first and third, and it is only the village gods who must be approached through the Deuri, the consecrated village priest. The village gods are worshipped in the *Jahira* or sacred grove, and sacrifice is made to them publicly by the Deuri on three public occasions every year, the *Maye*, the *Ba* and the *Jomnana* festivals. The Deuri used to be remunerated by a grant of *deurai* land which was held rent-free and was cultivated for him by the villagers, but at the last settlement all such lands were assessed to rent, and recorded in the name of the occupier at the time. Since then the custom has largely died out and only in 15 cases were *deurai* lands found which were admitted to be inherited by virtue of office, and not by descent. In these cases the rent was paid by the raiyats. In other villages the Deuri is paid a contribution in kind by all the villagers, each tenant giving him one *paila* of paddy for every rupee of his own rent. Besides this the raiyats help him with their cattle and ploughs in the cultivation of his lands when he is unable to cultivate them himself owing to lack of means or the death of his cattle.

The Deuri was originally one of the founding family, and the post was probably held by the Munda. In a few cases the Munda is still Deuri also, but generally the double duty was found to be too heavy and a separate Deuri was appointed. If ill luck attended the village, the Deuri was changed, and the appointment of a new Deuri was made by reason of his special qualifications for the post. He might belong to any *Killi*. All villages do not possess a separate Deuri or a separate *Jahira*, and often one Deuri does duty for two or three villages. This is usually the case when one of the villages is the parent village, and the others have been formed by the spread of cultivation from that village, and not by migration from a distance. In some villages there is no Deuri at all, and the worship of the village gods is performed by the villagers individually or not at all. Such irreligious villages are not held in respect by their more orthodox neighbours.

36. *Lakhirajdars.*—Excluding the Manoharpur *lakhiraj* tenure of six villages, which was settled separately in 1907-1913 and was not included in the present settlement, there are 12 *lakhiraj* villages in the Kolhan. The *lakhiraj* tenures were granted at different times for help received in time of trouble or, in the cases of Charai, Murum and Banchandrapur, as compensation to men who held tenures under the States from which the PHS were taken in 1836 when they were incorporated in the Kolhan Government Estate. The rent of these *lakhiraj* villages is taken by the *lakhirajdars* instead of by Government and the Manki receives no commission on the rent, but in no other way do they differ from ordinary Kolhan villages. The Mankis in whose divisions they lie possess the same police powers in them as in Government villages. Either the *lakhirajdar* is himself the Munda or there is a Munda under him who has the ordinary Munda's rights and duties. The rents are assessed at the ordinary Kolhan rates and the *lakhirajdar* is entitled to collect these rents and no more. The Kolhan rules in regard to transfers, settlement of abandoned holdings and control of Dikkus are in force in the *lakhiraj* villages.

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57. *Incidents of the tenures.*—The tenures were in all cases found to be impartible, non-transferable and resumable by Government on failure of male heirs of the original grantee. Though impartible, the rent in some of the tenures is shared by all the descendants of the original grantee, in others one man holds the *lakhiraj* and other descendants of the original grantee receive maintenance grants. Government maintain the right to appoint and dismiss the Munda and have exercised their right in this respect on several occasions against the wishes of the *lakhirajdar*. For instance, the present Munda of San Chiru was appointed by the Deputy Commissioner against the wishes of the *lakhirajdar* and the appointment was upheld by the Commissioner on appeal. In Ramchandrapur Ganeshwar Gowala was appointed as Munda by the Deputy Commissioner against the *lakhirajdar's* wishes. He was dismissed by the Deputy Commissioner two years later and another Munda appointed against the petition of the *lakhirajdar* to be appointed himself.

The *lakhirajdars* have no rights in trees beyond the ordinary raiyat's right of user, and have no right of sale. The *lakhirajdar* of Ramchandrapur was fined by the Deputy Commissioner for cutting trees for sale in the village forest, and the order was upheld by the Commissioner on appeal.

The right of settlement of waste land and abandoned holdings belongs to the *lakhirajdar* if he is the Munda, or to the Munda subject to the control of the *lakhirajdar*, but this right is subject to the usual rules regarding foreigners, and settlements made in contravention of these rules have been reversed by the Deputy Commissioner. The only difference from Government villages is that in new settlements of waste land, the rent assessed is added to the village rent roll, and the Munda, if there is a separate Munda, gets his commission only on it, instead of sharing it half and half with the Manki.

There are separate Mundas in Gotai, Basahatu, Kursi, Barkundiya, San Chiru and Ramchandrapur. In the other *lakhiraj* villages the *lakhirajdar* himself is the Munda.

The *lakhirajdars* are all Hos except Dasrathi Dandpat, the *lakhirajdar* of villages Charai and Murum, and Damu Naik of Ramchandrapur, who are both Brahmins. Charai and Murum were given as *lakhiraj* to Balbhadar Dandpat, grandfather of the present *lakhirajdar*, in 1838. Dasrathi Dandpat is Munda of both villages. In Charai the *lakhirajdar* gave some of his lands in *Mahatran* and *Brahmottar* and these are the only tenures of these kinds in the Kolhan. As Dasrathi was hopelessly in debt a mortgage of Charai in *Ugatbandha* for seven years from 1912 was allowed by the Deputy Commissioner.

The following table shows the names, areas and rents of the *lakhiraj* villages: they are all in Kolhan thana:—

Serial No.	Name of village.	Thana No.	Pir.	Area.		Rest.
				B.	k. dh.	B. a. p.
1	2	3	4	5	6	7
1	Purnia ...	35	Ajoliya ...	1,588	0 0	687 8 0
2	Gotai ...	50	Sidin ...	1,022	11 8	234 11 0
3	Basahatu ...	51	Do. ...	620	10 18	138 3 0
4	San Chiru ...	88	Chiru ...	577	19 2	178 2 0
5	Murum ...	94	Charai ...	512	18 8	171 12 0
6	Charai ...	95	Do. ...	1,174	13 6	358 15 0
7	Kursi ...	132	Do. ...	2,260	4 13	548 6 3
8	Barkundiya ...	133	Do. ...	2,248	0 16	601 2 3
9	Kathbari ...	163	Thai ...	1,742	11 10	629 5 0
10	Bara Lagra ...	263	Lagra ...	3,056	0 4	832 13 3
11	Ramchandrapur ...	441	Bar ...	470	13 10	103 1 0
12	Dumbisa ...	643	Gumra ...	763	18 8	221 0 0
Total				16,017	8 6	4,145 1 0

CHAPTER III.

KHUNTKATTI.

38. In the course of the correspondence in 1911-12 and 1914-15 relating to the question of a special regulation for the Kolhan, the sections of the Chota Nagpur Tenancy Act which define the status and privileges of raiyats having *khuntkatti* rights were frequently mentioned. These sections are based on the assumption that the family which originally cleared the jungle and founded the village are entitled by custom to a specially low rate of rent. It was known that no such custom ever existed in the Kolhan. Mr. McPherson pointed out in his note that its admission now would cause a loss of revenue to Government, and (a drawback which he considered much more serious) would create a great deal of heart-burning among those Hos to whom *khuntkatti* privileges were not accorded. Mr. Sifton dwelt on the same point in paragraph IV of his note, and Mr. Reid while opposing the proposal for a special regulation recognized the difficulties of this distinction among the Hos. The definition of *khuntkatti* in the Chota Nagpur Tenancy Act confines the term to land reclaimed from jungle by the original founders of the village or their descendants in the male line, when held by a raiyat who is a member of the family which founded the village or a descendant in the male line of any member of such family, and when the land has been held throughout by virtue of inheritance. The customary meaning of *khuntkatti*, in Singhbhum at least, was however simply land which had been reclaimed from jungle and waste by the cultivator of the soil, who, according to aboriginal custom, was recognized as having a special right in the fields which he reclaimed. It was considered impracticable to give full effect to this meaning and the definition in the Act was a compromise.

39. *Differences from the Munda system.*—From the note on the Munda land system by Father Hoffmann and Mr. Lister appended to Mr. Reid's edition of the Chota Nagpur Tenancy Act it appears that there was a real distinction in the Munda land system between the *khuntkattidars* and the *parjas* who came to the village later, the *khuntkattidars* paying the village rent by fixed subscription (*chandras*) and the *parjas* holding land under the joint brotherhood of the *khuntkattidars* and paying rent for their lands to them. There is no trace of any such system in the Kolhan, and the Hos have paid equal rents, originally a plough tax, since the beginning.

40. *Mr. Reid's proposals.*—To obviate the necessity of drawing distinctions between different classes of Hos, Mr. Reid proposed that all Hos and all old Dikkus (those recorded in the settlement of 1867) should be given *khuntkatti* rights, as they were the reclaimers of the country, but this proposal was not accepted by Government and the record of *khuntkatti* rights was prepared under the existing law.

41. *Position of the Hos in the Kolhan.*—At the beginning of the *khuntkatti* enquiries it was assumed generally that the country had been reclaimed by the Hos and that the main problem was to find out which of the Hos in each village were the *khuntkattidars* of village. But as the work developed it became clear that the whole of the Kolhan had not been reclaimed by the Hos, and that in parts of the south they were comparatively recent comers, and had driven out the earlier inhabitants.

The early history of the Hos is involved in obscurity. They are closely related in language and customs to the Mundas, and are supposed to have come down into the Kolhan from the Chota Nagpur plateau. We find no trace of any early tradition of the Chota Nagpur Rajas among them, and from this it has been calculated that they must have broken off from the Mundas and migrated to the Kolhan before the Rajas obtained power, that is before about the tenth century.

Their own traditions and recollections do not carry the Hos further back than a couple of hundred years. Seven or eight generations was the farthest back that they put the founding of a village and could trace their genealogy, and in accepting this many centuries remain unaccounted for. The Hos certainly came into the Kolhan from the north or north-west and

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179	2	9
171	12	0
254	16	0
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601	2	3
629	5	0
552	13	3
103	1	0
221	0	0
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the whole of North Kolhan, including the northern forest Pirs, is pure Ho country, except for a fringe along the eastern boundary, particularly in Thai, Bharbhariya and Lagra Pirs, which appear to be newer than the Pirs to the north, and contain an admixture of Santals, Bhumijs, Gonds, Bhuiyas and Gowalas. The north of Lalgarh Pir, the east and centre and north-west of Bar Pir and the east of Bantaria Pir were founded by the Hos, but Anwla Pir and a strip adjoining it in Lalgarh Pir, the south of Bar Pir, Kotgarh Pir and Jamda Pirs, and the west of Bantaria Pir were formerly Dikku country, though now the Hos predominate there also.

42. *Former occupation by Dikkus in the south.*—Tradition still lives in these parts of a former civilization there and it appears from this that there was no break in continuity in the occupation of the country and the Hos rather drove out the Dikkus than reclaimed afresh a country which had relapsed into jungle. There is a strip of country also running north-west from Kharband in Lalgarh Pir, along the south of the centre line of hills to Narda in Gumra Pir where the Hos failed to establish *khuntkatti* rights. There were Dikku forts at Jagarnathpur in Bantaria Pir, Kotgarh in Kotgarh Pir, Kharband in Lalgarh Pir, Jaintgarh in Bar Pir, and Garh Kesna and Benisagar in Anwla Pir, and there is a Hindu bathing place at Ram Tirath on the Baitarni river near Bhangaoon in Bar Pir, where Ram is supposed to have crossed the river on his way to Ceylon. At Benisagar there are ruins of several old temples, which are said to date back to the seventh century A. D. and a very fine tank, about 450 yards square. Several traditions are still alive about Beni Raja after whom this village was named.

43. *The Sarawaks.*—There are old tanks in various parts of the Kolhan but chiefly in the south, called "surmi durmi" tanks by the Hos, which are ascribed to the Sarawaks or Saraks who are said to have been Jains and to have been in power in these parts about the fourteenth and fifteenth century A. D. from which time their temples in Manbhumi date. These Sarawaks were probably traders in the main, and I doubt if much more than a few trade routes were open in the country then, one running south through Chaibasa, Jagarnathpur, and Jaintgarh, and another further east passing through Kharband to Benisagar and on to Ruruam in Mayurbhanj. When the Hos came down from the north and settled in north Kolhan, that part of the country must have been almost entirely jungle and was reclaimed by the Hos. The south was still inhabited by Dikkus and was under the control of the neighbouring States for very much longer, though probably only the more open parts of the country were reclaimed. The Hos gradually spread south and drove out the Gonds and Bhuiyas who were in possession there before them, as probably before that the Bhuiyas had largely driven out the Gonds. The border Pirs were still under some control of the neighbouring States at the time of the British occupation of the country but the centre had long been in the complete domination of the Hos, and the zamindars never ventured to demand or collect any rent whatever there. It can be seen from this that while the law of force was the governing factor in the relations between Hos and Dikkus, the former were quite able to protect themselves and to find more land for themselves as their numbers increased, but, after the "Pax Britannica" was established and the law of the courts took the place of force, a special administration was necessary to preserve for these uncivilized aboriginals what they had won for themselves from the jungle and from their neighbours.

44. *The Forest Pirs.*—There are no traces of Dikku occupation in the northern forest Pirs. In the southern forest Pirs of Saranda, Relia, and Latua the course of occupation seems to have been different. There are the remains of an old fort at Chota Nagra, and the Hos say they came in from the west through Gangpur, not direct from the Chota Nagpur plateau. Up to the time that the reserved forest was constituted, they lived a nomadic existence and cultivated only *gora* land probably by *jumming*. Previous occupation either by Dikkus or by Hos of other clans was proved in every village, and even now when the reserving of the forest has hemmed the Hos in and compelled them to settle down permanently these Saranda men have not taken to rice cultivation to the same extent as the Hos in the rest of the Kolhan from whom they

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are cut off by hills and forest. The proportion of rice land to upland in these three Pirs is less than one to three, while in other jungly Pirs it is about one to two, and rises in the well cultivated Pirs to more than two to one.

45. *Distribution of khuntkatti villages.*—The following table shows the distribution of the villages in which *khuntkatti* rights have been recorded. The *khuntkattidars* are Hos in all cases except where notes show the contrary :—

Number.	Name of Pir.	Khuntkatti villages.	Non-Khuntkatti villages.	Total.	Khuntkatti villages other than Ho.
1	2	3	4	5	6
1	Kuidisa	13	0	13	
2	Kainua	10	0	10	
3	Gulkeria	23	1	23	One Kurmi village.
4	Chainpur	6	0	6	
5	Ajodhya	32	1	33	
6	Asantalia	3	0	3	
7	Sidia	13	1	14	
8	Lota	5	0	5	
9	Rajabasa	14	0	14	
10	Chira	17	1	18	
11	Charai	4	2	43	One Bhumij and one Bhuiya-village.
12	Thaj	0	1	95	3 Bhumij, 1 Santal, 1 Gond and 1 Gowala village.
13	Bharbhariya	32	0	32	1 Bhumij, 1 Sundi and 1 Gowala village.
14	Lagra	13	0	13	2 Bhumij and 1 Tanti village.
15	Lalgaria	20	21	60	1 Gond and 1 Gowala village.
16	Awla	5	79	84	1 Gowala village.
17	Bar	54	91	145	4 Gowala villages.
18	Gumta	69	9	98	1 Kunhar and 1 Kurmi village.
19	Parkela	23	0	23	
20	Rengra	22	0	22	
21	Bantaria	10	14	33	
22	Kotgarh	2	27	29	
23	Latus	0	6	6	
24	Jamda	0	9	9	
25	Rela	0	9	9	
26	Granda	0	75	75	
	Total	566	247	813	

46. *Tests of Khuntkatti.*—The experience of the settlement has shown that the Hos make no distinction between the descendants of the original founders of a village and those who came later but likewise reclaimed their own lands, allowing the former by custom no special privileges in respect either of rates of rent or of religious rites and observances. In the Munda country it was found that the special position held by the reclaimers was so interwoven with the religious observances and customs of the people that those customs, afforded in

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most cases sure tests by which the claims to *khuntkalli* rights could be tried and the oral evidence weighed. This subject was exhaustively investigated but none of the Munda tests were conclusive and some did not apply at all. This was so contrary to previous expectation that a detailed reference to the more important tests is given below.

47. *The Sasandiri test.*—The *sasandiris* or burial stones were called the title deeds of the Mundas, for each *killi* or clan in a village had its own *sasan* or burial ground, and no one who was not a descendant of the first men of that *killi* to come to the village could be buried in it, and the ashes of a dead man were brought back for burial in the ancestral *sasan* of his original village.

Among the Hos each *killi* as a rule buries its dead separately from other *killis*, though even to this rule occasional exceptions were found, but there is not one common *sasan* for all the men of one *killi* in a village. Nowadays families and even households keep their own private *sasans* and stones are freely taken from the older graves to place over the graves of those who have died recently. In one village an old *sasan* was pointed out which formerly covered more than an acre of ground but only four or five *sasandiris* were left in it. The rest had all been taken for other graves elsewhere. Nor in burial is any distinction made between earlier and later comers and a recent arrival in the village may find burial in the *sasan* of the *khuntkallidars* provided that he is of the same *killi*. Again, men who have been killed by wild animals or have died of epidemic disease are not buried in the *sasan* of their *killi* or family but apart at some distance from the village.

Thus the *sasandiri* test, owing to the individualistic tendencies of the Hos, and their less punctilious observance of the old religious customs, fails as a test to help to determine who are the *khuntkallidars*, and all that it shows with any certainty is what *killis* have lived in the village. This was useful in some cases, particularly in Saranda Pir, to prove that the present occupants of a village were not the *khuntkallidars*, but that men of another *killi* had lived there before them.

48. *Marang killis and marang hagas.*—It was suggested, on the analogy of other aboriginal races kindred to the Hos, that the founding *killi* of a village was known as the *marang killi* and the other *killis* as *huring killis*, or if one family of that *killi* were the founders, that they were called the *marang haga*. The theory was not found to hold good on investigation. The most important *killi* in the village would be described as the *marang killi*, but its importance might be due to other reasons than that it had founded the village:—either to its numbers, social position or because it was the *killi* of the Manki. The case was similar with the *hagas* or families. *Killis* are often subdivided and sub-*killis* given separate names, but the reasons for the names were various and not necessarily connected with the question of the founding of the village. In one case a branch of the *Purti killi* was called "Parom Purti" because the men of that branch lived across a river from the rest of the village.

49. *Village names.*—The name of the village was sometimes a help in ascertaining its origin, but this test had to be used cautiously for Ho villages had often obtained Dikku names, through the meaning of the village name being translated into Hindi, as Mohulsai, the village of mahuas, which in Ho is Matkowhatu. Again the Hos were very ready to invent a mythical ancestor to account for the village name. The two adjacent villages of Bara Nanda and San Nanda in Pantaria Pir were explained by the Hos to have been founded by two different men of the name of Nanda, at different times, from different parent villages. Village names did in several cases help to elicit the information that the villages had not been founded by Hos, as in the case of Jaimda which was called after a Bhuiya clan of that name.

In a few cases the names of the eldest *chaks* of rice land in the village were of help in ascertaining its origin.

50. *The Deuri.*—The *Patan* or village priest holds a position of great importance in a Munda community, and was almost invariably of the *khuntkalli killi*, and head of the senior *khunt* or branch of that *killi*, while the Munda

* *Marang*=large, *huring*=small, *haga*=family.

was socially inferior to the Pahan. In the Kolhan the Deuri, as the priest is called, does not hold at all the same position, and there is no certainty that he will belong to the founding *killi*. This has been discussed in paragraph 35. Only where the Deuri was of the same family as the Munda did this fact strengthen the claim of that family to *khuntkalli* rights.

51. *The Munda*.—The Munda usually belongs to the founding family, if that family is still extant in the village, and this was found the most useful test. Cases in which the Munda had been dismissed and a Munda of another family appointed in his place did occur, but the history of such cases was usually known, and could be explained by the people. On the whole the Munda test was of great use, and the only one that could be considered as at all reliable.

52. *Remains of former Dikku occupation*.—In south Kolhan this was the most important factor in determining whether villages were *khuntkalli* or not, and it is possible that if the evidence showing how many villages had been previously occupied by Dikkus in the south before they came into the possession of the Hos had been available at the beginning of the operations, similar cases would have been found more often.

The difficulty in deciding the question of *khuntkalli* was that the evidence was all one-sided. The Hos naturally tried to establish their claim to *khuntkalli* in nearly every village, and suppressed any knowledge they may have had of a former occupation by others. Similarly, unless there was a clear tradition among them of a certain man or certain men of one *killi* having founded the village, they put forward claims that men of different *killis* founded the village together, so as to include as many of the villagers as possible among the *khuntkallidars*. Genealogical trees were frequently concocted beyond the point where the ascent was really known, and unrelated families were introduced into them. A very careful and lengthy cross-examination was necessary to test the accuracy of the claims advanced. As the intelligence of the Ho is not of a high order, cross-examination, though tedious, seldom failed to unmask deception. When a village was founded by a reclamer from a distance the case was comparatively simple. The most difficult cases were those in which cultivation had gradually spread from adjacent villages.

53. *Khuntkalli lands*.—When the *khuntkallidars* of a village had been ascertained, the next step was to find out what lands were *khuntkalli* at fixed rates or *khuntkalli* at an encumberable rent. The law is contained in sections 7 and 37 of the Chota Nagpur Tenancy Act. Under section 7 the requirements are "that no raiyat shall be deemed to have *khuntkalli* rights in any land, unless he and all his predecessors in interest have held such land or obtained a title thereto by virtue of inheritance from the original founders of the village". This would appear to confine the rights to the very small quantity of land that was actually reclaimed by the founders, but that such is not the intention appears from the earlier part of the section "Raiyat having *khuntkalli* rights means a raiyat in occupation of, or having any subsisting title to, land reclaimed from jungle by the original founders of the village or their descendants in the male line". Sub-section (2) provides that nothing in this Act shall prejudicially affect the rights of any person who has lawfully acquired a title to a *khuntkallidari* tenancy before the commencement of the Act. The meaning of this sub-section is not very clear, but it has been interpreted as explained in the note to Mr. Reid's edition of the Act as recognising the customary right that a *khuntkallidar* raiyat who clears new lands within the village boundary has by custom *khuntkalli* rights in them, though they may not be included within his ancestral holding or tenancy, and it has not been taken to give any *khuntkalli* right in land acquired by sale or transfer. The result is then that *khuntkalli* rights extend to lands either reclaimed by a *khuntkallidar* himself before the passing of the Act in 1905 or inherited in the male line from the reclamer.

The provisions of section 37 with regard to fixity of rent are "subject to any written contract made at the time of the commencement of his tenancy, the rent payable by a raiyat having *khuntkalli* rights for land in respect of which he has such rights, shall not be enhanced if his tenancy of such land

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was created more than twenty years before the commencement of this Act". Other *khuntkatti* land is liable to an enhanced rent, but such rent shall not exceed half the rent payable by an occupancy raiyat for similar land. This provision means that a *khuntkattidar* is entitled to fixity of rent for all *khuntkatti* land of which his tenancy was created before the year 1858. *Gora* land was not assessed to rent previous to the settlement of 1897 and was not regarded as within the tenancies. A redistribution of *gora* lands even was contemplated at the last settlement. Under the provision of section 6 of the old Tenancy Law of Chota Nagpur (Act I of 1879) which was in force then a raiyat could not acquire occupancy rights in land cultivated by him unless he paid rent for the same. A tenant could not therefore acquire any permanent interests in land until he had paid rent for it, while a cultivator who had not attained the status of an occupancy raiyat was liable to ejection at will as a trespasser, in the absence of special conditions. The provisions of the old Act regarding *ghuinhari* and *khuntkatti* also clearly contemplate (*vide* section 19) that a *khuntkatti* raiyat's holding must be assessed to rent before he can put forward the claim to fixity. "No tenant of lands known as *khuntkatti* shall be liable to any enhancement of the rent previously paid by him unless it be shown that the tenure has been created 20 years before the institution of the suit to enhance the rent of the said land." The provisions of section 37 of the Chota Nagpur Tenancy Act embody the same principle.

The principle is applicable then that only that portion of the tenancy which the raiyat can prove was created and assessed to rent before 1858 is not liable to enhancement, and *gora* lands were accordingly held to be liable to enhancement of rent. With regard to rice land Government accepted the principle that all rice lands held by *khuntkattidars* at the time of Mr. Craven's settlement of 1855-7 should be presumed to have been held by them in 1858 unless the *jamabandis* prepared in Mr. Craven's settlement prove otherwise. In some cases notes were made in these *jamabandis* of the number of years for which the tenancy had lasted. The rest of a *khuntkattidar's* land except lands shown to have been acquired by transfer, or reclaimed since 1905, were recorded as ordinary enhanceable *khuntkatti*.

54. *Statistics*.—The number of villages in which *khuntkatti* was recorded is 566 out of 913 in the Kolhan. The number of holdings held by *khuntkattidars* is 11,304. The rate of rent for all privileged raiyats whether *khuntkattidars* or not is the same and so no statistics have been prepared showing separately the amount of *khuntkatti* land held at an enhanceable rent. The area held as *khuntkatti* at a fixed rent is as follows:—

<i>Bera</i>	35,155	bighas.
<i>Bad</i>	64,066	"
Total cultivation	99,161	"
The rent is Bs.	11,363.	

The proportion of the total rice land held at a fixed rent is thus 27 per cent. The rent comes to 66 annas a bigha.

55. *Future position*.—The record of *khuntkatti* is final, and *khuntkatti* rights cannot in future be acquired in any land within the area for which the record was made (section 134, Chota Nagpur Tenancy Act). *Khuntkatti* land can however lose its privileged character and fixity of rent if transferred, and only remains *khuntkatti* while still held by the descendants of the original founders by virtue of inheritance.

CHAPTER IV.

DIKKUS.

56. A main principle of the British administration of the Kolhan has been to preserve the *Hes* in their communal system, and to protect them from being ousted from their lands or corrupted by foreigners for whom without protection they can be no match, once their power to appeal to force has been taken away.

~~It was the prowess of the *Hes* as fighters and their refusal to have any intercourse with *Dikkus* that enable them to keep the Kolhan to themselves.~~

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and even to extend their territory to the south over the Oriya Bhuiyas and Gowalas. When they were conquered by the British and settled down as peaceful cultivators their exclusiveness and jealousy of intrusion continued but as cultivation increased and the country grew more valuable, and the fear of violence was reduced, the Kolhan became more attractive to the Dikku and the Ho was less able to keep it for himself. Certain functional castes have always been necessary to the Ho, to make his axes, his ploughs, his vessels, to weave his clothes, and to tend his cattle, as he is unable or unwilling to perform these functions for himself. These needs were supplied by the Kamars or Lohars, Kumhars, Tantis and Magadha Gowalas who as village servants were part of the Ho village community, and as the Ho gradually became a cultivator rather than a hunter and fighter, his need for them increased. Petty traders to supply salt and tobacco were also wanted. These functional castes were all semi-aboriginals and spoke the Ho language in addition to their own Oriya. They lived apart from the Hos in the village and as long as they performed the services required of them and did not acquire land or influence they were viewed with no suspicion or dislike by the Hos.

The Tantis soon began to use their greater cunning to effect, and as Dakuas, touts and thieves they first obtained money and position, and then got hold of land, usually for an inadequate consideration, and became cultivators. The Oriya Gowalas pushed their way into Ho villages by getting settlement of abandoned holdings and of waste land for reclamation, and brought in their kindred from the Crissa States. The traders became money-lenders and they too began to acquire land at the expense of the Hos.

57. *Bad effect of Dikku intrusion.*—This intrusion of Dikkus had a bad effect on the character of the Hos. Left to themselves they are a simple and truthful people, living contentedly under the rule of their headmen, disputing little about land and paying their rents punctually. But with the introduction of a Dikku element in the village this state of affairs changed. The Dikkus encouraged litigation as a means to acquire land from the less intelligent Hos. They did not readily admit the authority of the Ho Mundas and Mankis, and they attempted to corrupt these officials into settling abandoned holdings with them contrary to the village custom. Hide dealers employed agents to obtain hides by fair means or foul, and cattle poisoning became rife, and the Hos themselves took to it in some cases. The Hos began to distrust their own headmen and go up to the courts against their decisions and in the courts the old time truthfulness was forgotten. This attitude of mind was encouraged by the Dikkus as they were able to turn it to their own advantage.

58. *Measures taken after the last Settlement.*—The gradual spread of the foreign element and the bad effect it had upon the Hos does not seem to have attracted notice until Mr. Craven collected statistics and called attention to the results. He showed that the number of Dikku holdings had increased tenfold since the settlement of 1867, and that two-thirds of these were of new-comers who had obtained a footing in the estate during the preceding thirty years. The rules governing the settlement of Dikkus and the reporting of mutations were then defined and enforced, and an Inspector was appointed a few years later, whose chief duty has been to enquire into Dikku settlements, and transfers of land. The Mankis and Mundas had to report if a Dikku settled in the village, and also to report all mutations. The Kolhan Inspector visited each village in turn and sent in a report of settlement of Dikkus in the village, and of all transfers by sale or mortgage.

59. *Mr. Thomson's Rules.*—Mr. W. B. Thomson's rules, which were approved by Government in 1903, contain the following provisions with regard to sales and mortgages to Dikkus and settlements with Dikkus. Sales:—A sale to a Dikku should not be allowed if any Ho is willing to become the purchaser, or in any case if the Dikku is an undesirable raiyat. Mortgages:—If the mortgagee is a Dikku and specially a Dikku who goes in for money lending or is in any way an undesirable raiyat, the Dikku should be rejected.

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and the land given to the mortgagor, or any other Ho who comes forward to pay off the amount of the mortgage less the profit from the land during the time of mortgage. Settlements:—New Dikkus who have settled since the Settlement without permission should be turned out, unless some good reason exists for permitting them to remain. Government orders to eject Tantis, Ghasis and hide dealers and all persons found engaging professionally in money or grain-lending should be strictly carried out. Where a Dikku already settled in one village has obtained settlement of an abandoned *jote* in another, he may be recognized if no Ho desires to take this *jote*.

The rules for turning out Dikkus were not enforced absolutely, and each case was considered on its merits, but objectionable Dikkus were turned out in many cases, and the ejecting of Dikkus from lands obtained by sale or mortgage was enforced. The rules had no legal sanction behind them, and there was no way of enforcing orders if they were disobeyed. One Dikku for whose ejection from the Kolhan orders were passed, appealed to the High Court and the order was quashed. Nevertheless the measures taken were on the whole effective and the orders were carried out in a very great majority of cases.

60. *Results of the rules to control Dikkus.*—Enquiries were made during the settlements into the results of such orders in a number of instances and the following facts were elicited. (1) *Cases of ejection of Dikkus from the village.*—Enquiry was made in 110 cases dealing with 153 persons who were ordered to be ejected. Of these 138 had left the village and had not returned, 6 left but returned later, 9 never left and were still in the village, and one lived sometimes in the village and sometimes in Chaibasa. (2) *Cases of transfer by mortgage.*—In most of these cases the order was to return the land to the mortgagor, but in some to settle it with the mortgagee or with another raiyat. Enquiry was made in 1,322 cases, and it was found that the orders had been carried out in 1,223 of them. Of the remaining 99 cases (a) 18 were transfers from a Dikku to a Dikku, (b) 70 from a Ho to a Ho, (c) 5 from a Ho to a Dikku and (d) 6 from a Dikku to a Ho. In 4 cases under (a) and in 2 cases under (b) the transferor had left the village. In 4 cases under (a) the transferor was unwilling to take back the land. In 46 cases under (b) the order was that the land was to be settled with the mortgagee, but the land had been returned to the mortgagor and was in his possession. The 6 cases under (d) are all in the *lakhiraj* village Charai, and the order was to settle the land with a resident Ho raiyat. There are no resident Ho raiyats in Charai and the Ho mortgagees have kept the land.

61. *Old and new Dikkus.*—At Mr. Craven's Settlement a distinction was made between old Dikkus who had been recorded at the previous settlement of Mr. Hayes in 1867 or were descendants of persons so recorded, and new Dikkus who had come into the Kolhan or into the village in which they were then found since that settlement. The old Dikkus were accorded the same privileges in regard to rent as the Hos, at least for their ancestral lands, but new Dikkus were assessed at double rates. The old Dikkus were mainly cultivating castes and tribes other than Hos, such as Gowalas, Dhuiyas and Gondes, or else people of the castes who belonged to the Ho village community in a subordinate capacity, the Kamais, Magedha Gowalas, Kumbhais and Tantis. There were very few Dikku traders in the Kolhan at that time.

It is not stated anywhere in Mr. Craven's final report whether old Dikkus were considered entitled to the privileged rates of rent for all their lands or only for those for which they were recorded at the previous settlement, and differences in this respect have been found in different villages. In some cases old Dikkus who were assessed at Ho rates for their ancestral recorded lands were assessed at double rates for other land which they had obtained since the previous settlement by transfer, reclamation or by the settlement of an abandoned holding in the same village. In most cases the privileged rates were not extended beyond the village in which the Dikku was recorded, but in some cases, mainly in the area where Dikkus predominate, they were

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given to a Dikku in one village, because he was an old Dikku recorded at the previous settlement in another village.

The distinction between old Dikkus and new Dikkus was kept at this settlement, but it was agreed at a conference of the Director of Land Records, the Settlement Officer and the Deputy Commissioner that there is no such status in law as that of "privileged foreigner" or old Dikku, and that the privileged rates were enjoyed by the indulgence of Government, and did not extend by right to newly reclaimed or acquired lands. This principle was applied in the fair rent settlement.

It is just as necessary to check and control the migration of Dikkus from village to village within the Kolhan, and their acquisition of land in new villages, as the emigration of Dikkus into the Kolhan from without, for it is the relations between the Dikkus and the Hos that need regulation. An old Dikku settling in a Ho village from elsewhere in the Kolhan may cause disturbance and harm, but a new Dikku settling in a Dikku village from outside the Kolhan is not likely to do so. The words *Parana Dikku* have been noted in the special incidents column of the khatians in the case of old Dikkus to mark the distinction between them and new Dikkus. It should be remembered that the term old Dikku only applies to those who are now in possession of holdings which they have inherited from Dikkus recorded in the Settlement of 1867.

62. *Dikku statistics.*—Dikku lists were compiled during attestation giving the names of all Dikkus who came into the village since the last settlement, with brief notes as to the amount of land held by them and their characters. These have been made over to the Deputy Commissioner. From them a statement has been compiled showing the number of Dikkus of each caste that have settled in the Kolhan since the last Settlement. (Statement 7 Appendix A.) The total number is 3,334 of which 878 are agricultural tenants and 2,456 non-agriculturists. Lalgarh, Anwla and Bar Pirs, in which there are many purely Dikku villages, account for 2,370 out of this number. The number of new Dikku holdings is much fewer than this as several co-sharers may be included in one holding, and many of the non-agriculturists have no holding but live in the houses of relations or friends. That of the agricultural holdings is however larger than the number of persons through whom holdings in more than one village. The holdings are shown in Statement 8, Appendix A. The following are the totals for the Kolhan:—

	Hos	Old Dikkus agricultural	non-agricultural	New Dikkus recorded at the last settlement	New Dikkus, since the last settlement	Total
	52,126	5,159	63	{ agricultural ... 3,916 { non-agricultural ... 1,851	{ agricultural ... 939 { non-agricultural ... 743	67,527

The total number of Dikka holdings is 13,901 which is 21 per cent. of the holdings in the Kolhan. The percentage is highest in Lagra, Saranda, Jamda and Bar Pirs, and lowest in Lota, Rajabasa, Chainpur, Ajodhya and Sidia Pirs, which form a compact block in North Kolhan.

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Special statistics were compiled for Lalgarh and Anwla Pirs to find out how far the cultivation of the different classes of Dikkus extended and to what extent it had increased. The following table shows the results:—

Pir.	Caste.	Number of agricultural holdings at present settlement.	Area at last settlement in bighas.		Area at present settlement in bighas.	
			Rice-land.	Upland.	Rice-land.	Upland.
1	2	3	4	5	6	7
Lalgarh ...	Old Dikkus ...	305	927	491	1,531	669
	New Dikkus recorded at last settlement.	370	684	363	698	570
	New Dikkus since last settlement ...	109	...	...	31	109
	Total ...	790	1,611	854	2,160	1,349
Anwla ...	Old Dikkus ...	346	3,059	2,180	3,059	2,690
	New Dikkus recorded at last settlement.	667	2,163	1,813	2,916	2,952
	New Dikkus since last settlement ...	146	...	...	255	624
	Total ...	1,159	5,225	3,993	6,270	6,266
Total for the two Pirs ..		1,949	6,836	4,847	8,430	7,615

Neither in the number of holdings nor in the amount of land acquired has there been at all the same increase of Dikku cultivation since the last settlement as there was before.

63. *Conclusions.*—In examining these statistics it must be borne in mind that the presence of Dikkus is harmful to the general peace and comfort of the Estate only where they take up their residence in Ho villages, or enter into relations with the Hos. Certain functional castes such as Magadha Gowalas, Kumhars, Kamars and Tantis are necessary to the Hos provided that they keep to the professions of their caste, and of those it is only the Tantis who by forsaking the profession of weaving and taking to thieving, touting and land grabbing have exercised an evil influence among the Hos.

The Blumijis, Santals and Oraons are not considered Dikkus by the Hos nor are the Tamarias, but the Tamarias who are Hinduised Mundaris from Tamar are mainly petty traders and money-lenders in the Kolhan and should not be encouraged. The Muhammadans are almost confined to Anwla Pir, where some of them had established themselves as traders and cultivators in Majhiganw and the surrounding villages before the settlement of 1867, and have succeeded in bringing in their kindred. They need careful watching. The Oriya Gowalas from the Orissa States would soon overrun a good deal of the Kolhan if no restriction were placed on their movements. They are better cultivators than the Hos and much more prolific, and in some cases have acquired land from the Hos by money-lending. They are also objected to by the Hos as professional graziers whose cattle do not leave sufficient pastures for the agricultural cattle of the village. The Hindu trading classes have been kept under control, and prevented from getting a footing in any numbers in the Kolhan, but if the present control is removed, and they and their imitators among other castes are allowed to carry on a money-lending business and to acquire land without any restriction, the present condition of the Kolhan—a peasantry, who are not in debt, and who manage their own affairs through their headmen—will not long continue. The effect of the Deputy Commissioner's control over Dikkus cannot be judged merely from the number of cases in which orders for ejection or the return of land have been carried out. The knowledge that action will be taken to prevent usurious dealings, land grabbing, fomenting of litigation and other bad behaviour is a very potent influence in deterring the Hindu or Muhammadan from using his superior intelligence to the detriment of the Hos and to his own aggrandisement.

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CHAPTER V.

SETTLEMENT PROCEEDINGS.

64. *Inception of Operations.*—The previous settlement of the Kolhan was due to expire on the 31st March, 1917, and that of the Chaibasa town Khas Mahal which expired in 1913, was prolonged to conclude at the same time. The local officers recommended that the resettlement of the estate should be done by a Deputy Collector under the supervision of the Deputy Commissioner, and that a short regulation should be passed for the Kolhan, embodying the administrative rules in force and that the Kolhan should be excluded from the scope of the Chota Nagpur Tenancy Act, which legally was in force there, although its provisions had not been applied in practice. The Local Government however decided that the resettlement should be done under the provisions of the Chota Nagpur Tenancy Act, and should be under the control of the Settlement Officer, Chota Nagpur, and the Director of Land Records and Surveys.

The sanction of the Government of India was obtained and the programme for completing the cadastral survey in two years was commenced in October, 1913. The northern half of the Kolhan was surveyed in the first year, and the southern half in the second year.

The survey was made under Act V of 1875 and the record-of-rights prepared under Act VI (B.C.) of 1908. The particulars which are notified for entry in the record-of-rights under the Government of Bihar and Orissa Notification No. $\frac{150}{24}$ R.T. of the 20th February, 1915, which superseded previous notifications, are given in Appendix B. The record of irrigation rights under section 81 (i) (i) was not however made as it was found to be unnecessary.

65. *Previous Survey and Settlement.*—The previous survey and settlement has been described in Mr. Craven's final report. A traverse survey was made of the village boundaries, and the boundary survey was made on this basis on the offset principle as is done now. The interior survey was a chain survey only, the amin measured each field roughly and there and then wrote up the khasra and extracted and entered the area by multiplying the length of the field by the breadth. Small bends of field boundaries were not surveyed and fields of irregular shape had to be divided, as only that could be surveyed as one field which could be contained within three or four straight lines, owing to the method of area extraction. The maps were thus not sufficiently accurate to be used for revision purposes and a completely new survey was made. This was based on the old traverse, as after a test it was decided that a sufficient number of the old traverse stations could be found to form a basis for the new cadastral survey.

66. *General Programme.*—The general progress of the work year by year is shown in the following table:—

Year.	Area cadastrally surveyed and khatapuried in square miles.	Number of plots khatapuried.	Area attested.	Area finally published.	Area in which fair rents were settled.
1	2	3	4	5	6
1913-14	633	614,156	...	...	...
1914-15	731	426,502	636	...	...
1915-16	10	...
1916-17	731	623	...
1917-18	731	1,367
Total	1,367	10,50,958	1,367	1,367	1,367

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Year.	Upland.
...	7
31	669
38	570
31	160
60	1,399
59	2,090
16	2,952
25	624
70	6,345
30	7,744

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The field work was postponed in the year 1915-16 owing to scarcity in the estate and the second year's attestation was taken up in 1916-17 instead. The fair rent settlement was completed by the end of March, 1918, and the deposit of the records and final closing of the Settlement by the middle of October, 1918.

The general procedure of survey and settlement in Chota Nagpur has been fully described in the final reports of the Ranchi and Hazaribagh settlements and it is not necessary to repeat it.

67. *Cadastral Survey—First Season, 1913-14.*—It was intended to carry through the survey and kharapuri with aboriginal amins only, as Hindus and Muhammadans would not know the Ho language and are disliked by the Hos. It was found impossible to do so. The staff originally recruited in 1913 was quite insufficient, and a proportion of amins were incompetent to carry out the survey which was extremely difficult owing to being based on a 20 years' old traverse, of which 20 per cent. of the traverse stations and more than half the sub-traverse stations could not be found. In the more jungly parts where cultivation had extended it was found impossible to carry on the survey without further sub-traversing and four sub-surveyors were employed for this. A fourth circle was started in December and a number of foreign amins and inspectors drafted in from Palamau. Even so it was found impracticable to complete the programme and an area of 10 square miles was cut off and postponed for the next year. The field season did not close until the beginning of June.

In 1914-15 the sub-traversing that was necessary was got done in time and a larger staff was recruited, and the field season was finished in the beginning of April.

68. *Boundary disputes.*—The boundary laid down at the last settlement was taken as final, and relaid in case of a dispute. Where the boundary had been in jungle or waste land which had since been cultivated, the present field boundaries according to possession were adopted following the line of the former boundary. Formal disputes were not entertained. There were six small disputes on the Mayurbhanj boundary. This boundary had been laid by Mr. Craven and the Dewan of Mayurbhanj, but the line had not been completely demarcated and there were discrepancies between the boundary as shown in the Kolhan maps and in the Mayurbhanj maps the survey of which had taken place later.

The boundary in these cases was relaid by Mr. Scott, Superintendent of Mayurbhanj, Mr. Hallett, Deputy Commissioner of Singhbhum, and myself in agreement, in December, 1916, Mr. Scott and I visiting all the disputed points and reconciling the discrepancies. The only dispute of any interest was that between Silphori in the Kolhan and Jaksara in Mayurbhanj, which had been pending for many years and had been the subject of much correspondence. The land in dispute was only an acre and a half of upland, but it contained a large conical rock which is a *Devasthan* over the possession of which there was a good deal of feeling. We were able to relay the line from Mr. Craven's description of it in his decision. The *Devasthan* fell in Mayurbhanj and the dispute had arisen owing to an incorrect demarcation of the boundary.

69. *Trijunctions.*—The number of trijunction marks set up was 1,795. A cairn of stones was erected at each trijunction, except in some cases in which a single large stone was embedded instead, as the trijunction fell in rice land where a cairn was unlikely to be permanent.

70. *Adopted Stations.*—In order to facilitate a revision survey the system of surveying adopted stations was introduced. This consists of surveying in position very carefully by triangulation and marking with a distinctive sign on the map, a number of points which are likely to be permanent, at near enough intervals round the boundary and in the interior of the village to form a basis from which the boundary and detailed survey could be done at a revision settlement, where the artificial traverse station marks have disappeared. The kind of objects selected for this purpose were large trees, corners of *pukka* buildings, bridges or culverts, milestones, *pukka* forest pillars, memorial stones of the Hos (*bid-diri*) and permanent field corners in rice-land which are not likely to shift.

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last settlement boundary had been laid by the present line of the there were six been laid by been completely as shown in of which had

Superintendent of and myself in disputed points of interest was a map, which had correspondence. It contained a which there was Mr. Craven's map and the map.

map was 1,795. cases in which it in rice land

by the system of surveying in the active sign on the near enough form a basis at a revision appeared. The records of *pakka* memorial stones of are not likely

It was not easy in the Kolhan to find a sufficient number of suitable objects to 'adopt'. There are no *pakka* buildings except an occasional inspection bungalow, and few large trees likely to be permanent and recognizable except near the village sites, particularly in jungly parts. The ridges between rice-fields are generally broad, and it is difficult to fix one exact spot that can be recognized with certainty as the field corner. Upland cultivation is too shifting to provide any permanent points, and in jungle country with scattered upland cultivation interspersed it was, as a rule, impossible to survey sufficient adopted stations.

71. *Khanapuri*.—The *khanapuri* in the Kolhan presented few difficulties. It was unnecessary to write the landlord's *parchas*, and in consequence the *khanapuri* rate was reduced from Rs. 2-10-0 to Rs. 2-4-0 per 100 plots. In the second season the rate was further lowered to Re. 1-12-0 and the *kishtwar* rate raised from Rs. 4-12-0 to Rs. 5-12-0 per 100 acres, as owing to the difficulties of survey and the simplicity of *khanapuri* it was found that the average daily earning of an *amin* at *khanapuri* was three times that of an *amin* at survey.

72. *Record of parti land*.—The Hos were eager to get their lands surveyed and recorded, and in contrast to the previous settlement, when they concealed the existence of their *gora* land, they were now careful to point it out, and attempted in addition to get likely pieces of jungle and waste land surveyed and recorded in their names so as to reclaim them at leisure. Small pieces of *parti* land among the cultivated fields are considered to belong by custom to the *raiyat* whose field they adjoin, and unless the owner gives up his claim no one else can reclaim such a strip. These strips were recorded in the *raiyats'* names, but it was found that the Ho could not be made to understand the entry of such strips of *parti* or of the broad field ridges (*mola ar*) between the fields which are in the Kolhan usually broad enough to be separately surveyed, as the boundaries of his fields, and indeed they formed boundaries which helped little in identifying the field. The record of the field boundaries is:—

North	...	...	...	...	<i>Parti nij.</i>
South	...	...	...	...	<i>Do.</i>
East	...	...	...	...	<i>Mola ar nij.</i>
West	...	...	...	...	<i>Do.</i>

is not very helpful, but was not uncommon. Accordingly in the second season small pieces of *parti* and *mola ars* were disregarded in recording the field boundaries and the field beyond was entered as the boundary.

73. *Kharaur*.—The Hos cultivate thatching grass, which they call *saiyu*, on *gora* land to a considerable extent, and the usual practice of entering *kharaur* or land covered with thatching grass as uncultivated land had to be altered. All cultivated *gora* land under thatching grass was recorded as *gora* not as *parti*, though of course thatching grass is also grown on uncultivated and uncultivable hills and the record of such was not changed.

74. *Asan trees*.—All important trees outside the jungle were counted and recorded in the remarks column of the *khatians*, but there were so many *asan* trees on jungly *gora* land, that the enumeration delayed the work unnecessarily, and the entry of *asan bakorai* was made when the trees were very numerous in any plot. In riceland, however, the trees were always counted and the number recorded.

75. *Khewats*.—As there were no entries to be made in the *khewat* except (1) The Secretary of State in Council, (2) The Manki, (3) The Munda and (4) Kaiser Hind (where there was a Government road or bungalow), no separate *khewat* volume was prepared, but the *khewat* slip was put in at the beginning of the *khatian* volume.

Only the names of the Manki and Munda are entered in the *khewat*, and the nature of their rights as *mankigiri* or *mundagiri*. For all details of the rent and conditions and incidents of the tenures a reference is given to the special headman's record-of-rights.

76. *Killis*.—The name of every Ho is "so-and-so Ho" and it is not necessary to add "caste Ho" in order to mark his race, so instead of the caste the *kili* or clan of a Ho was recorded. This was useful in dealing with *khuatkutti* questions,

and in general as a distinguishing mark, for the number of names in common use among the Hos is very limited and mistakes are apt to occur between two men of the same *gama*, and such mistakes had been very numerous at the last settlement.

77. *Details of Survey and Khanapuri.*—The following table indicates the details of cadastral survey and *khanapuri* done each year:

Year	Area in square miles	Length of actual survey in linear miles			Length of road per square mile in acres and decimals	Total number of plots	Number of plots per square mile	Average area of each plot in acres	Total <i>khanapuri</i> period			Percentage of the period	Number of <i>khatians</i>	Number of plots per <i>khatian</i>	
		Personal	Independent	Total					By Ancestral Settlement Officers	By <i>Khanapuri</i>	By <i>Surpanti</i>				
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
1853-54	653	1,363	678	2,041	3.18	114,130	0.17	0.70	3,700	6,182	67,941	67,159	100%	42,001	14.02
1854-55	731	1,388	620	2,008	2.79	126,800	0.17	1.07	6,187	6,082	60,141	31,018	11.74	37,800	15.01
	1,384	2,751	1,298	4,049	2.98	240,930	0.17	0.87	9,887	12,264	128,082	98,177	11.00	79,801	14.90

78. *Partial.*—The amount of *partial* of cadastral survey prescribed is 2 1/2 chains for each 100 acres of survey or approximately two linear miles of check to every square mile of survey. The amount really necessary depends, however, as Mr. Sitton has pointed out in the *Hazaribagh Report* (page 45), on the proportions of cultivated land and jungle.

79. *Number of plots and holdings.*—The above table shows the total number of plots to be ten and a half lakhs and the number of *khatians* seventy thousand. This is the number at the *khanapuri* stage. The number of *khatians* in the final record was 81,008. The large increase is due to the division of the *khatians* of *khatkattiders*, and the partition of holdings. The figures at the last settlement were nearly 14 lakhs of plots and 79,000 holdings. Considering the increase of cultivation and population this reduction is curious. The reason why the plots are fewer is, as explained before, that owing to the method of survey and area extraction at the last settlement the plot had to be kept to what could be surveyed with not more than four straight lines. The jungle too was divided up into small plots for the purposes of area extraction. The reduction in the number of holdings is less easy to explain. It was found however that separate holdings had been frequently given to sons apart from their father and often for acquired land apart from ancestral land. Moreover non-agriculturists with houses only were each recorded for a separate holding, whereas now such houses are all put in one *khatian*.

80. *Number of villages.*—The number of villages surveyed was 601 Government villages and 12 *tekkiraj* villages, total 613. At the last settlement the number of villages was 611 Government villages and 10 *tekkiraj* villages, total 621. The difference is accounted for as follows:—(a) Government villages. Ten have become forest villages and were excluded from the present settlement by the notification (see Appendix B). Two villages separately surveyed at the last settlement were found to be only *ghams* under the name *Muanda* (the villages with which they have now been amalgamated. These are *Pollipi* (old number 99) and *Barundi* (old number 20), which have been surveyed also separately (their *Chakradharpur*, No. 21) and *Mupalai* (Bhama Kollari, No. 22) respectively. *Chalhasi* town has been included (Bhama Kollari, No. 51) and *Choya* (Bhama Kollari, No. 502) which was a *tekkiraj* village at the time of the last settlement has now been included on failure of the *ghams* of the *ghams* and *ghams* at *Chalhasi* village. Thus the total

of names in apt to occur in very numer-

re indicates the

Percentage of the period.	Number of khattians.	Number of plots per khattians.
16	16	16
10793	62,824	14721
1174	27,508	1591
1180	70,520	1460

scribed is 24 miles of check pends, how- (15), on the

the total and seventy of khattians vision of the guros at the Considering

The reason method of had to be lines. The extraction. was found part from Moreover the holding,

was 901 settlement villages, villages, settlement surveyed as the Pehri surveyed Kolhan, Kolhan, lakheraj share of the total

is 911-12+2=901. (b) *Lakheraj villages*. Three villages, Basahatu (thana Kolhan No. 51) Charai, (thana Kolhan No. 95) and Murum (thana Kolhan No. 91) were not surveyed at the last settlement but a year or two later, and Choya has been resumed. The total is thus 10+3-1=12.

81. *Attestation*.—Attestation in the Kolhan did not present the same problems and difficulties as in an ordinary settlement. There were no khewat difficulties, no rent disputes and no prœdial conditions; other disputes were very few and not complicated. The only difficulties in the work were the *khuntkatti* proceedings, the Dikku enquiries, comparison and reconciliation with the last settlement records, the language, and the stupidity and incompetence of the aboriginal staff that had to be employed. The Hos as a rule speak no language but their own, and officers and staff who knew Ho had to be recruited for attestation, which limited the field of choice. The first year's attestation work in 1914-15 was rather dislocated owing to Government orders being received late in the season on the question of the law and procedure to be followed; an account of the correspondence is given to explain the situation. In submitting proposals for the resettlement of the Kolhan in 1912 (letter No. 1228-R., dated the 22nd and 24th July, 1912,) the Commissioner, Mr. McIntosh, agreeing with the Director of Land Records and the Deputy Commissioner proposed that the Kolhan should be excluded from the operation of the Chota Nagpur Tenancy Act and a short and simple regulation should be passed for its administration. The reasons for this are set out in the note on the Kolhan resettlement by Mr. H. McPherson, the Director of Land Records.* Government orders were passed in Mr. Secretary Gruning's letter No. 5997-R., of the 28th October, 1912, that a sufficient case had not been made out for this and that the resettlement should be carried out under the Chota Nagpur Tenancy Act. After the experience of the first season, 1913-14, Mr. Sifton, the Settlement Officer, raised the question again, and his note was supported by the Deputy Commissioner, Mr. Sen, and the Commissioner, the Hon'ble Mr. Walsh, but opposed by the Director of Land Records and Surveys, Mr. J. Reid, who proposed certain amendments of the Chota Nagpur Tenancy Act instead, and further proposed with regard to the *khuntkatti* question that all Hos and all recorded non-Hos (old tenants) who have reclaimed lands in the estate be admitted to the rights of *khuntkattidars*, and that the Settlement Officer be authorized to record as *khuntkatti* at fixed rates all rice lands held by *khuntkattidars* at the time of Mr. Craven's settlement, and all other lands held by them as ordinary *khuntkatti* which is liable to pay an enhanced rent. He subsequently modified this proposal and proposed to limit the *khuntkatti* at fixed rents to one-fourth of the holding.

Government orders were passed in Mr. Secretary McPherson's letter No. 1128-R., dated the 11th of February, 1913, rejecting the proposals for a special regulation and directing that the survey and settlement operations should continue under the provisions of the Chota Nagpur Tenancy Act. No specific orders were passed with regard to Mr. Reid's *khuntkatti* proposals and accordingly *khuntkatti* rights were determined under the provisions of the Act.

Meanwhile attestation had been started in November, 1914, and pending Government orders a revised notification was issued (No. 1228-R., dated the 9th November, 1914) omitting the record of raiyats having *khuntkatti* rights. No enquiry into *khuntkatti* rights had been made at Khanapuri and no enquiry was made from the beginning of the attestation season up to the end of February when Government orders were received. An attempt was made at the beginning to ascertain what plots of rice land had been reclaimed since the last settlement, by a comparison with the old maps and area, but owing to the inaccuracies of survey and area extraction at the last settlement, the work proved impracticable and was abandoned.

Certain other points in connection with the record were under discussion for some time also, and a settled procedure with regard to the rights in trees, the status of Dikkus, *dar-raiyats*, as well as the *khuntkatti* question, was not reached till late in the season. This handicapped the work and increased the number of corrections that had to be made in the

CNTA.

The second season's attestation in 1916-17 proceeded smoothly as all the questions had then been settled.

82. *Disputes.*—The number of disputes at the different stages was as follows:—

At Khanapuri	...	...	...	...	6,021
At attestation	...	...	...	...	2,316
Objections under section S3	...	...	...	...	5,297

The Khanapuri disputes average only 4.4 per square mile which is very light indeed. They were mostly simple possession disputes either referring to transfers of land or quarrels between shareholders. The Hos raised many disputes for lands which they had lost before the last settlement to Dikkus. In purely Ho villages in which the foreign element had not obtained a footing there were hardly any disputes at all.

Of the objections under section S3 the figures for the two seasons' work provide an interesting comparison:—

				Objections allowed.	Objections disallowed.	Total.
First season	...	...	...	2,195	2,864	5,059
Second season	...	...	...	53	184	237

The following table shows the classification of the objections.

Season.	Number of cases.	Possession.								Money rent.			
		Landlord vs. Landlord.		Landlord vs. Rajyat.		Rajyat vs. Landlord.		Rajyat vs. Rajyat.		Landlord vs. Rajyat.		Rajyat vs. Landlord.	
		Allowed.	Disallowed.	Allowed.	Disallowed.	Allowed.	Disallowed.	Allowed.	Disallowed.	Allowed.	Disallowed.	Allowed.	Disallowed.
1	2	3	4	5	6	7	8	9	10	11	12	13	14
First year's area	6,150	...	...	2	...	16	43	56	273	3	...	...	1
Second year's area	237	...	...	...	...	1	1	24	135	...	...	...	...
Total	6,387	...	...	2	...	17	44	80	408	3	...	...	1

Status.						Title.	Trees.	Measurement.			
Zest vs. Rajyat.		Landlord vs. Rajyat.		Rajyat vs. Landlord.							
Allowed.	Disallowed.	Allowed.	Disallowed.	Allowed.	Disallowed.	Allowed.	Disallowed.	Allowed.	Disallowed.		
17	16	17	15	19	29	21	22	23	24	25	26
...	6	2,025	2,900	2	61	60	51	9	6
...	3	86	1	51	29	2
...	5	2,000	2,152	2	61	60	61	29	6

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6,021
2,316
5,296

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holders. The Hos
the last settlement
ent had not obtained

two seasons' work

Objections Allowed.	Total.
64	5,029
1	237

Objections.

Money rent.			
Landlord vs. Raiyat.		Raiyat vs. Landlord.	
Allowed.	Disallowed.	Allowed.	Disallowed.
11	12	13	14
3	...	...	1
3	...	...	1

Remeasurement.

Allowed.	Disallowed.
2	28
9	...
20	...

It will be seen that 4,131 out of 5,059 of the first season's objections relate to *khuntkatti*. Of these, cases which were partly allowed are shown as allowed, and 700 cases which were allowed were subsequently revised under section 89 and the orders reversed in most cases. 2,848 of the *khuntkatti* objections were heard by Mr. Panna of which 1,284 were allowed partly or wholly and 1,564 disallowed. These related mainly to *khuntkatti* identification, being objections that particular fields which had been recorded as *kaemi* or enhancible *khuntkatti* were *khuntkatti* at fixed rates. The fewness of such cases in the second season was due to there being much less *khuntkatti* and to improvement in the difficult *khuntkatti* identification work. The objections under the headings "trees and remeasurement" deal only with omissions or small mistakes in the record which had not been brought to notice during *khonapuri* or attestation, and the proportion allowed does not indicate a reversal of previous decisions.

83. *Revision under section 89.*—One officer who did attestation and heard objections under section 83 was found to have misapprehended certain points of the law and to have granted *khuntkatti* rights too widely in consequence. Revision was taken up by the Settlement Officer in 36 villages under section 89 and the decisions were upheld in 8 cases, modified in one, and revised in 27. These orders cover decisions in 700 section 83 objections, and 3 attestation enquiries.

84. *Status.*—The following table shows the *khattians* arranged according to status:—

Serial No.	Status.	Number of <i>khattians</i> .
1	2	3
1	<i>Zirat</i>	1
2	<i>Bakasht Malik</i>	23
3	<i>Bakasht Munda</i>	169
4	<i>Mukarrari khuntkatti</i>	16,720
5	Ordinary <i>khuntkatti</i>	10,829
6	<i>Kaemi</i>	54,684
7	<i>Dakhalkar</i>	1,602
8	<i>Gair dakhalkar</i>	375
9	<i>Brit Pujai</i>	15
10	<i>Mukan bari</i>	2,212
11	<i>Gairmazrua</i>	2,351
12	<i>Ka'isar-i-Hind</i>	650
13	Protected Forest	657
14	Total, columns 1 to 13	83,827
15	<i>Dar-raiyat</i>	271
16	Grand total	84,098

(1) *Zirat.*—This *khattian* is for a Government experimental *lass* or *lana* in village Tamarbandh (thana Kolhan, No. 125).

(2) *Bakasht Malik.*—These *khattians* are the *bakasht* holdings of the *rajdars*.

(3) *Bakasht Munda*.—The Munda has to obtain the permission of the Deputy Commissioner before he takes into his own cultivation the abandoned holding of a raiyat. Unless he obtains this permission he has no raiyati right in the land, and only holds it in theory until he can settle it with a raiyat. Such land has been recorded as *bakasht* of the Munda. If he were to lose his office, it would pass to the new Munda.

(4 and 5) *Mukarrari khuntkatti and ordinary khuntkatti*.—These are the khatians for *khuntkatti* land held at a fixed rent and at an enhancible rent, respectively. The conditions determining the class into which *khuntkatti* land falls and the procedure for ascertaining them are discussed elsewhere. The number of khatians under each status is nearly the same, and nearly every *khuntkattidar* has a khatian both of *mukarrari khuntkatti* and of ordinary *khuntkatti*. The number of *khuntkatti* tenancies is 11,304 or about one-sixth of the total number of raiyati tenancies in the Kolhan.

(6) *Kaemi*.—*Kaemi* is the status of a settled raiyat as defined in section 17 of the Chota Nagpur Tenancy Act. A settled raiyat possesses this advantage over an occupancy raiyat that he acquires a right of occupancy at once in all land held by him as a raiyat in the village. It will be seen there are only 1,434 raiyati khatians of other than settled raiyats or *khuntkattidars*.

(7) *Dakhalkar*.—*Occupancy raiyats*.—These include Hos who have held land in a village for less than twelve years, for a Ho acquires a right of occupancy by custom as soon as he obtains settlement of land from the Munda; and Dikkus who have made *korkar* and so have acquired statutory occupancy rights under section 67 of the Chota Nagpur Tenancy Act.

(8) *Gairdakhalkar*.—*Non-occupancy raiyats*.—These are Dikkus who have held land in a village for less than twelve years, for no Dikku obtains a right of occupancy by custom in the Kolhan.

(9) *Brit Pujai*.—These are *Deurai* lands, held by the village Deuri in virtue of his office. Only in one case is the holding rent-free. The raiyats of the village pay the rent in the other cases.

(10) *Makan bari*.—The status of *makan bari* is primarily a non-agricultural status and applies to those who hold only homestead land, a house with the surrounding *bari*. All Hos have been found to be agriculturists and to have a right of occupancy in their holdings, even if that holding for the time being consists of a house or a house and *bari* only, and they have been recorded as *kaemi* or *dakhalkar*, as the case may be. Mr. Craven at the last settlement distinguished between cultivating and non-cultivating Dikkus and assessed the latter to rent for their homesteads at Re. 1 a bigha. The status *makan bari* includes these and all new Dikkus who are not agriculturists and have acquired homestead holdings since the last settlement. Certain new homestead holdings of Dikkus were however found to be agricultural holdings, but it was proved that by the custom of the Kolhan such Dikku tenants are only tenants-at-will for these homestead holdings, and do not acquire occupancy rights in them. These holdings were also recorded with the status *makan bari*, while a note was made in the Special incidents column that the *khatian* is raiyati but by the custom of the Kolhan occupancy rights do not accrue in it.*

(11) *Gairmazrua*.—This includes (a) *Gairmazrua malik*, under which are put all waste and jungle lands, rivers, Government *bandhs* and important Kolhan Estate roads which are arteries of traffic, and not merely village tracks, (b) *Gairmazrua am*, under which are recorded village roads and paths, public tanks and *bandhs* other than those made by Government, sacred groves, burial grounds, etc., and (c) *Gairmazrua makan*.—This is a separate khatian in which are entered the houses of non-agriculturists. This has been put under khewat No. 3 of that of the Munda as he collects house-rents and receives his commission on them, while *Gairmazrua malik* is under khewat No. 1 of Government.

(12) *Kaicar-i-Hind*.—Under this head have been entered those roads and buildings which have been acquired or belong to a department of Government other than the Khas Mahal Department, and thus appertain to Government *qua* Government and not *qua* landlord.

* (For a discussion on homestead holdings see section 347 of the Settlement Manual.)

(13) *Protected Forest*.—This has been entered in a separate khatian from other jungle, and "Protected Forest" has been recorded in the column for "Name of raiyat".

(14) *Dar-raiyat*.—In paragraph 137 of his final report Mr. Craven writes: "The total number of sub-raiyati holdings in the estate that have arisen since the last settlement is only 63. These sub-raiyats have now been treated as ordinary raiyats." Sub-leasing, like other forms of transfer, was forbidden under the Kolhan rules and the Deputy Commissioner filed objections under section 63 in three cases against the record of *dar-raiyats*, as test cases, on the ground that there was no custom in the Kolhan of creating *dar-raiyati* tenancies. This objection was heard by me and was rejected because in fact sub-leases had been granted and the Deputy Commissioner had not stopped them. The form of sub-lease which is customary is very little different from a *bhugat bandha* mortgage, and is usually caused by temporary inability on a raiyat's part to cultivate his whole holding, so he leases out a part of it to some one else for the payment of its rent. It is a purely temporary transfer almost always for a definite period, and the raiyat has the right to resume the lands at the end of the lease, or at any time thereafter if the *dar-raiyat* holds on beyond the term of the lease. No occupancy rights can accrue by custom in such *dar-raiyati* tenancies. There have been only 271 *dar-raiyats* recorded; attempts were made to get illegal sales and mortgages recorded as *dar-raiyati* tenancies.

85. *Illegal transfers*.—The attestation officers scrutinize the legality of all transfers of raiyati lands. The general question of transfers is discussed later. The practice in the first season was that explained by Mr. Sifton in paragraph 139 of the Hazaribagh Final Report, that such transfers were not recorded at all. In the second season the procedure was altered, and the name of the transferee was recorded in the remarks column of the khatian against each field with an explanatory note that he obtained possession by virtue of an illegal sale or mortgage dated such and such a year.

86. *Mortgages and sales*.—Such transfers were under the Kolhan rules forbidden except with the permission of the Deputy Commissioner, and since 1908, they are governed nominally by section 46 of the Chota Nagpur Tenancy Act. The procedure followed was to recognize a sale and record the transferer if the sale was over 12 years old and was otherwise unobjectionable, or if the Deputy Commissioner's permission had been taken. Otherwise the sale was ignored and the transferer recorded. The number of sales found was very small. They were nearly all verbal.

Mortgages were found to be mainly *thika* which in the Kolhan is a *bhugat bandha* mortgage and not *sud-bandhak*, which Mr. Craven found to be the more common (see section 136 of his Final Report), but they were to a considerable extent concealed during the settlement and the mortgagees made no claims. The *thika* mortgage is practically always verbal and is for a definite term of years, and approaches a *dar-raiyati* settlement in some of its forms. The rent is paid by the mortgagee usually, but sometimes by the mortgagor.

87. *Partition of holdings*.—At the last settlement existing partitions of holdings were recognized, and no restrictions were placed on the custom of private partition except that if in any instance a holding of less than seven local bighas was formed as the result of such partition the rent of the parent holding continued to be paid jointly, and the partition was not recognized. This was laid down in Mr. Secretary Finucane's letter No. 724-T. R., dated the 6th September, 1906.

In agreement with the Deputy Commissioner the same rule was applied in this settlement. With the usual proportions of rice land and upland seven bighas about constitute an economic holding for a Ho family. The application of the rule could not be seen until after area extraction had been done, and to avoid the rewriting of khatians, the expedient was adopted in the second season of showing the plots in the separate possession of each co-sharer on a separate khatian page at Khanapuri. If partition was allowed at attestation all that had to be done was to cancel the names of the other co-sharers from the front of the khatian. This rule worked very well and possessed the advantage of

ensuring that the record of separate possession was not omitted from any plot, and of allowing each co-sharer to receive a *parcha* for the part of the holding in his possession instead of the whole *parcha* being given to one co-sharer. The Hos do not as a rule remain in a joint family. When a son marries he gets a share for his separate maintenance and sets up house for himself. This does not prevent him getting a further share on the death of his father. Often a father, when he grows old and his sons have reached *manhood*, divides the whole of his lands among them, keeping a small portion for his own maintenance which he either cultivates separately himself or entrusts to a favourite son with whom he lives. This share is divided among all the sons at his death, unless the son with whom he lived has acquired a sole right to it by meeting all the expense of the funeral ceremonies.

88. *Maintenance holdings of unmarried Ho women.*—An unmarried Ho woman is entitled on her father's death to be maintained by her brothers, or if she does not care to live with them, to a share in the property for her maintenance. This she will keep until her marriage or death; in either event the land reverts to her male kin. A separate *khatian* was given for these maintenance holdings of unmarried women. In the "Name of raiyat" column the owner was recorded as *A*, sister of *B*, *C* and *D*, and in the "Special incidents" column it was noted that on her death or marriage the lands would revert to the family.

89. *Holdings of emigrants held in trust.*—When a Ho emigrates to Assam or elsewhere he usually leaves his holding in trust with one of his relations or clansmen in the village. It is admitted that the trustee holds no rights in the lands and must give them up to the owner should he return, even 20 years later. Such a holding has been recorded in the name of the owner, and a note made in the "Special incidents" column of the possession of the trustee and the period of that possession.

90. *Identification of old holdings.*—The holdings were identified with those of the last settlement and the *jamabandi* number is entered on the *khatian*. When a *jama* had been divided among more *khatians* than one, the *jamabandi* number is shown on each *khatian* with a *balla* letter. Thus, if *jama* 50 is split up and parts held by the owners of *khatians* 10, 11 and 12 while *jamabandi* 49 is also held in *khatian* 10, the *jamabandi* number will be shown in *khatian* 10 as 49+^a, in *khatian* 11 as ^b and in *khatian* 12 as ^c.

91. *Khuntkatti proceedings.*—A general discussion of *khuntkatti* rights is given in Chapter III. The proceedings for ascertaining (1) the *khuntkattidars* and (2) the lands which are held as *khuntkatti* at fixed rents or *enhancible* rents were as follows :—

The attestation officer first made an enquiry as to the origin of the village and the family which had founded it, and came to a finding showing what raiyats, if any, have *khuntkatti* rights. Notes were made at this time about any fields of *khuntkattidars* which were ascertained in the course of the attestation to have been acquired otherwise than by inheritance. The list of the *khuntkattidars* was draft published and objections to it disposed of.

In the first season the enquiries were only begun at the end of February and separate enquiries had to be made subsequently in the villages which had been completed from attestation before then.

The next step was the *khuntkatti* identification. This was done in recess at Hazaribagh after the first season, and at the Headquarters at Chaibasa during the second season. A list was first prepared showing for each *khuntkattidar* the plot numbers of his holding, the names of the tenants of the same holding at the last settlement, the *jamabandi* number and old *khatian* number, and the last settlement plot numbers of the rice-land held by him then. These plot numbers were then marked on the new and old maps. In the first season they were marked with tick marks merely, but as this made it impossible to detect plots which had been transferred from one *khuntkattidar* to another, the plots of each *khuntkattidar* were marked with a distinct serial number on both maps in the second season, which made the work more accurate though a little slower.

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Then the new maps were placed over the old maps on a tracing glass and the outlines of the old plots or blocks of plots belonging to the same tenants were traced in blue pencil on the new maps. The plots which agreed on the two maps are *khuntkatti* at fixed rents. A fair amount of latitude had to be given in making the comparison owing to the inaccuracies of the old map. Where only part of a plot was found to be *mukarrari khuntkatti* it was divided from the rest on the map by a broken line, and a separate plot number given. A broken line was used on the maps for these boundaries as they do not represent any real boundary on the ground. This comparison was checked and passed by the Assistant Settlement Officer in charge of the work. A second list was then prepared from this showing the plots that had been found to be (1) *khuntkatti* at fixed rent, (2) ordinary *khuntkatti* and (3) *kaemi*, and notes made to show the reason for this. On this list the rent for the *khuntkatti* fields at fixed rent was also determined by entering (a) the last settlement rent for the riceland of each *khuntkatti jama* or portion of a *jama*, (b) the deductions for plots not found now in the possession of the *khuntkattidars* and any additions for plots which he had acquired by inheritance but which he had come from a different *jama*, (c) the resultant rents for each *khatian* of *khuntkatti* land at fixed rent. When the deduction of rent had to be made for a whole plot it was calculated for the nominal area of the plot as given in the last settlement *khatian*, but if for part of a plot only, then the area of that part and the whole plot had to be extracted anew and the proportionate rent of the excluded part calculated.

The inaccuracies of area extraction at Mr. Craven's settlement made the resultant rents vary considerably in some cases from the rate of Re. 9-6-6 a bigha, but as the rent payable is fixed under section 37 and not the rate of rent, these variations had to be kept.

New *khatians* were then written for the lands of the *khuntkattidars*, separate *khatians* being prepared for (1) *khuntkatti* at fixed rent, (2) ordinary *khuntkatti*, and (3) *kaemi* lands. Lastly, these *khatians* were sent out into the field again and draft published and objections were disposed of, and until this was done the ordinary recess work could not be taken up.

92. *Completion of the record.*—The *janch* and fair-copying of the record were done for the first season at Hazaribagh and for the second season at Ranchi. It was found difficult to get the unfamiliar Ho names copied correctly. The final publication was put under the charge of a Kanungo, as no Assistant Settlement Officer could be spared for the work.

93. *Suits.*—As fair rents were settled for the entire estate by Government notification under section 85 (2) (ii), Chota Nagpur Tenancy Act, there were no suits under section 85. In the course of the fair rent settlement issues were framed and decided under section 86 in 108 cases. These were framed by the fair rent settlement officer himself in most cases to bring the record into correspondence with the circumstances found at the time of rent settlement; for instance, in cases where recorded cultivation had been submerged by a Government famine *bandh*.

The following is a statement of the suits filed and their results:—

Suits under section of the Chota Nagpur Tenancy Act.	Original suits.				Appeals.	
	Number of suits instituted.	Number of suits struck off for default, etc.	Number of suits heard.			
			Decreed.	Dismissed.		
1	2	3	4	5	6	
Under section 87	...	22	3	8	11	Nil.
Under section 130	...	6	3	1	2	Nil.
Under section 252	...	3	3	...	...	...

Thus there were only 22 suits heard, of which 9 were decreed and 13 dismissed. There were no appeals.

94. *Copies of maps and record.*—Fifteen copies of each village map were prepared, nine for administrative purposes and six for sale. The landlord's copy of the record was made over to the Deputy Commissioner for the Khas Mahal office, and a simple *jamabandi* was prepared for the Munda, at the request of the Deputy Commissioner.

95. *Thana maps and indices.*—A map of the whole estate has been printed on the scale of one inch to the mile, and has been so divided that the villages which fall within police stations Chakradharpur and Manoharpur are on separate sheets. The index list of villages shows the thana number, and a single serial number for the whole estate. The old serial number of the last settlement has also been given for reference. There was no revenue survey in Singbhum and there are really no revenue thanas except Ghatsila. The remainder of the district has always been considered rather as divided into estates than thanas. Porahat Estate pays no revenue and till recent years was administered more as a native state than as part of British India, while the Kolhan being a temporarily settled estate and a non-police tract has also been administered much on the lines of a native state. The Collectorate *manzagar* register gives a single serial for the whole of the Kolhan. What is required is, as the Deputy Commissioner has suggested, that when Porahat is re-surveyed, a single estate serial should be given to it, and also a police-station serial in continuation of the police-station serial number of the Kolhan villages. Forest villages have not been included in the serial as they form part of the reserved forest and have not been surveyed. The six villages of the Manoharpur *Lakhiraj* tenure should be numbered in continuation of the last number of Manoharpur police station, and the serial will then pass to the Anandpur Sub-Estate of Porahat.

CHAPTER VI.

FORESTS AND TREES.

96. *Reserved Forest.*—The reserved forest is not included in the present survey and settlement, but it lies within the boundaries of the Kolhan Government Estate, of which it forms a valuable part, owing to its good timber, and its richness in minerals. Included in the reserved forest are certain forest villages, the lands of which are held on a very low rent as forest service tenures on the condition of performing a certain number of days' labour on a fixed rate of wage for the Forest Department. Some of these villages are new settlements, but those mentioned in the notification (Appendix B) were ordinary Kolhan villages at the last settlement and were declared reserved forest in 1910 after payment of compensation for the rights extinguished.

97. *Right holders.*—The residents in certain villages in north Kolhan have the right to obtain minor forest produce for their own use from the Saitha reserved forest on payment of a sum which was calculated at two pice per rupee of land rent payable by them. The list of these villages is given in paragraph 142 of Mr. Craven's report. The amount payable by them was not apparently increased when the rent was increased at the last settlement. The area of the reserved forest is 537 square miles.

98. *Protected Forest.*—The following table shows the area of protected forest in each Pir. There is no protected forest in Chainpur, Asantania, Sidia, Lota, Rajabasa or Charai Pirs:—

Name of Pir.	Number of villages with protected forest.	Area of protected forest.	
		In acres.	In square miles.
1	2	3	4
Kubbha	7	1308 11	3 1
Kainuc	5	303 591	1 1
Gullera	1	1300 64	1
Ajodhya	7	1602 74	2

reserved forest
protected

Name of Pir.	Number of villages with protected forest.	Area of protected forest.	
		In acres.	In square miles.
1	2	3	4
Chiru	4	408-76	6-4
Thai	25	6148-16	9-61
Bharbhariya	11	10888-55	17-01
Lagra	1	291-87	4-6
Lalgarh	20	14721-25	23-60
Añwla	41	11583-58	18-10
Bar	85	16835-08	26-30
Guzra	19	13420-74	20-7
Barkela	3	2926-33	4-57
Rengra	17	11980-33	18-72
Bantaria	9	3599-06	5-62
Kotgarh	17	15100-47	20-47
Latua	3	519-45	8-1
Jamda	9	10168-78	15-59
Rela	4	6344-5	9-9
Saranda	45	6296-45	41-03
Total	334	152315-34	237-98

The protected forest was excluded from the record-of-rights under clauses (l), (n) and (o) of the notification, and the rights of the villagers in respect of taking forest produce, grazing cattle, and reclamation, are governed by the Chota Nagpur Protected Forest Rules. The protected forest was added to by the formation of new blocks in 1906, 1910 and 1917. The blocks formed in 1917 were surveyed and recorded during attestation except for one block which lay in villages the records of which had already been finally published. The protected forest was surveyed within the village boundaries.

99. *Cultivation in the protected forest.*—When the protected forest was formed at the time of the last settlement the raiyats were induced to relinquish any plots of *gora* land that lay within the forest, but would not give up the rice lands, and they were allowed to retain them on the condition that the cultivation was not to be extended.* Since then new reclamation has been allowed in some places by the Deputy Commissioner, and there is no doubt that a certain amount of surreptitious extension of cultivation has been made, which has escaped the notice of the Forest Department. In theory all legitimate cultivation is demarcated off from the surrounding forest, but the demarcation was not complete. Nor were the old maps a safe guide to old cultivation as in a good many cases rice land within the protected forest which had been in existence at that time had been surveyed out of place or omitted altogether. All rice land found within the protected forest was surveyed at this settlement, and at first it was recorded in a separate khatian from the rest of the raiyat's holding. The Deputy Commissioner however decided in the end not to attempt to prosecute under the forest law for any extension of rice land, but to accept what was shown on the settlement maps and with the help of those maps prevent any further encroachments. The record in separate khatians was then dropped, but a note was made in the remarks column of the khatian that the plots lay within the protected forest.

Gora land within the forest had been given up at the last settlement, and no *gora* was surveyed unless the cultivator could prove that he had received permission to reclaim the plot, or was paying rent for it.

VILLAGE FOREST.

100. *Rights to timber and fuel.*—The raiyats possess in the village jungle the usual customary rights which are much the same all over Chota Nagpur.

*Mr. Craven's Final Report, paragraph 174.

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The chief difference in the Kolhan is that Government as landlord has never attempted to deprive the raiyats of their rights, and has only circumscribed them in the interests of the people themselves. The raiyats possess the right to take wood in reasonable quantities for their own use for house building and house repair, for agricultural purposes and for fuel, free of any charge. These rights are subject to the general control of the Munda and Manki, and no big tree can be cut without their permission. No fruit tree while alive and bearing fruit can be cut by any one. The raiyats have no right to take any wood for sale. The personal rights of the Mankis and Mundas differ in no way from those of other raiyats. They exercise control in their official positions, but the rules which they apply govern themselves also.

101. *Grazing rights.*—The raiyats have the right to graze cattle free of charge and without permission, but only the genuine agricultural cattle of the village. Professional graziers have no right to free grazing in the village jungles. Goats and sheep may not be grazed in the jungles, as they do much damage. The same grazing rights exist in the waste lands and on cultivated lands after the crop is cut, and extend there to goats and sheep.

102. *Minor Forest Produce.*—The raiyats have the right to take minor forest produce free of charge and without permission, such as jungle fruits, *mohua*, *chop*, thatching grass. For lac and *lassar* the usual *dalkatti* fees are paid. *Sabai* grass and myrobalans are governed by special rules, as even in the village jungles they are under the control of the Forest Department, and the rights in the village jungles and waste lands are leased out to a contractor along with those of the protected and reserved forest. No sale of these products is allowed to any contractor except as permitted by the Forest Officers, but any raiyat may take what *sabai* grass or myrobalans he wants for his personal use, and may sell small quantities to raiyats of the Kolhan for their own use without permission and free of charge. *Sabai* grass is used for making twine locally but the lessees use it for paper making. Myrobalan is the fruit of the *lara* tree (*Terminalia Chebula*) and is used for tanning purposes.

103. *Rights of non-agricultural tenants.*—The ordinary non-agricultural tenants who belong to the village community have the same rights in the village jungles as the raiyats, but this right extends only to those whose names are now recorded in the record-of-rights, and will not necessarily belong to future settlers. For if a trading or mining community sprang up anywhere in the Kolhan they would not enjoy the villagers' customary rights in jungles. Outside Chaibasa town there are at present only three such centres, Jagarnathpur, Jaintgarh and Duia. In Jagarnathpur the old traders who were recorded at the last settlement enjoy the customary jungle rights in the surrounding villages—there is no jungle in Jagarnathpur itself—but new Dikku traders who have settled since the last settlement have no rights in the jungles. In Jaintgarh the Dikku traders and other non-agriculturists have no jungle rights at all. In Duia where there is a mining settlement the non-agriculturists who are recorded in the record-of-rights enjoy jungle rights, but these do not extend to the temporary labourers who live in huts within the land of the Bengal Iron and Steel Company.

104. *Reclamation rights.*—All resident settled raiyats, and all Ho raiyats have the right to reclaim village jungle and waste land within the village, but they must take settlement from the Munda. All new reclamation whether *korkar* or upland is enjoyed free of rent for three years. After that the Munda and the Manki can settle a fair rent on it, of which each takes half, but in practice, as has been pointed out, this right of assessment is seldom exercised. No non-resident Dikku, even if he is a settled raiyat in the village, has the right to reclaim, for he is not considered to belong to the village community.

105. *Rights in trees.*—The rights in trees other than trees standing in the jungle are, as in the rest of Chota Nagpur, simple because of the prevailing customs that the timber of all trees except those planted and reared by the raiyats, is at the disposal of the village landlord, and the entries of these rights have been made in the remarks column against the field numbers on which the trees stand. In the Kolhan the Deputy Commissioner representing Government is the landlord. He does not claim the timber of trees as belonging to Government and is only interested in

regulating its proper distribution among the members of the village community, and in preventing any wasteful cutting of trees which would denude the area. Consequently a number of customary rules have grown up, which are practically the same throughout the Kolhan, regarding the conditions under which trees can be cut and the rights of different persons to shares in the timber. These could not be clearly recorded against all individual trees in the khatians, and a special form of record-of-rights in trees was sanctioned by the Board of Revenue. This forms an integral part of the record-of-rights.

These rights are as follows:—

(1) *Rights to the flowers, fruit and timber of self-grown fruit-growing trees.*—No one can cut such trees as long as they bear flowers and fruit. Except for the trees for which the special right of a particular raiyat is recorded in the khatians, all the raiyats of the village share the fruit and flowers. If the tree dies the timber is divided among all the village raiyats by the Munda, but if the right to the fruit and flowers belongs to an individual raiyat, that raiyat has the right to take all the wood he needs, and what is over the Munda will divide among the other raiyats. No one has the right to sell the wood of such trees. These rights are the same whether the tree stands on waste land or on the land of a raiyat.

(2) *Rights to the timber of non-fruiting self-grown trees.*—As long as the tree is alive, the raiyats may cut it only after asking the Munda, and only when there is need of wood by the village raiyats for repairing a house or for making agricultural implements. No one may sell the wood, and no one may cut down *asan* trees. The Manki's permission must be obtained if more than two or three trees are needed. If the tree stands in the field of a raiyat, that raiyat has the first right to as much wood as he needs for his immediate requirements and the Munda will divide the rest among the other village raiyats.

(3) *Rights in *athrop* trees.*—An *athrop* tree is one that is planted or reared by a raiyat, and the entry made in the khatian is in this form: "One mango *athrop* so and so." The rights which this entry connotes are as follows:—The raiyat who planted the tree has the full right to the fruit and flowers but he cannot cut down a fruit tree while it is alive; nor can he cut down a non-fruiting tree without the Munda's permission. The *athrop* rights in a tree are occasionally sold.

106. *Mahua.*—Most of the fruit trees of importance are planted except *mahuas* and the Hos do not attach at all the same value to *mahua* trees as do the raiyats in other parts of Chota Nagpur. Only a small percentage of the *mahuas* are owned by individuals, and while the raiyats do collect and eat the flowers when badly off for food, they often do not take the trouble to do so in good seasons. Quite a usual answer to a question what man took the flowers of a particular tree, was that the goats or the monkeys ate them. The *mahua* fruit on the other hand is valued for making oil, and the fruit of a *mahua* tree may be owned by an individual, although the flowers are taken by all the villagers.

107. *Lac.*—Lac is grown on *kusum*, *paras* and *bair* trees. *Dalkatti* is charged for lac grown on *kusum* and *paras* at the rate of four annas and one anna a tree. This charge is assessed by the Manki and Munda and the assessment is checked by the Kolhan Inspector. Payment is not made unless the crop succeeds and the branches are cut. This *dalkatti* is rather high and the Hos prefer to grow lac on *bair* trees in their *baris* for which there is no charge. It would be worth while in my opinion, to reduce the charge in order to encourage lac cultivation. In many cases the Hos prefer to take the fruit of the *kusum* trees for making oil instead of growing lac on them. *Paras* trees are not very common in the Kolhan. The Manki and Munda collect the *dalkatti* both for lac and *tassar* and receive two annas in the rupee each on the collections as commission. The settlement is in theory a yearly one, but by custom, a raiyat who has once grown lac on a tree has a preferential right to further settlement if he wishes for it. If not, it can be settled with some one else.

108. *Tassar.*—*Tassar* is grown on *asan* trees mainly and also on *sal* trees in some parts. No assessment is made according to the number of trees but

each man who cultivates *lassar* is charged one rupee for the year. This is called an *aru*. The cultivation is on trees in cultivated land and hardly any *lassar* is grown in the jungle. Settlement is made each year by the Manki and Munda and an *aru* may contain any number of trees. It depends entirely on the number of raiyats who apply for the settlement in any village and the number of trees that there are to be divided among them.

A special enquiry was made into the *lassar* industry in 1916 by Mr. J. R. Dain, I.C.S. It is said to be a declining industry in the Kolhan. The figures obtained from the registers, however, indicate that the number of cultivators has been fairly constant in the last ten years. Mr. Dain's conclusions are that the industry has never been more than a subsidiary occupation by which a man might add to his income, but by which he could never earn a livelihood. It is precarious in the extreme. A long drought causes the destruction of the crop and so does sudden and heavy rain. The worm is liable to attack by birds, flying foxes, insect pests and disease. The rearing involves many most irksome and exacting religious observances and austerities, and the work is very laborious and means constant and unremitting watching of the trees. A man who is well off will not take the trouble to rear *lassar*, and a poor man can hardly afford to spend two or three months on work that brings in no money at the time. Wild seed is becoming more difficult to get, and with the rise of prices and wages there are other less precarious ways of adding to a small income.

The following statement has been compiled from the *dalkatti* registers. It is only roughly accurate, as the figures in some cases are incomplete, but it gives an idea of the amount of lac and *lassar* cultivation. The increase beginning about the year 1904-5 is probably due to the work of the Kolhar inspector in checking the returns of the Mankis and Mundas rather than to a real increase in the cultivation. The assessment figures seem to be based on the figures in the other columns for the preceding year:—

Year.	Number of villages in which <i>lassar</i> was reared.	Number of tenants rearing <i>lassar</i> .	Number of trees on which lac was cultivated.		Dalkatti Assessment.	
			Kasam trees.	Panna trees.		
1	2	3	4	5	6	
1899-1	...	347	3,220	1,151	202	Rs. a. p.
1900-2	...	213	2,537	654	231	...
1901-3	...	312	2,611	66	153	...
1902-4	...	510	1,672	570	213	...
1903-5	...	625	1,625	1,310	222	...
1904-6	...	623	3,573	1,520	507	...
1905-7	...	617	7,101	1,979	420	...
1906-8	...	77	6,026	6,773	1,111	...
1907-9	...	617	6,251	4,717	1,138	...
1908-10	...	71	2,591	6,716	1,001	3,712 0 0
1909-11	...	52	3,201	1,780	1,130	3,385 0 0
1910-12	...	623	6,072	3,376	1,523	1,188 0 0
1911-13	...	714	6,729	3,002	1,601	3,570 0 0
1912-14	...	731	3,128	3,110	2,008	5,007 0 0
1913-15	...	615	6,725	1,010	1,132	7,730 0 0
1914-16	...	608	7,120	1,500	501	6,522 0 0
1915-17	...	521	6,722	2,315	1,223	3,770 0 0
1916-18	...	214	3,220	3,607	770	3,750 0 0

The charge for *tassar* as for *lac* is not made unless the crop succeeds and the branches of the trees are cut. The villagers have a preferential right to the settlement of a *tassar ara* in their own villages if they wish to take it, but if not, settlement may be made with other residents of that Manki's *ilaka* or even with outsiders. As a rule there is no competition. Some cases came to notice in Añwla Pir of Mayurbhanj people taking *tassar* settlement, and in one border village at least, the settlement was not a *bona fide* one but had been taken in order to cut the branches of the *asau* trees and take them away for sale as fuel.

CHAPTER VII.

STATISTICS.

109. Reference has been made to much of the statistical information collected for the Kolhan in other parts of this report. The rest will be discussed in this chapter. The statistics are given in Appendix A. The Pir has been taken as the unit in preparing them.

The principal statistical statements are:—

(1) The *Milani Khasra* showing the area under each of the various classes of land with the three major heads, cropped area, cultivable but not cultivated, and unfit for cultivation.

(2) The crop statement (*Jinsu wa*) showing the area covered by each of the principal crops.

(3) The Agricultural stock list (*Fard Ilawala*).

(4) A statement showing the area of each class of land and the rent, agricultural and non-agricultural, for each village as well as for each Pir. This statement is in the form of statement 7 A of Appendix A of Mr. Craven's final report.

(5) A comparative statement of the areas and rents at the present and the last settlement.

The first two statements are in acres and decimals, and are compiled in the first recess after *khanapuri*. The figures are not altered to agree with any alteration in classification that may take place in the later stages of the work.

Statements (4) and (5) are in *bighas* and the totals when reconverted into acres do not agree exactly with the original totals in acres of statements (1) and (2). These discrepancies are inevitable. The last settlement figures given in statement (5) do not agree with those of Mr. Craven's final report as the area which they comprise is different. This has been explained in Chapter I of this report and the great difference between the present and last settlement area figures pointed out.

110. *Milani Khasra*.—The rice land is 51 per cent. of the cultivated area and the upland 49 per cent*. The percentage of rice land is not nearly as high as in Dhalbhum where it is 69, but much higher than in Ranchi or Hazaribagh. The percentage of rice land is highest in the fully cultivated Pirs of the north and east, lower in the south and lowest in the jungle Pirs. In those Pirs in which a high percentage of the cultivated land is rice land, a high percentage of that rice land is *bad*. Most of the available *bera* land is made fairly early in the development of any tract, then upland is extended, and then that upland is gradually turned into *bad*. Although *gora* has increased more than rice land since the last settlement the general development of the estate points to an extension of *bad* made from *gora*.

*Including in upland the area of column 17 of the *Milani Khasra*.

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The following table shows the percentages of rice land consisting of *bad* and *bera* and the percentages of the total cultivated area which are rice land and upland, for each Pir :—

Serial No.	Name of Pir.	Percentage of the rice-land of—		Percentage of the total cropped area of—	
		<i>Bad</i> .	<i>Bera</i> .	Rice-land.	Upland.
1	2	3	4	5	6
1	Lakliha	57	43	46	61
2	Kainua	62	37	35	65
3	Gulkeru	62	38	58	42
4	Chainpur	71	29	58	42
5	Ajodhya	73	27	70	30
6	Asantalia	73	22	60	11
7	Sidiu	64	36	57	13
8	Lota	70	30	67	33
9	Rajabasa	69	31	71	21
10	Chiru	68	34	59	14
11	Charai	72	28	60	31
12	Thai	75	25	66	31
13	Bharbhariya	72	28	63	37
14	Lagra	75	25	71	29
15	Malgara	65	35	53	47
16	Anwla	57	43	51	59
17	Bar	59	41	55	44
18	Genura	66	34	56	44
19	Larkeia	62	38	48	52
20	Rengra	47	53	31	69
21	Bantaria	53	47	29	71
22	Kotgarh	50	50	31	69
23	Latus	48	52	19	81
24	Janada	25	75	33	67
25	Reia	47	53	19	81
26	Saranda	43	57	27	73
	The Kollan	61	39	51	49

111. *Bh-dai and Aghani*.—The division of rice land into *bhadai* and *aghani* is not a very good one. The only real *bhadai* rice is the *gora* rice grown on upland. For rice land all the crop on *bad* has been entered as *bhadai* and on *bera* as *aghani*, but most of the *bad* crop is not cut till the end of *Asin* or *Kortik*. Mr. Craven evidently classified the rice crop on both *bera* and *bad* as *aghani*.

112. *Rabi crops*.—The *rabi* crop is not important either on rice land or upland. *Rabi* is grown on 5 per cent. of the rice land as a second crop, and on 8 per cent. of the upland. The acreage under *rabi* has decreased since the last settlement.

113. *Kharaur*.—The area entered in column 17 of the *Milan Khawro* mango groves, etc., is nearly all *kharaur* or *gora* land on which thatching grass is grown. The actual area of the mango groves is only 193 acres.

114. *Gross and net area under crops.*—The crop statement shows the gross and net area under each crop. *Gora* land is not cultivated every year but is left fallow from time to time. The cycle of years according to which the lands are cropped has been recorded for each field, and the net area under each crop reckoned accordingly. The total gross and net cropped areas after deducting the *dofasli* area are 433,334 and 327,366 acres. Deducting the area of *bhadai* and *aghani* rice—221,033 acres—which is cropped every year, the gross and net cropped areas for upland are 212,301 and 106,333 acres. Of this about 26,000 acres under maize and thatching grass is regularly cropped every year, and thus ordinary *gora* land, on the average, is cropped not quite every second year.

115. *Food-crops.*—Rice is by far the most important food-crop in the Kolhan, and the net cropped area under rice is more than four times that of all the other food-crops combined. Of the total rice crop the percentages of *bera*, *bad* and *gora* rice are 32, 57, and 11 respectively. Taking the outturn of these three crops into consideration, the *bera* crop represents about 43 per cent of the rice, the *bad* crop 51 per cent and the *gora* crop 6 per cent. Next in importance to rice is the maize crop and after that *gondli* and *gangai*. Maize is the regular first crop in *bari* lands. After the food-crops the only other important crops are oil-seeds. The net area under oil-seeds is 30,000 acres or just under one-quarter of the net cropped upland area. Of oil-seeds *surguja* with a net area of 17,000 acres is the most important. It is grown mostly in south Kolhan.

116. *Comparison with last settlement.*—The cultivation of *marua* has practically ceased, the acreage being reduced from nearly 6,000 acres to 131. Gram and barley have decreased and so have maize and *urid* to a lesser degree. The acreage under *gondli* has been trebled, and that under oil-seeds has been doubled, the increase being mostly in *surguja*. Cotton is another crop the cultivation of which has much diminished. 976 acres were under cotton at the last settlement but only 56 acres are so now.

117. *Agricultural stock list.*—There are eleven thousand carts in the Kolhan. Almost all of these are the small solid-wheeled *sagars* used for bringing in paddy or fuel to the village and drawn by plough cattle. There is a considerable volume of cart traffic in timber, paddy, and *sabai* grass, but the professional cartmen with the large carts and trained bullocks are nearly all outsiders who come in for the carting season, mostly from Bankura district. Each plough has to work 7 acres of cultivated land. As cows are used for ploughing, the number of cows, bullocks and male buffaloes is enough to supply a yoke and a half of cattle for each plough. The number of sheep kept is very large. There are more sheep in the Kolhan than in the whole district of Hazaribagh. The number of agricultural stock has increased largely since the last settlement. That of cows has been more than doubled, and of sheep and goats more than trebled. The only exception is buffalo cows. While the number of male buffaloes has been doubled, that of buffalo cows is less than half what it was.

118. *Comparative statement of areas and rents.*—There is a large decrease in nominal area in about half the Pirs. This is particularly noticeable in Kuldihā, Kainua, Sukera, Chainpur, Rajabasa, Tindī, Bharbhariya and Guera Pirs. Kotgarh and Jamda Pirs are the only Pirs in which there is a noticeable increase in the nominal area. These discrepancies make any accurate comparison of the amount of cultivation impossible. Two Pirs show a decrease in cultivation, Lota and Latua. The latter is a curious case as it is a very jungly Pir. The inhabitants have evidently failed in the fight with jungle and wild animals here. There is practically no increase in cultivation in Ajodhya, Sidu and Rajabasa Pirs, and very little in Charai and Lagra. The percentage of increase in rent is greatest in Relā Pir where the cultivation has been doubled and next in Saranda, Jamda, Bantaria and Kuldihā Pirs. At the last settlement the percentage of increase was greatest in Saranda, Relā, Latua, Bantaria and Kuldihā in that order. The percentage of increase is least in Lota Pir, and next in Ajodhya, Charai and Chiru. At the last settlement it was least in Ajodhya, Chiru, Lagra and Sidu.

isting of bad
are rice land

of the total cropped
area of—

No.	Upland.
48	64
55	65
58	42
59	42
70	30
53	41
57	43
67	33
71	25
51	14
63	31
66	31
69	37
71	29
53	47
51	49
53	44
56	44
43	52
41	69
49	71
41	69
49	51
53	67
49	81
42	78
41	49

bhadai and
gora rice grown
s *bhadai* and
d of *Asin* or
gora and *bad*

rice land or
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CHAPTER VIII.

FAIR RENT SETTLEMENT.

119. Government directed a general fair rent settlement in the Kolhan under section 85 (2) (ii) of the Chota Nagpur Tenancy Act, and also directed a settlement of fair rents to be paid by raiyats having *khuntkalli* rights and by headmen of villages or groups of villages under section 127 of the Act.

120. *Rent history.*—The first settlement of the Estate was made in 1837 at a rate of 8 annas per plough of land. This was made for 622 villages and the demand was Rs. 5,108. For resident cultivators each pair of bullocks constituted a plough, and for non-residents a plough of land was held to be that amount on which five maunds of seed had been sown. The number of ploughs was returned annually by the headmen and the assessment revised accordingly. This system continued until 1854 and the rent rose to Rs. 8,523. In 1854 a twelve years' settlement was made at one rupee per plough by Captain Davis. 786 villages were settled and the gross rental was Rs. 23,206; the net rental after the deduction of the commissions of the Mankis and Mundas at 10 per cent and 16 per cent respectively was Rs. 17,448.

The next settlement was made in 1867 by Dr. Hayes, and a measurement was made for the first time. The local bigha was fixed at 2,500 square yards, and 5 bighas were taken as one plough for which the rent was raised to Rs. 2 or $6\frac{1}{2}$ annas per bigha. This assessment was made on rice lands only. The four most jungly Pirs, Saranda, Rongra, Latua and Relu were, however, not measured and were settled on the old plough basis at Rs. 2 a plough. 847 villages were settled and the gross rental was Rs. 61,828-14-0. The commission to Mankis and Mundas at 10 per cent and 16 per cent respectively was continued and a new class of village official, the tahsildar or accountant, was created, and paid a commission of 2 per cent of the gross rental. The net rental was Rs. 46,247-6-5. The term of the settlement was 30 years. The measurement was made with *lathis* and rough *chittas* showing the name of the raiyats, the area of land and the rent were prepared. This settlement is known locally as the "Danda muk".

121. *The Settlement of 1897.*—The next settlement was made by Mr. Craven and came into force on April the first, 1897. The assessment of $6\frac{1}{2}$ annas per bigha was continued for Hos and for recorded Dikkus for all rice land, though the rice land was divided into two classes, *bera* first class and *bad* second class. Upland or *gora* was assessed to rent for the first time, and assessed at one anna per bigha for Hos and recorded Dikkus. For new Dikkus rents were assessed at double these rates, 13 annas per bigha for rice land and 2 annas per bigha for upland.

Homesteads of non-cultivating Dikkus were assessed at Re. 1 per bigha, and lands of coolie depôts at Rs. 2 per bigha. The existing rates of commission of the Mankis, Mundas and Tahsildars were maintained. The gross rental obtained was Rs. 1,77,300-1-3, the commission of the village officials came to Rs. 10,311-0-1 and the net rental Rs. 1,27,653-0-11.

The rents of 10 *lakhiraj* villages within the Kolhan were settled at the same time and at the same rates, and of three more soon after. Of these Choya has since been resumed on failure of male heirs of the grantee and the others remain *lakhiraj*.

The period of this settlement was 29 years up to March 31st, 1917. It has since been extended for one year to March 31st, 1918.

122. *Remissions and arrears.*—The percentage of increase in rent since the settlement of 1897 was 177.3 and in Saranda Pir it was as high as 405.4, but the rents were low and were collected without difficulty. I have been unable to obtain detailed figures of collections and remissions for the period of the settlement as the annual returns previous to 1903-4 have been destroyed. The remissions since then are—1903-4, Rs. 127; 1905-6, Rs. 37, 1906-7, Rs. 15, 1908-9, Rs. 67; 1913-14, Rs. 40. In other years nil. The Deputy Commissioner writes that these remissions are probably those due to land being taken up for some public purpose and that there has been practically no remission up to date.

1837

8 annas / plough

1854

100 / plough

owing to inability to pay. The arrears for the eleven years from 1903-4 to 1913-14 were Rs. 567, Rs. 649, Rs. 569, Rs. 100, Rs. 1,520, Rs. 8,091, Rs. 105, Rs. 433, Rs. 774, Rs. 316, and Rs. 143. This is an average of Rs. 1,277 per year or just one per cent of the demand, and over half of this was in the year 1909-10. Excluding that year the arrears average less than a half per cent of the demand.

123. *Headmen*.—The position of the headmen has been explained in Chapter II, and their liability, to pay the rent of the village or *ilaka*. Their lands, whatever the status, *khuntkatti*, *kaemi* or *bakasht*, are assessed to rent in the same way as those of any other raiyat, and the settlement of their rents as headmen consists merely in recording the amount of the gross rent of the village or *ilaka*, the net rent due to Government and the commissions payable to the Manki, Munda and Tahsildar.

124. *Lakhiraj villages*.—The conditions in the *lakhiraj* villages as far as fair rent settlement is concerned are exactly the same as in the rest of the Kolhan. If the *lakhirajdar* is the Munda of the village he is entitled to the full gross rental, but if there is a separate Munda, the Munda receives his *nala* at the ordinary rate of 16 per cent. The Manki receives no *nala* for the *lakhiraj* villages.

The rents in the *lakhiraj* villages were settled at the same rates as in the other Kolhan villages at the last settlement, and the *lakhirajdar* is forbidden to collect anything in excess of these rates. The Dikkus who were not recorded in 1867 were assessed at double rates in these villages as elsewhere. In this settlement also the rent settlement of the tenants in the *lakhiraj* villages has been made on the same principles and at the same rates as in the rest of the Kolhan.

125. *Incidents of tenure*.—In the Kolhan the rents are all uniform at a spil rate for the whole estate, and there were no disputes about the points which usually arise as issues in a fair rent suit, e.g., whether the raiyats are liable to pay a separate rent on fruit trees, on *tanr* lands within their holdings, on *korkar*, etc. The customs with regard to rights in forests and trees, lac and *tassar* are described in Chapter VI.

There is no customary distinction between *korkar* and other new lands. All newly reclaimed land, whether *korkar* or not, is held rent-free for three years, after which the Manki and the Munda have the right to settle rents at fair rates not exceeding the settled rates and take half of the rent each for the rest of the period of the settlement. But in practice they very rarely do so and nearly all the land reclaimed since the last settlement is still held rent-free.

There are no praedial conditions in the Kolhan except in the three *lakhiraj* villages Charai, Murum and Parnia, where their commuted value has been disregarded in settling the new rents as the *lakhirajdars* were forbidden to collect anything beyond the settled rents. There was no road cess and the villagers undertook the repair of the roads in the estate, but this has not been held to be a praedial condition nor has it been commuted. The Cess Act has now been introduced. There is no *chankidari* tax as there are no *chankidars* in the Kolhan, so that the raiyat has nothing to pay beyond his rent.

126. *Old and New Dikkus*.—At the last settlement new Dikkus were assessed at rates double those of Hos and old Dikkus, who were the reclaiming tenants of the estate and paid rent at privileged rates. The double rates assessed on the new Dikkus may be taken as the fair rates for occupancy raiyats. Old Dikkus are not on quite the same footing as Hos and are entitled to privileged rates only for their ancestral holdings recorded at the settlement of 1867, and not for lands acquired since then (as has been explained in paragraph 61). In most cases, however, it was found impossible to disentangle new land and all the land in the village in the possession of an old Dikku has been assessed at the privileged rates, but where newly reclaimed or acquired land could be separated without too great labour and expense it has been assessed at the higher rates.

127. *Khuntkattidars*.—The principles followed in determining which lands are held at fixed rents and which are liable to enhancement have been explained

diku: new
(and old)

in Chapter IV. For the *khuntkatti* lands that are liable to pay enhanced rents, the law is (section 37, Chota Nagpur Tenancy Act), that the enhanced rent shall not exceed half the rent payable by an occupancy raiyat for similar lands. This privilege of half rents was enjoyed before, as has been seen, by all Hos and by the old Dikkus recorded in the settlement of 1867. Government has agreed that it would be unfair to the non-*khuntkattidars* who have this privilege now to enhance their rents by over 100 per cent up to the fair rents now payable by an unprivileged tenant, and that it is undesirable to differentiate in the rate of rent assessed between the *khuntkatti* and the non-*khuntkatti* Hos who have all held at the same rates since the acquisition of the Kolhan by Government. Not only the *khuntkattidars* therefore, but all Hos and the old Dikkus to the extent mentioned above have been assessed at privileged half rates of rent. The new Dikkus are assessed at rates double of these as before.

128. *Rates of Rent.*—The rates in force were 6 annas 6 pias for Hos and old Dikkus per Kolhan bigha of 2,500 square yards for rice land, and 1 anna for *gora* (upland), and double these rates, viz., 13 annas for rice land and 2 annas for *gora* for new Dikkus. These rates are very low, and there has been an increase of over 50 per cent in the price of rice since they were settled. The average price of rice at Chaibasa for the seven years 1891—1897 was Rs. 2.548 per maund, and for the seven years 1910—1916 Rs. 4.500 per maund.

The new rates which have been adopted in this fair rent settlement for Hos and the privileged lands of old Dikkus are—

				Rs.	as.	p.	
<i>Bera</i>	...	...	...	0	9	0	per bigha.
<i>Bad</i>	...	...	...	0	7	0	" "
<i>Gora and Bari</i>	...	...	...	0	1	6	" "

For unprivileged new Dikkus double these, viz:—

				Rs.	as.	p.	
<i>Eera</i>	...	...	...	1	2	0	per bigha.
<i>Bad</i>	...	...	...	0	14	0	" "
<i>Gora and Bari</i>	...	...	...	0	3	0	" "

Bari is not very valuable in the Kolhan and there are only 8,921 bighas so classified out of 410,752 bighas of upland and it has not been assessed at a different rate from *gora*. These rates do not correspond accurately to the relative values of the classes of land, *bera* land in particular being of higher value in proportion to the other classes than the difference in rent, but they are so low that the question of fairness hardly arises, and it was considered wiser and more equitable to make some enhancement in the rate of each class of land than to put a larger enhancement on to *bera*, for this would have borne hardly on raiyats who held a large proportion of this class of land and were not *khuntkattidars*. Also in dealing with aboriginals there was the danger of their getting the notion into their heads that the rates of rent for *bad* and *gora* were fixed for ever if they had not been increased to some extent. These rates have received the approval of Government.

129. *Comparison of the rates with those of other parts of the district.*—In Dhalbhum the rates calculated for the Kolhan bigha are Re. 1-1-0, Re. 1-7-3 and Re. 1-0-0, for *bahal* and *kanali* lands which correspond to *bera*, Re. 0-0-0 and Re. 0-7-6 for *bad*. In the Chainpur estate of Porahat Re. 1-8, Re. 1-5 and Re. 1-4 for *bera*, Re. 1-5, Re. 1-2 and Re. 1 for *nali* and Re. 0-12-0 for *bad*. In Anandpur, which is a more jungly tract than the Kolhan, Re. 1-2-4 for *bera*, Re. 0-13-4 for *nali* and Re. 0-8-4 for *bad*.

The rate for *bera* for the unprivileged raiyats is thus lower than the Dhalbhum and Chainpur rates and practically the same as the Anandpur rates. For *bad* it is considerably higher than the rates in Dhalbhum and Anandpur, but practically the same as in Chainpur. The unprivileged rate for *gora*, Re. 0-3-0, is considerably higher than in Dhalbhum and Porahat; in both of these parganas ordinary *gora* is assessed at one anna a bigha. For Dhalbhum this is equal to Re. 0-0-1-25 for the Kolhan bigha, and there the *bari* and the better *gora* lands are assessed at Re. 1 and Re. 0-12-0 respectively per Dhalbhum bigha of 2,025 square yards.

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The area of *bari* and *gora* in the possession of unprivileged Dikkus is not large, only 5 per cent of the total, and the rate is not high. It must be remembered that the rents in Poralhat were fixed thirteen years ago and in Dhalbhum nine years ago, and prices have risen considerably since then.

130. *Value of produce.*—It is difficult if not impossible to ascertain with any accuracy the value of rice or paddy to the Kolhan cultivator at the *khalihan*. The Ho does not in ordinary circumstances sell his rice to pay his rent, but expects to find the money to meet his low rent by the sale of the produce of his *gora* land, of lac and *lassar*, and of his surplus live-stock, sheep, goats and fowls. It is only when he cannot meet his rent in this way that the Ho sells his rice for the purpose. If he can afford to he prefers to eat it and drink it all, except what he barter for the salt, tobacco and clothes that he needs. Husked rice is very rarely sold. What sales there are, are of unhusked paddy at the local *hats* or markots and usually in small quantities. Sales are not made by weight but by that varying measure the *paila* and barter is more usual than sale.

A sufficient number of crop-cutting experiments on which to base a really reliable estimate of the produce were not made, as the rents are so low that there was no likelihood of their reaching a high percentage of the gross produce, and the new rents were not calculated in relation to it. 23 experiments in *bera* gave an average outturn of 21 maunds 3 seers of paddy per acre and 25 experiments in *bad* an average of 14 maunds 3 seers. Owing to the field season commencing in November the earlier and worse *bad* land had been cut before experiments could be made, and in consequence the outturn of *bad* land as shown by crop-cutting experiments is certainly too high. Moreover, in crop-cutting experiments the fields are selected by the Assistant Settlement Officers, who never choose a field in which the crop has failed, and the experiments make no allowance for such fields, or for current fallow, but they are all assessed to rent.

I do not think that the real average outturn of *bera* including *longar* and of *bad* is more than 20 maunds and 12 maunds respectively. Mr. Craven's results were 22 maunds for *bera* and 14 maunds for *bad* and as he included *longar* in *bad* and not in *bera*, his results for both classes should be higher than those obtained at the present settlement.

Taking 20 maunds and 12 maunds as the average outturn of *bera* and *bad* and Re. 1-12-0 as the value of a maund of paddy to the raiyat at the threshing floor, the rents for unprivileged Dikkus for *bera* and *bad* represent 6 per cent and 8 per cent respectively of the gross produce and for the privileged raiyats half of this. As the Ho does not usually sell his paddy the rent presses perhaps less lightly on him than this very low percentage suggests. For *gora* the crops grown are too varied and enough experiments have not been made to make it possible to work out the percentage of the gross produce that the rent represents. Plots of cultivable waste land which have been recorded in the names of the raiyats have been assessed at *gora* rates when they exceed half a bigha, for it was found that the Hos were very anxious to get cultivable waste which they intended to reclaim recorded in their names, and they succeeded in doing this to a considerable extent. It is only fair that they should pay some rent for this, as the land is probably reclaimed by now, and assessment at *gora* rates appeared equitable.

131. *Application of rates.*—As has been shown in paragraph 4 the area at the present settlement is very much smaller than that of Mr. Craven's Settlement owing to the inaccuracies in area extraction at that time. The discrepancies vary from village to village and mistakes are most numerous in the north-east of the Kolhan surveyed in the first year of the last settlement, for in that year the areas were calculated first in standard bighas of 1,600 square yards and then reduced to local bighas of 2,500 square yards. This is also the most fully cultivated area and there has been little increase of cultivation in it since the last settlement. Consequently there is in several villages a nominal decrease in cultivation and the calculated rents, though at the increased rate, result in a reduction from the old rents. In particular cases also there is often a reduction apart

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from this reason owing to mistakes of record in the last settlement or transfers of land. The general principle adopted has been to settle the calculated rents whether lower than the old rents or not, unless the reduction or the total rent is inconsiderable, in which case the old rent has been settled, or unless there has been a nominal though not a real decrease in area, when the rent has been settled at a mean between the old rent and the calculated rent. This latter plan has been adopted throughout in the case of Dikkus. These general principles have been modified in particular cases according to the circumstances.

132. *Limite of enhancement.*—The rents in the Kolhan are so low that a large increase will not cause the same hardship as it would with higher rents. Now cultivation had in practically no case been assessed by the headmen, and the increase in cultivation is large, amounting to 40,813 bighas of rice-land or 10.5 per cent and 138,123 bighas of *gora* or 49 per cent of the previous cultivation for the area under settlement. Owing to the nominal decrease in area the real increase in cultivation is probably greater than this.

The following general principles have been adopted in fixing the rents, but particular cases have also been considered on their merits:—

(1) The calculated rent has been settled when the increase over the old rent is not more than 100 per cent:—

(2) When the increase is more than 100 per cent the rent has been settled at 100 per cent plus a fraction of the difference between this 100 per cent increase and the calculated rent, usually one-quarter or one-half.

(3) When the total calculated rent does not exceed five rupees, it has been settled in full.

(4) When the old rent was only a few annas and does not bear any relation to the size of the present holding the full calculated rent has been settled. These have been called 'peppercorn' rents and the principle adopted is similar to the assessment of a new holding which is always made at the full calculated rent.

(5) The remission noted in (2) has not been given in all cases to Dikkus who have acquired lands by transfer or by settlement of abandoned holdings. In some cases such acquisition has been made without permission and there is no reason why any consideration should be paid to the transferees. In other cases the Dikku has been paying rent at the Ho rates though he had no right to the privilege, for as the Munda's rent was not altered within the period of the settlement, so he in turn did not alter the rent of holdings or lands in his village even if they had passed by transfer from a privileged to an unprivileged raiyat or *vice versa*.

(6) In the case of *khuntkallidars*, the increase in the raiyat's total rent has been considered after adding the fixed *khuntkali* rent to the enhancible rents for lands recorded as ordinary *khuntkali* and *kaemi*. This is necessary to show the relation between the rent now being paid by the *khuntkallidar* and the rent which he will have to pay in future. In general remissions have been given less readily to *khuntkallidars* as they have obtained the great advantage of fixed rent for part of their lands.

133. *Chaibasa town.*—The agricultural lands in Chaibasa town were all assessed at last settlement at a flat rate of Re. 1 a bigha irrespective of the class of land. The attested rent for these lands is Rs. 270-1-6. The area of agricultural lands now surveyed is 339 bighas, 53 bighas of *bera*, 211 bighas of *bād* and 75 bighas of *gora*. If these had been assessed now at the class rates for unprivileged raiyats the total rent would have been only Rs. 258 so that in consultation with the Deputy Commissioner it has been agreed to keep the flat rate of Re. 1 a bigha which gives an increase of Rs. 51 owing to the nominal increase in area, and rents have been settled accordingly. The total rent is Rs. 321.

134. *Progressive enhancements.*—No progressive enhancements have been ordered. The rents are very low, and progressive enhancements would have caused administrative difficulties as the Manki and Munda are entitled to hold their positions at the same rent during the period of the settlement.

135. *Procedure and progress.*—Scheduling was taken up in the recess of 1917 and the rents of three villages were settled in July, 1917, as test cases. These cases I tried myself and the general principles of the rent settlement were embodied in the judgment, and have been followed in the rest of the settlement. I also scrutinized all the schedules of the first year's area. The rest of the work was done by Mr. Dhan Masih Panna, Assistant Settlement Officer, in the field season of 1917-18 and the heavy programme was carried through by him most successfully by the end of March.

136. *Famine "bandhs".*—Cultivated land which had been taken up in the construction of the *bandhs* made during the famine or submerged by them, in the area already finally published, was surveyed during the fair-rent settlement and the record-of-rights corrected.

137. *Cess.*—The Cess Act was extended to the Kolhan in 1917, and at the request of the Deputy Commissioner, the cess calculated on the new rents at half an anna in the rupee has been entered in the record-of-rights for all raiyats. This work was taken up during fair-rent settlement, and the cess was calculated and entered on the raiyati khatians before they were distributed. No cess was assessed on tanks, *bandhs* or other non-rent-paying lands. The Maukis and Mundas have not been treated as tenure-holders, but cess has been calculated on their raiyati lands. They get no commission for collecting the cess. The total cess for the village has had therefore to be calculated separately from the rent, and separately entered in the *jamabandis* and the headmen's record-of-rights.

138. *Non-Agricultural Rents.*—The last settlement was not made under any law, and non-agricultural as well as agricultural rents were settled. The Settlement department had no power to settle such rents under the Chota Nagpur Tenancy Act, and the work was done by the Deputy Commissioner.

The Settlement department prepared a register showing the non-agricultural holdings with their area and present rent. This was handed over to the Deputy Commissioner who settled the new rents, and returned the register. During the fair-rent settlement the Assistant Settlement Officer announced these rents, and they have been entered on the final khatians. In Chaibasa town, the survey was done by the Settlement department, and a preliminary record prepared. The attestation, disposal of objections, rent settlement, fair-copying and final publication were done under the control of the Deputy Commissioner.

139. *Results of the Settlement.*—Statement 5, Appendix A, shows the old and new rents and areas for each Pir. The area and rent figures for the last settlement do not of course agree with the figures given in Mr. Craven's final report for they include the *lakhiraj* villages and exclude the villages which have become forest villages. The total new rent gross is Rs. 2,52,351 against Rs. 1,52,032 at the last settlement. The increase is Rs. 70,319 or 38 per cent. Of this gross total rent Rs. 4,415 is the rent of the *lakhiraj* villages and Rs. 69,309 is the total *nala* of the Mankis, Mundas and Tahsildars in the Government villages. The total net rent due to Government is thus Rs. 1,77,697. The total cess is Rs. 7,862. The agricultural rent is just over nine annas per acre of cultivation. The rent is divided among the different classes as follows :—

	Number of holdings.	Area in high as cultivated and uncultivated	Rent.
	2	3	4
Fixed <i>Khuntkatti</i>	10,773	99,508	Rs. 41,363
Hos at privileged rates	50,494	680,413	1,61,663
Old Dikkus at privileged rates	5,308	70,583	23,615
New Dikkus at double rates	5,899	42,569	21,696
Non-Agricultural holdings	2,579	1,056	984

140. *Appeals.*—There were 63 appeals filed by riyats of which 34 were struck off for default. Of the remaining 29, 10 were decreed and 19 dismissed. The result of the appeals was a reduction of the rent by Rs. 29-10-0 from Rs. 156-5-3 to Rs. 127-11-3. No second appeal to the Commissioner was made.

141. *Urban area.*—The rents of the urban area of Chaibasa town were resettled by the Deputy Commissioner in 1916. The total new rental is Rs. 1,980 representing an increase of 41 per cent. The rent settled on the agricultural land in the town was Rs. 321. The total rent of the Chaibasa town Khas Mahal is thus Rs. 2,301.

A statement showing the rent, *malas* and cess is given in Appendix A (Statement G).

CHAPTER IX.

CONCLUSION.

THE ADMINISTRATION OF THE KOLHAN.

142. *General administration.*—The Kolhan has been administered in the past on very different lines from an ordinary Government Estate or part of an ordinary district. The Officer in charge of the Kolhan, in addition to the usual work of estate management, tries all the civil cases and usually the criminal cases also. The Civil Procedure Code is not in force and civil cases are instituted in the first instance by ordinary petitions, and are as a rule treated as miscellaneous cases without the formality necessary for a civil suit. If the case is complicated the Kolhan Superintendent may have it put in as a regular civil suit and allow pleaders to appear, but this cannot be done without his permission. The staff of the Kolhan Superintendent consists of a couple of clerks, the Kolhan Inspector whose work has been explained, and an overseer who deals with roads, buildings and irrigation works. There is a Kolhan Sub-Inspector of Police with a few constables. They are employed in the investigation of serious crime though only under a Magistrate's orders. This is the whole staff for the Kolhan except for the village officials.*

The administration is paternal, largely by executive order, and direct touch is kept between the Deputy Commissioner and the Kolhan Superintendent on the one hand, and the headmen and the riyats on the other. Cases of all kinds are referred to the Mankis and Mundas, and the object of the administration is in so far as possible to decide everything on the spot and discourage litigation in the courts.

All the administration, civil, revenue and criminal, is kept as far as possible in the hands of the same officer, and it is necessary to understand how the whole of the work hangs together to appreciate the effect of the introduction of the Chota Nagpur Tenancy Act as the working basis of the revenue administration.

143. *Two main objects of the administration.*—Two main objects of the administration have been to preserve the paternal government through the village communal system and to keep the Kolhan as a reserve for the Hos. For these objects it is essential that (a) the Mankis and the Mundas should be controlled by the Deputy Commissioner, (b) the Deputy Commissioner should have powers to prevent the settlement of Dikkus. This control has been secured hitherto by executive orders, but such executive orders have no legal basis, and it is necessary either to legalize the present form of administration, or to give up what 50 years' experience has evolved.

144. *Effect of the application of the Chota Nagpur Tenancy Act.*—Under the Chota Nagpur Tenancy Act as it stands at present the Mankis and Mundas have been recorded as tenure-holders and unless it is held that they fall within the provisions of section 77, which is doubtful, the punishments of fine and dismissal by the orders of the Deputy Commissioner appear to be illegal. So are the provisions for the recovery of rent both from the headmen and the

* A Sub-Deputy Collector has been asked for in addition and one is certainly needed. The work of the Kolhan Superintendent is too heavy. Mr. Baker has stated that the staff for the Kolhan should be on the lines of that for a subdivision.

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raiyats, and the measures taken to control Dikkus, while auction purchase of holdings allows Dikkus to gain admission into Ho villages without restriction. These difficulties have all been pointed in the correspondence given in Appendix D and there is no need to attempt to explain them here in detail.

145. *Mr. Hallett's proposals.*—In correspondence regarding the settlement of the Kolhan, the necessity for amendment of the Chota Nagpur Tenancy Act was recognized, and proposals to that effect were asked for from the Deputy Commissioner of Singhbhum. These proposals were submitted in Mr. Hallett's letter No. 1269-B, dated the 9th June, 1917, and are under the consideration of Government. I had discussed the question with Mr. Hallett and I entirely agree with his proposals. The powers proposed to be given to the Deputy Commissioner to take action on his own motion in the case of an illegal transfer or an illegal settlement made by a village headman are necessary, because it is not so much the interests of the particular raiyat that have to be safeguarded as that of the village community as a whole, for it is the village community that will suffer through the introduction of an undesirable Dikku. On the same grounds I would recommend the extension of that power to the provisions of section 71 of the Act, and give the Deputy Commissioner the right to restore on his own motion to a tenant his possession in his tenancy or any part thereof, if ejected from it, as a Dikku may obtain a footing in a village or as an agriculturist by gaining forcible possession of land.

146. *Protected forest.*—Another matter regarding which some amendment of the law is advisable is the protected forests. The law on the question of illegal cultivation in the protected forests is not very satisfactory as the Chota Nagpur Tenancy Act and the Forest Act are not co-ordinated. The protected forest is within the village boundaries and part of the village, and under the Chota Nagpur Tenancy Act any settled raiyat of the village appears to obtain a right of occupancy in land cultivated by him in the protected forest, even though that cultivation is illegal, for it would be difficult to hold that he did not hold the land as a raiyat in that village (section 19). Again, any raiyat, whether settled or belonging to the village or not, acquires occupancy rights in *korkar* made within the protected forest, if no action has been taken for his ejection within two years from the date on which he commenced to convert the land into *korkar* (sections 64 and 67). The Forest department staff is neither sufficiently large nor sufficiently competent to detect all new cultivation within the protected forest and bring it to light within two years of the commencement of its reclamation. Even under the Forest law, while any person reclaiming or breaking up land for cultivation is liable to punishment, it does not seem that anything can be done if he undergoes the punishment and continues to cultivate the land.

The *korkar* sections were enacted to prevent landlords from allowing *korkar* to be made at the labour and expense of the raiyat and then stepping in and appropriating the results by ejecting him. No fear of this exists in the protected forests in the Kolhan, where the prevention of reclamation is in the interests of the people themselves, and there is no necessity for the application of the sections.

The simplest method of securing the objects desired would perhaps be to add a section to the special chapter for the Kolhan proposed by Mr. Hallett, that no right of occupancy can be acquired in, nor shall anything contained in Chapter VI apply to, any land within any area in the Kolhan notified as Protected Forest, unless the previous consent in writing of the Deputy Commissioner has been obtained to the cultivation of that land. This follows the line of section 13 of the Act with regard to landlord's privileged lands and land acquired under the Land Acquisition Act.

COST OF THE SETTLEMENT.

147. *Total cost of the settlement.*—Absolutely accurate figures for the total cost of the settlement cannot be obtained until the accounts are finally closed and verified.

The total cost comes to Rs. 3,43,025 which is distributed as follows:—

	Cost.	Cost rate per square mile.
1	2	3
	Rs.	Rs.
1. Sub-traversing, cadastral survey and khamapuri ...	1,80,812	132
2. Settlement branch ...	1,62,213	119
Total ...	3,43,025	251

The cost thus comes to 6½ annas an acre. The cost depends very much on the density of cultivation and the number of plots, and in comparison with Dhalbhum, while the cost rate is less, being Rs. 282 per square mile there, the Kolhan is very much more fully cultivated, and there are 768 plots to the square mile against 421 in Dhalbhum. The cost rate in the Barahabhum and Patkum Settlement was Rs. 325 to the square mile, with 673 plots and in Hazaribagh the cost rate was Rs. 250, with 786 plots to the square mile.

The cost of the Kolhan settlement should have been less, as there was no new traverse survey, disputes were few and the work was easy but to counter-balance these factors the extra difficulty of the cadastral survey owing to the absence of traverse stations, the postponement of the work during 1915-16, and not receiving the orders of Government in 1914-15 until the attestation season was half over, all added to the cost. Moreover the cost includes that of the fair-rent settlement of the estate, whereas fair-rent work is usually paid for by the court-fees on the suits which are set off against the cost.

148. *Cadastral survey and khamapuri cost rates.*—The distribution of the cadastral survey and khamapuri costs is shown in the following table:—

Description of charge.	Expenditure.	Cost per square mile.
1	2	3
	Rs.	Rs.
Sub-traversing ...	7,557	5
Cadastral survey ...	58,537	43
Khamapuri ...	56,018	41
Completion of maps ...	12,153	9
Area computing ...	15,243	11
Completion of records and statistics ...	30,973	23

149. *Whole cost borne by Government.*—The whole of the cost is borne by Government except for a sum of Rs. 1,822 which was recovered from the *lakhirajdars* at the rate of Re. 0-3-6 per acre representing half the cost of the settlement in the *lakhiraj* villages. No costs were recovered from the headmen or raiyats of the Government villages or the raiyats of the *lakhiraj* villages.

The preparation of *jamabandis* for the Mundas which was done by the Settlement department cost Rs. 1,400.

150. *Maintenance of the record.*—There is no necessity for a general maintenance of the record. The village rents are fixed for the next twenty years which is the term of the settlement, and it would be an unnecessary expense as well as harassment to the people to maintain the record by the mapping of new cultivation the rent of which the Manki and Munda are entitled to enjoy until the next settlement, or by noting mutations by inheritance, but it is necessary to record all mutations other than by inheritance in order to guard against illegal transfers and see that the headmen are settling abandoned holdings according to the terms of the record-of-rights. This can be done by the present staff though the appointment of a Sub-Deputy Collector for the Kolhan is needed.

APPENDIX D (1).

NOTE ON THE KOLHAN RESETTLEMENT.

I PAID a visit to Chaibasa on 31st July—2nd August 1911 to discuss the question of the Kolhan resettlement with the Commissioner of the Chota Nagpur Division (Mr. H. J. McIntosh, I.O.S.) and the Deputy Commissioner of Singhbhum (Mr. A. W. Cook, I.C.S.).

A preliminary conference was held at Ranchi in April last, and the result was recorded in paragraph 12 of my Ranchi notes of 4th—6th April 1911, the subjects of discussion being arranged under the following heads:—

- (1) Whether the current settlement of twenty years should be revised on its expiry or continued for a further term of five or ten years.
- (2) Whether a new settlement could be carried through without resort to the Chota Nagpur Tenancy Act or any other law.
- (3) What disadvantages or difficulties would attend a settlement made under the Chota Nagpur Tenancy Act.
- (4) Whether these are so great that it would be preferable to exclude the Kolhan by legislation from the operation of the Act and give it a simple regulation of its own.

2. Since the Ranchi Conference I have consulted the Legal Remembrancer on the second head of the discussion, and he has advised us that the Chota Nagpur Tenancy Act cannot be ignored in making a resettlement of the Kolhan; and that if a complete settlement be not carried through under the provisions of Chapter X of the Act, the work must be limited to the assessment of new cultivation and *korwar* (upland converted to rice-land), as allowed by section 33 of the Act. Even this would be hampered by the action of the headmen during the currency of the existing settlement, for they have the right to lease out waste land and to take rent for it.

3. The correspondence with the Legal Remembrancer was considered at the present conference, and it was agreed that a reassessment limited to section 33 proceedings would not be satisfactory and that the choice lay between the three alternatives:—

- (a) of extending the settlement for a further period,
- (b) of making a complete settlement under Chapter XII of the Chota Nagpur Tenancy Act, and
- (c) of excluding the Kolhan from the scope of the Chota Nagpur Tenancy Act, and giving it a simple regulation under which it could be resettled and administered on existing lines.

4. The Deputy Commissioner is strongly of opinion that a settlement should be made on the expiry of the present one. His reasons are:—

- (1) that the Mankis, Mundas and raiyats expect it unless settlements are periodically revised, aboriginal peoples like the Hos and Santals are apt to get it into their heads that their rents cannot be changed, and to give trouble when an attempt is made to enhance them;
- (2) that by an extension of the present arrangements for five or ten years Government will lose a considerable amount of money which is badly wanted for estate improvements, e.g., irrigation works, roads, etc.,

The estimate below of the possible results of a resettlement under the Act shows that the raiyati assets might be raised by Rs. 60,000 a year, of which the headmen would take one-fourth and Government three-fourths. The loss on a five years' extension would at this rate be two and a quarter lakhs, and on a ten years' extension four and a half lakhs. It is probable that the whole of the increase would not be devoted to estate improvement works, but a generous share of it might be earmarked for the purpose in consideration of the backwardness of the tract;

- (3) that if the settlement be eventually made under the Chota Nagpur Tenancy Act, the earlier it is begun and carried through the smaller will be the extension of *khuntkatti* rights and the resulting loss of revenue. Section 134 of the Act restricts *khuntkatti* rights to the areas entered as *khuntkatti* in the record-of-rights. The loss of assets on this area may be taken to be one-half of the rent at ordinary rates.

These reasons, apart from the administrative difficulties discussed below, seemed to the conference to be adequate for the rejection of the first alternative.

New cultivation.

KORWAR -
upland converted

to rice land

5. It was next considered what disadvantages (a) from a settlement point of view, and (b) from an administrative point of view, would result from the full application of the Chota Nagpur Tenancy Act to the Kolhan. It may be noted at the outset that the Act does apply at present to the Kolhan. The circumstances under which the Kolhan first came under direct management and the peculiar features of its present administration were not apparently considered when the Chota Nagpur Tenancy Act was under discussion, and no special provisions or exceptions were made in its favour. The difficulties of the present system of administration arising from the unsuitability of the Act are not things of the future that will be produced by the settlement operations. They already exist and are bound to become more and more urgent as time goes on. Their consideration has merely been precipitated by the resettlement proposals.

6. In a resettlement under the Act, the first thing to be faced would be a recognition of *khuntkatti* rights wherever lands in a village are still in the possession of descendants of the original founders of the village. It would not be possible to enhance the rents fixed for these *khuntkatti* tenants at the last settlement for the lands then held by them, and it would only be possible to assess at half the ordinary rates the lands reclaimed by them since last settlement (*vide* section 27 of the Act).

recognition
of *khuntkatti*
rights

In order to estimate the probable financial loss accruing from a recognition of *khuntkatti* rights, the Deputy Commissioner had enquiries made in 74 villages belonging to different *Pirs* of the estate. The enquiries were carefully made by the estate kanungo, Abdul Hakim, and by Babu Bhabadeb Sarkar, Deputy Collector. They prepared detailed genealogical trees for each of the 74 villages. The proportion of tenancies held by *khuntkattidars* was six only, but the area held by them was 20 per cent of the whole. It is natural that the headmen and their relatives should have the largest holdings. In 6 of the 74 villages there were no *khuntkattidars*, in 57 villages the headmen were *khuntkattidars*, and in 11 villages the *khuntkattidars* did not include the existing headmen. The proportion of *khuntkatti* area in the 74 villages is smaller than one might expect in a tract like the Kolhan. It may, however, be accepted for the present argument. The loss of revenue involved may be greater. It cannot well be less.

7. In ten villages the Deputy Commissioner had enquiries made regarding the extension of cultivation. He found that the extension amounted to 16½ per cent, or one-sixth of the former area. It amounted to 13 per cent, in newly-reclaimed plots and 8½ per cent, by additions to existing plots. The increase was distributed about half and half between the *gora* (upland) and the rice-land. The extension varied from 3 per cent in two villages close to Chaibasa to 50 per cent in more jungly villages. I think it is probable that the average increase in the cultivated area, when measured three years hence, will be found to be not less than 20 per cent; but in making a forecast I will assume an extension of one-sixth, equally divided over all classes of lands, and this extension will be assumed to cover conversion from upland to rice-land as well as new reclamation.

Extension

8. The rates of rent fixed at last settlement were—

- (a) for Hos and old settlers of all kinds—6½ annas per bigha (2,500 square yards, for rice-land and 1 anna per bigha for upland ;
- (b) for new Dikku settlers—13 annas per bigha for rice-land and 2 annas per bigha for upland.

No distinction was made in assessment between rice-land of the higher levels (called *bad*), unprotected by irrigation works or position, and rice-land of the lower levels (called *bera*), protected by position or by springs or tanks. But in the record, *bera* and *bad* lands are distinguished by their classification.

No distinction in assessment or record was made between the twice-cropped lands round the village homesteads and the ordinary upland that is cropped once a year or once in every two or three years.

A rational assessment which will spread the rent demand evenly over the cultivators should distinguish between these different classes of land. The rates which were fixed at last settlement were admittedly low, and the raiyats were warned by entries in the records-of-rights and *pattas* that the rates might be raised at next settlement. In fact the rates may be considered as specially favourable rates accorded to the aboriginal reclaimers of the Kolhan, because they were reclaimers. The concession was given for 20 years, and may now be modified, if not withdrawn. The Chota Nagpur Tenancy Act, if it governs the settlement operations, will prevent any modification of the concession in respect of *khuntkatti* tenants, and in their case the old rates will have to be applied to all the areas now held by them. I see no reason, however, why a higher rate should not be introduced in the case of ordinary raiyats for the *bera* portion of their rice-lands and for the *dafasti* portion of their *gora* lands. The rates that suggest themselves as suitable are—

<i>Bera</i>	...	...	13 annas	|	<i>Dafasti gora</i>	...	4 annas.
<i>Bad</i>	...	...	6 "	|	<i>Ekfasti "</i>	...	1 anna.

The corresponding rates per standard bigha would be as undernoted, and with them may be compared the corresponding rates of the Damin-i-koh in the Santal Parganas and of the adjoining pargana of Dhalbhum in Singhbhum.

	Kolhan.		Damin-i-koh.		Dhalbhum.	
	Class.	Proposed rate.	Class.	Rate.	Class.	Rate.
1	2	3	4	5	6	7
		As.		As.		As.
Rice-land	<i>Bera</i> ...	8.32	1st Dhani ...	12	<i>Awal bahal</i> ...	12.64
			2nd " ...	8	<i>Kanali</i> ...	11.06
	<i>Dad</i> ...	4.16	3rd " ...	4	<i>Doem Bahal</i> ...	9.48
					<i>Awal bad</i> ...	6.32
Upland ...	<i>Dofasli</i> ...	2.56	1st Pari ...	4	<i>Deem</i> ...	4.74
	<i>Ekfasli</i> ...	.64	2nd " ...	1	<i>Kulanati</i> ...	9.48
					<i>Gora</i> ...	.79

The comparison shows how low are the proposed rates. It is doubtful if they would absorb more than a thirtieth of the value of the produce. For the new *Dikku* tenants, who were assessed at double rates by Mr. Craven the new rates might be 50 per cent. higher than the ordinary rates. This is the plan followed under similar conditions in the Damin-i-koh. Mr. Cook thinks that double the proposed rates might press too hardly on them. The ordinary rates are so low that I am doubtful of this, but the point need not be considered further till the time comes.

2. If we have regard to the proportionate area affected, the proposed alteration of rates is equivalent to an average rate enhancement of 20 per cent. The old rate of 6½ annas a bigha for rice-land has continued unaltered since Dr. Hays's settlement of 1867, and will have been in force for fifty years by the expiry of the current settlement. In view of the rise of prices that has occurred during the last twenty years,* to say nothing of the previous thirty, an enhancement of 20 per cent does not seem to be at all extravagant. It will be much fairer to take the enhancement that is due on the ground of rise in prices in the shape of differential rates than by an all-round and uniform addition to existing rents treated as lump rents.

10. The total rice area assessed at last settlement was 377,014 bighas, of which 94,436 or as nearly as possible one-fourth, was *bera*. If we assume that the *dofasli gora* is one-sixth of the whole† and apply these two proportions of one-fourth and one-sixth uniformly over the areas held by new *Dikkus* and ordinary raiyats (dividing the latter into *khunkattidars* 20 per cent and non-*khunkattidars* 80 per cent) we get the following distribution of last settlement areas:—

Class of land.	Total area.	Held by new <i>Dikkus</i> .	Held by ordinary raiyats.	Held by <i>khunkattidars</i> (20 per cent. of column 4).	Held by non- <i>khunkattidars</i> (80 per cent. of column 4).
1	2	3	4	5	6
Rice-land ...	377,014	14,056	362,958	72,592	290,366
<i>Bera</i> ...	94,436	3,514	90,710	18,148	72,592
<i>Bad</i> ...	282,578	10,542	272,218	54,444	217,774
Upland ...	272,968	13,216	259,752	51,950	207,802
<i>Dofasli</i> ...	45,494	2,202	43,292	8,660	34,634
<i>Ekfasli</i> ...	227,474	11,014	216,460	43,290	173,168

* Note 1.—Some information regarding the rise of prices has been given in the statement at the end. Prices of common rice obtained in the three months of January, February, March have been taken into account, as it is the prices of these months that most affect rents. In a settlement under the Bengal Tenancy Act the periods to be compared would be the decade preceding Mr. Craven's settlement (1888-97) and the decade preceding the new settlement (1907-16), so far as figures are available there have been compared in the statement, but we have only figures for the first four years of the last decade; so comparison at the present stage would be unprofitable.

† Note 2.—The proportion in the Santal Parganas was never less than one-fifth.

If now we add to the figures in columns 3, 5 and 6 one-sixth to cover the extension of cultivation, we get the following areas liable to assessment :—

	New Dikka	Khuntkatti	Non-khuntkatti
Deva	4,100	21,173	84,690
Bad	12,299	63,518	254,070
Dofasli gora	2,569	10,103	40,406
Eksasli	12,850	50,505	202,029

The basis of the new assessment would then be Rs. 2,48,150 made up as under—

	Rate.			Rs.
	Rs.	Rs. a. p.	Rs.	
(1) Khuntkatti ... {	84,691	at 0 6 6 =	34,406	
	60,608	„ 0 1 0 =	5,788	
(2) Non-khuntkatti ... {	84,690	„ 0 13 0 =	68,911	
	254,070	„ 0 6 6 =	1,63,216	
	40,406	„ 0 4 0 =	10,101	
(3) New Dikka ... {	202,029	„ 0 1 0 =	15,627	
	4,100	„ 1 3 6 =	4,997	
	12,299	„ 0 9 9 =	7,495	
	2,569	„ 0 6 0 =	962	
	12,850	„ 0 1 6 =	1,208	
	Total	...	2,47,608	
	Add for assessed homestead the previous assessment	Rs. 465 + $\frac{465}{6}$ =	542	
	Total	...	2,48,150	

This amount is Rs. 70,814, or 40 per cent in advance of the previous raiyati assessment. At the next settlement there will probably be some concession of remissions to avoid the hardship of severe enhancements in individual cases. There was no such concession at last settlement, but it is a plan that has been followed in most settlements of the last ten or fifteen years. Allowing about 15 per cent of the increase to be cut off in this way, the net increase in the raiyati assessment may be expected to be in round figures Rs. 60,000. This would mean an increase of about 33 per cent on the last assessment, an increase which would be moderate in view of the lowness of the previous rates, the extension of cultivation, and the rise of prices that has occurred since the previous settlement.

11. The loss of raiyati assessment involved by the recognition of *khuntkatti* rights over 20 per cent of the ordinary assessed area would on the above basis be Rs. 10,495 made up as follows—

	a. p.	Rs.
21,173 <i>khuntkatti</i>	6 6 =	8,601
10,103 „ „ „	3 0 =	1,894
Total	...	10,495

This, however, would in my opinion be the least of the objections to a settlement of the area under Chapter X of the Tenancy Act. A far more serious disadvantage would be the heart-burning that the distinction would create amongst the *Ho* tenantry of the estate. The non-*khuntkattidars* would regard it as a grievance that they should be treated worse than their *Ho* brethren. They would say, "We have all reclaimed and cultivated alike. Why should we pay higher rates than the others?" The differentiation of the two classes would have the immediate effect of exciting up dissatisfaction and making the settlement proceedings unpopular. The Deputy Commissioner thinks that an increase of rates for the larger quantities of land would not provoke such an opposition as a differentiation between *khuntkattidars* and non-*khuntkattidars*.

12. Another difficulty attending settlement under the Act is caused by the position of the Munda and the Manki. It is impossible to say exactly what is their status under the Act. The Act only recognizes three classes of tenants, viz., raiyats, tenure-holders and Mundari *khaskullidars*. The Mundas and Mankis belong to neither category. They are primarily village and tribal officials who represent the raiyats in their dealings with the Deputy Commissioner. The chain is raiyat = Munda = Manki = Deputy Commissioner. Their rights and obligations are clearly defined in their *pattas* and the village records of rights, but the definition in many respects contravenes the existing provisions of the Chota Nagpur Tenancy Act. Under the Act it would be hard to record these village and tribal officials other than as tenure-holders, for they make the rent collections and are entitled to the profits of new reclamation during the currency of the settlement. The Manki would be a tenure-holder and the Munda an under-tenure-holder. Their recognition in this form is, however, quite opposed to the history of their rights and the spirit of the administration, for their appointment and dismissal rests with the Deputy Commissioner and they have no absolute hereditary rights. I have always thought that the Chota Nagpur Tenancy Act was defective in not specifically excluding headmen from the definition of tenure-holder and recognizing a separate "headman" status of which the rights are dependent on local custom and usage.

13. I have mentioned some of the drawbacks that would attend a settlement of the Kolhan under the Chota Nagpur Tenancy Act. They are serious, but not unsurmountable. Far more important are the administrative difficulties that arise from the application of the Act. The present system of management is based on the last settlement record and the experience of 70 years, but is in direct conflict with the Tenancy Act which for the present it simply ignores.

In paragraph 2 of a letter No. 2483, dated the 22nd February 1910, to the Commissioner Mr. Reid, when Settlement Officer of Chota Nagpur, enumerated the following points in which the terms of the *patta* and the present system of management clash with the provisions of the Act:—

- (1) "In paragraph 1, Government reserve the right to increase the rates of rent at any future settlement. Government cannot do this, as all private enhancements of rent are now illegal.
- (2) In paragraph 2, it is stated that the headman is liable to summary dismissal. The headman is a tenant and cannot be ejected save under the provisions of the law.
- (3) Paragraph 5 appears actually to contemplate the eviction of a raiyat from his holding by the headmen, if he succeeds in obtaining the consent of the Deputy Commissioner thereto.
- (4) It also appears to contemplate distraint and sale of a defaulter's standing crops by the headman without reference to a court. All these provisions are of course illegal."

All these so-called illegalities in the *patta* are not, in my opinion, defects of the existing system but merely proofs of the unsuitability of the Chota Nagpur Tenancy Act to a tract which has a history like that of the Kolhan behind it. The same features, or practically the same feature, of management are found in the Damin-i-koh estate of the Sarkul Parganas, but there they are in accordance with the law—they do not clash with it. The various points in Mr. Reid's enumeration may be considered *separatim*.

14. *Point (1).—Rates of rent.*—It was always admitted that Mr. Craven's rates were exceedingly low and that they might well be enhanced without causing hardship to the tenantry. Political considerations dictated a warning to the Ho raiyats that the rates fixed in the settlement were not fixed for ever, and it is a matter of no essential importance that in an Act passed later, of which the bearing on this exceptional tract was never considered, there is a provision that rates cannot be enhanced by contract. A Settlement Officer working under Chapter X would not scruple to enhance the rates if he had regard to the circumstances detailed in paragraphs 8 to 10 above.

15. *Point (2).—Position of headmen.*—As the Deputy Commissioner is the officer who would in any case have to deal with an ejection suit against a headman and a *peal* lies to the Commissioner, whether the proceedings be summary or judicial, it does not seem to me to matter much what forms have to be gone through in the process. In either case there must be a full statement of reasons for the dismissal or ejection. A more serious aspect of the matter is that it is difficult to see how under the Act a suit for ejection can lie except for arrears of rent, and even this exception would apply only in cases where the record has stated that the headman's interest is not permanent or transferable and that he is liable to ejection for arrears. The headman's interest is not transferable, and I think, it can hardly be said that it is permanent. There is an element of heredity in it, but the hereditary claim is subject to fitness. According to the practice of 70 years, the headman has always been liable to dismissal for misconduct, oppression, etc., as well as for arrears of rent. The difficulty of continuing the existing practice under the Act lies in the fact that the Act nowhere seems to provide for the dismissal of a headman except for arrears of rent which are dealt with in section 59. This section read with section 79 seems to exclude a suit for ejection on account of misconduct. Again, who is to bring the suit in the case of a Munda? Is it to be the Kolhan Superintendent or the Manki and, if the Manki, what happens to the funder-tenure when the Manki is successful? Does it lapse to the Manki and may be held *khas*? The management of the Kolhan is entirely

Manki
under Munda
C.N.T.A.

dependent on the executive control of the Mundas and Mankis by the Deputy Commissioner and the Commissioner and if the Act makes this executive control impossible, either the Act or the management must go to the wall.*

That the power of dismissal has not been exercised oppressively in the past goes without saying, for every act of dismissal has been subject to appeal to the Commissioner. The total number of Mankis is 73 and of Mundas 911. During the 15 years that have elapsed since Mr. Craven's settlement, 12 Mankis and 41 Mundas have been dismissed and replaced.

16. *Point (3).—Eviction of raiyats.*—This provision of the *patta* is to my mind the most salutary feature of the Kolhan land system, and in fact an absolute essential, if the Kolhan is to be maintained as a reserve for the Hos. There must be an ultimate remedy for the recovery of arrear rent. The only alternative to eviction is the alternative of the Act, namely, auction sale under section 203. Once auction sale is admitted, the door of the Kolhan is opened to all comers.

That in practice the liability to eviction has not caused any hardship may be gleaned from the fact that, so far as the Deputy Commissioner's office can tell me, there has been no case of eviction during the last 15 years! The same liability obtains in the Damin-i-koh of the Santal Parganas, and I am certain that the records of that estate will tell the same story. It does happen that an occasional raiyat gets into a hopeless state of indebtedness and cannot pay his rent, but what happens then is private relinquishment by the indebted raiyat and resettlement with another raiyat of the village who pays up the arrears and perhaps gives something in addition to the headman and the deserting raiyat. The latter leaves the village to try his fortune elsewhere. How harmless all this, compared with the auction sale and the introduction into the aboriginal community of the highest bidder who will usually be an alien and a usurer!

It is just here that the shoe pinches hardest and that the application of the Chota Nagpur Tenancy Act to the Kolhan spells the ruin of all that has been accomplished by years of endeavour to protect the Hos in the enjoyment of their ancestral lands. Government is committed to the system of protection by the past history of the estate and by its own clearly declared and steadily pursued policy. That system cannot be maintained under the Chota Nagpur Tenancy Act, and the only alternative is the exclusion of the Kolhan from its scope and the enactment of a simple regulation, like those of Angul and the Santal Parganas, which will legalize the continuance of the existing system.

17. *Transfer.*—A limited amount of transfer of raiyati lands is permitted within the Kolhan. Transfers are regulated by a series of rules drawn up in 1901 by Mr. W.B. Thomson (Deputy Commissioner). The rules were approved by the Commissioner (Mr. Forbes), and Government sanctioned the entertainment of an Inspector, whose business it is to travel about the estate and see that no unauthorized transfers occur. The relaxation of the prohibition of transfer is chiefly in favour of sales to Hos and of mortgages that expire of their own accord within a specific term of years, like the *bhugnt bandha* mortgages of section 46 (b) of the Chota Nagpur Tenancy Act. I attach to this note for convenience of reference a *precis* of Mr. Thomson's rules and of the correspondence with the Commissioner and Government in which they were approved. The *precis* was prepared by Mr. Carey in 190

I have collected from the office record the following information regarding the working of the rules. This of course is based on the Kolhan Inspector's reports and is probably incomplete, but it gives some idea of the extent to which transfers by sale and mortgage actually occur within the Kolhan:—

Class of transaction.	YEARLY AVERAGES.			
	1897 to 1901.	1902.	1903 to 1908.	1909 to 1911.
1	2	3	4	5
Sales—				
(a) to Dikus ...	29	...	9	} Total ... 1*
Allowed ...	15	4*	2	
(b) to Hos ...	58	...	10	
Allowed ...	30	23*	8	
Mortgages—			17	} Total ... 355†
(a) to Dikus ...	873	127	...	
Allowed ...	3	2	25	
(b) to Hos ...	493	347	3	
Allowed ...	43	21	...	} (a) to Dikus... 40 (b) to Hos ... 82
New Diku settlement ...	60	10	22		... 187‡
Ditto cancelled ...	33	14	11	... 11

NOTE.—See further note of 12th August at end.

H. McPHERSON.

* Transaction of previous years.

† It is noted that as mortgages continue for several years, the same transaction gets reported several times over.

‡ The number reported in 1909-10 was unusually large—46 2/3.

(The figures in columns 2 to 4 are taken from the Deputy Commissioner's letter No 574-B, dated 21st July 1909, reporting in favour of extension of the Kolhan Inspector's appointment to the expiry of the current settlement. The figures in column 5 were supplied by the Deputy Commissioner's office).

Sanjaykumar Dasgupta
Sanjaykumar Dasgupta

Transfer

If the figures in the above statement make any approach to completeness, they show that the amount of transfer which occurs is inappreciable, for the total number of holdings at last settlement was 79,731 and the allowed sales and mortgages average for 12 years only 21 and 22, respectively, per annum. Their number has been growing gradually less since 1901, about which date the Kolhan Inspector's influence must have come to be felt, for the appointment was first made in 1899. The figures seem to show that the present system is capable of effective working. The potency of interdiction of transfer as a protection to the aboriginal races has been frequently illustrated in the Santal Parganas reports. The tendency of modern legislation in India is all in favour of restriction, and it is now being considered whether a system of protection cannot be devised for the scattered aborigines and semi-aborigines of Birbhum, Bankura and Midnapore. To deprive the Kolhan of its existing system will, in my opinion, be a retrograde step and will lead to disaster.

Distrain of crops for non payment of rent

18. *Point—(4) Distrain.*—This is a matter of minor importance. When a raiyat does not pay up his rent, the headman may apply to the Deputy Commissioner for permission to distrain his crops, and the Deputy Commissioner may empower him to do so. There is no provision in the Chota Nagpur Tenancy Act for distrain, and the practice in the Kolhan, though in accordance with the terms of the settlement record and putta, has not the sanction of law. The number of applications for distrain that have been made in recent years are as under—

1908-09	...	...	...	...	...	71
1909-10	...	...	...	...	...	56
1910-11	...	...	...	...	...	61

Each of these may cover three or four tenants. At an average of four, the annual number of tenants affected is roughly 240 out of 89,000, or 3 per cent.

Thus, in practice the power of distrain is not exercised oppressively nor harshly, nor is it an unheard-of usage that endows the estate management with exceptional powers. There is nothing much to choose between the distrain of the Bengal Tenancy Act exercised under the authority of the Civil Court and the distrain of the Kolhan permitted by the Deputy Commissioner.

19. In the foregoing notes I have endeavoured to put together the considerations which appealed to the Conference and the information which was before us in our deliberations. It was agreed that the Deputy Commissioner should come up officially with an account of the history of the Kolhan, of its agrarian policy, and of its system of administration; that he should show how necessary it is to maintain the present system and how impossible it is to do so under cover of the Chota Nagpur Tenancy Act; and that he should submit his proposals for legislation on the subject.

So far as the settlement aspect of the case is concerned, his note will be supplemented by mine. It will then be considered what sort of Regulation would be suited to the Kolhan. In this connection the Santal Parganas and Angul regulations will be studied.

20. I took the opportunity of my visit to Chaibassa to inspect some of Mr. Craven's records and maps. They were prepared on the same plan as his Santal Parganas records and maps, except that his Kolhan maps were based on a traverse made by the Survey of India. The maps were built up on the chain system, and do not show the true shapes of fields, especially where fields are irregular in shape as they are in the *bera* portion of the rice-growing area. It is possible, however, with the aid of the *khasra* to identify the fields on the ground, though they do not always correspond exactly with the plots in the maps. I tested about 50 fields in a village near Chaibassa and found that the *khasra* and map were pretty accurate on the whole. I was told by the Kolhan *kanungo* that the maps in more *jungly* areas are less reliable, because less subject to check than those in the vicinity of Chaibassa, but I could not test this statement. It was clear, however, from my inspection that at the next resettlement it will be necessary to make an entirely fresh cadastral survey according to the offset system, just as a fresh cadastral survey had to be made by Mr. Allanson in the area previously settled by Mr. Craven in the Santal Parganas. Apart from the different system of survey, there will be many changes to record in the map as the result of reclamation during the currency of the 20 years' settlement.

Mr. Craven's settlement records have the same defect as his Santal Parganas records. They are very bulky and clumsy. I cannot say much regarding their accuracy, as I have not checked them sufficiently, but some defects were brought to my notice by the settlement *kanungo*. In the detailed *khasra* and *khatians* of the first season's work all the plot areas were entered in standard *bighas*. The totals only were converted to the local *bigha* notation. The converted totals are noted at the end of the *khatians* and are used throughout the *jamabandis*. The area of a particular plot cannot therefore be got direct from the *khasra* or *khatian*, and has to be calculated by conversion.

Cases were also brought to my notice in which the orders passed in boundary dispute cases were not correctly carried out, the disputed area being left in the wrong village or included in both. Mr. Craven was a very able officer but he was seldom given an adequate staff of assistants to help him in the work of supervision, and occasional defects of the above nature are bound to appear in his records.

As regards forms of record, the circumstances of the *Damin-i-koh* and the Kolhan are so much alike that I think the compact forms of record used in the *Damin-i-koh* might well be adopted in the Kolhan. No portion of the *Damin-i-koh* record exceeds foolscap size, and this result is obtained without folding any of the contents of the record.

H. McPHERSON,

Director of Land Records, Bengal.

The 6th August 1911.

APPENDIX D (2).

No. 509-T-R, dated Ranchi, the 24th December 1914.

From—The Hon'ble Mr. E. H. C. WALSH, C.S.I., I.C.S., Commissioner of the Chota Nagpur Division.
To—The Secretary to the Board of Revenue, Bihar and Orissa.

With reference to the Board's memo. No. 5205-L (A)—1S-103, dated the 31st October 1912, with which was forwarded a copy of letter No. 5097L(A)—1S-103, dated the 23rd October 1912; from the Secretary to the Government of Bihar and Orissa, Revenue Department, conveying the orders of Government on the subject of the next resettlement of the Kolhan Government Estate and the Chaibassa Town Khas Mahals in the district of Singhbhum, I have the honour to request that the orders of Government that the settlement should be made under Chapter XII of the Chota Nagpur Tenancy Act, and that steps should not be taken to exclude the Kolhan from the operation of that Act and to pass a short and simple Regulation for the administration of the estate, may be further considered in the light of the facts now stated below.

2. The reasons that were urged by my predecessors against a resettlement under the Chota Nagpur Tenancy Act were, as stated in the letter of Government referred to:—

"(1) that it will be necessary to recognize *khuntkatti* rights where they exist and that this will result in a loss of revenue to Government inasmuch as *khuntkatti* riyats hold either at fixed rates or at privileged rates and cannot be assessed at full rates for newly reclaimed lands which have come under cultivation since the last settlement; and

(2) that a complete record of the rights and obligations of Mankis and Mundas cannot be made under the provisions of the Act, as the *pattas* under which they hold their lauds are frequently in conflict with the existing law."

My regard to this Government pointed out that "the Local Government has insisted on the recognition of *khuntkatti* rights against zamindars in all parts of Chota Nagpur where a settlement has been made. There is little doubt that similar rights exist in the Kolhan although the people may have been too ignorant to assert them and Government cannot ignore these rights merely because they may lose some revenue by so doing".

The settlement is accordingly being made under the Chota Nagpur Tenancy Act.

3. It appears, however, on further enquiry that *khuntkatti* rights, as they are understood elsewhere throughout Chota Nagpur, namely, that the descendants of the Hos who originally settled and cleared the village have privileged rights over other Hos who have subsequently settled in the village, have never been held to exist in the Kolhan, and such privileges of one class of Hos over another, as amongst themselves, would be resented by the Hos themselves. The only privilege that has been recognized is that of all Hos as against all Dikus, and the rates at which the previous settlements have been made show that all Hos, and not merely those who would come under the definition of *mundari khuntkattidars*, have been held to be entitled to privileged rates, on account of their being Hos.

4. I enclose a copy of a note on the subject by Mr. Sifton, Settlement Officer, Chota Nagpur, based on the experience of the last settlement season (Appendix A) in which he gives cogent reasons against the introduction of the Chota Nagpur Tenancy Act into the Kolhan on the ground that it will have the effect of breaking up the present communal village system and alter the entire character of the administration. I may note that although the Chota Nagpur Tenancy Act extends to the Kolhan it has actually never been followed, and the procedure previously in force under rules approved by Government has continued to be followed.

5. I forward a copy of Mr. Sifton's note to the Deputy Commissioner who fully agreed with Mr. Sifton's conclusions and with his recommendation that the settlement should be under a Regulation and not under the Chota Nagpur Tenancy Act. The Deputy Commissioner's opinion is as follows:—

"Paragraph II.—I fully agree with these views.

"Paragraph III.—This is very important. Rent suits in the Kolhan will undermine the whole system and open a wide door for the entry of the Diku Mahajan. The Certificate Act cannot be legally employed for the realization of arrears of rent from the riyats which are payable to the Mundas and not Government direct. An amendment of section 203 substituting a period of management for liquidation of the debt will be most troublesome and unworkable.

"Paragraph IV.—No complaint about the non-recognition of *khuntkatti* rights by Government has ever been brought to my notice, and I think it would be undesirable to introduce this distinction after nearly 50 years, which will cause much heart-burning and be a serious disturbing factor. Rents are very low at present and Dikus pay double rates. I agree that there is no injustice in the present arrangement.

" Paragraph V.—I fully agree with Mr. Sifton. The recognition of Mankis and Mundas and tenure-holders will lead to serious administrative difficulty.

" Paragraph VI.—I agree.

" Paragraph VII.—I agree.

" 2. The application of the provisions of the Chota Nagpur Tenancy Act to the Kolhan has been strongly opposed by all local officers in the past whose opinion I fully endorse after two and a half years' experience of the administration of the tract. With every deference I have no hesitation in saying that the decision of Government to effect a new settlement of the State under the above Act has not been a wise one and would strongly urge that that decision may be reconsidered."

3. I visited Chaibassa in July and held a conference with the Deputy Commissioner, the Settlement Officer of Chota Nagpur and the Settlement Officer of the Kolhan.

A large number of the Mankis and Mundas came into Chaibassa to meet me and I questioned them on the above and other points, and recorded their statements, a copy of which is annexed (Appendix B).

7. They had come in, owing to a notice from the Settlement Department that the Settlement Officer would come to discuss certain questions with regard to the record of forest rights. They did not therefore come with notice that the question of *khuntkatti* rights would be discussed. The fact is important, as their statements that there has never been any distinction between one class of Hos and another were thus perfectly spontaneous and unprepared, and in view of the fact that on the second day of the conference a very largely signed memorial containing over 5,000 signatures addressed to His Honour the Lieutenant-Governor was put in, a copy of which is annexed (Appendix C), in paragraph 9 of which they claimed *khuntkatti* rights as follows:—

"That the majority of the aboriginal tribes in the pargana are Mundari *khuntkatti* tenure-holders or raiyats, but unfortunately they are never treated as such."

The Munda who presented it stated that it had been drawn up and typed the previous day. The Mundas stated that the thumb impressions had been collected during the past two months or so. The thumb impressions appear to be genuine, and the names have probably been written by the Tahsildars. I therefore enquired what was the request to which the signatories had been asked to affix their thumb impressions. They said that by *khuntkatti* they thought that every Ho would not have his present rent enhanced for any land which he had made from the jungle.

It will be seen that when asked whether they wanted a preferential rate for the "marang killis", namely the *killi* which first cleared and settled the village (corresponding to *khuntkattidars*) they all replied: "We want the same rate for all *killis* and all Hos." Only one Munda (Brajmohan Munda) stated that Hos who had cleared their own lands should have preferential rates over Hos who had purchased ready-made lands, but he also said "The rate of all *killis* who have made their own lands should be the same. They have all taken equal trouble in making their lands. The original *killis* should not be given any preference."

8. From the above it will be seen that the principle of the *khuntkatti* rights as defined in section 7 of the Chota Nagpur Tenancy Act and as understood in other parts of Chota Nagpur, that the original settlers of the village are entitled to preferential rights over subsequent settlers of the same race, has never been the custom in the Kolhan and is not wanted by the Hos.

9. The incidents of *khuntkatti* tenure are (section 37, Chota Nagpur Tenancy Act)—

(a) The rent shall not be enhanced if the tenancy in such land was created more than twenty years before the creation of the Act, and

(b) The rent shall not exceed one-half the rent payable by an occupancy raiyat for land of a similar description and with similar advantages in the village.

The first condition has never been observed in the Kolhan; the rent has been enhanced at each successive settlement. In their memorial to His Honour the Lieutenant-Governor, however (paragraph 9 of the memorial) the Hos claim to have the rights of *mundari khuntkattidars*, which as explained by them in their statements before me (Appendix B) means that their present rents should not be enhanced.

The second condition is at present in force in the case of all Hos, inasmuch as their rent is fixed at half the rate of Diku (*vis*, non-Ho) raiyats in the same village, where such exist, and in the case of the great majority of villages in which there are no Dikus, at half the rates fairly assessable on the land, which would be assessed if there were any Diku raiyats.

10. In paragraph II(v) of his note Mr. Sifton says that they have no grievances to be redressed. They make no complaint, even of forest protection, and almost the only complaint heard in the Kolhan is that Dikus who have been settled for 10 or 20 years in a

village ought to be turned out now, but are not". This was no doubt correct at the time it was written but must now be modified with reference to the memorial subsequently submitted though it shows that the present claim of fixity of rent is of quite recent birth.

11. Although the Hos are not entitled to *khuntkalli* rights as it is clearly stated in the record-of-rights of the Kolhan (clauses 4 and 5) that Government reserves the right to enhance the rates of rent at any future settlement, I think it is advisable to grant the right of fixity of rent, as such rights have been conceded in the rest of Chota Nagpur including Porahat, the Kol Pargana of which was formerly similar to the Kolhan, and it will, I think, be a cause of discontent amongst the Kols if they are not given the same privileges, a form of discontent which may be worked upon in future by outside influence to cause trouble.

12. The question of the loss of revenue to Government by recognizing *khuntkalli* rights in the Kolhan was apparently considered by Government to have been the chief reason of the local officers for the previous recommendation that the settlement should be made under a special Regulation and not under the Chota Nagpur Tenancy Act. This, however, is not the material issue as the Settlement Officer notes that the loss of revenue due to recording certain of the Hos as *khuntkallidars* could easily be made up by a full assessment of the non-*khuntkalli* Hos. Moreover, if it be considered that Hos who fulfil the conditions of *khuntkallidars* should be granted the same privileges as are enjoyed by *khuntkallidars* elsewhere, this can equally be provided for in a Regulation.

13. It is not with the object of depriving the Hos of any *khuntkalli* rights which they would be entitled to under the Chota Nagpur Tenancy Act, or of any of the rights which they now possess that I now ask for a further consideration of the previous orders of Government, but in the interests of the preservation of the present village communal system of the administration of the Kolhan which, as clearly shown in Mr. Sifton's note, will be endangered by the introduction of the procedure of the Chota Nagpur Tenancy Act; for, although that Act includes the Kolhan, it has never been put in force there up to the present.

14. I discussed Mr. Sifton's note with the Director of Land Records and enclose a copy of his letter No. 5854, dated the 21st September 1914 (Appendix D) in which he gives his opinion on the subject, together with proposals for the amendment of the Chota Nagpur Tenancy Act to meet the objections raised in the Note. I also enclose a copy of his letter No. 6086, dated the 1st October 1914 (Appendix E) in continuation of the above, in which he makes proposals for the recording of *khuntkalli* rights.

15. It will be seen from paragraph 3 of his letter that Mr. Reid fully agrees in the desirability of preserving the present communal system of administration and that his objections to Mr. Sifton's proposal that a special Regulation should be passed for the Kolhan are "that it is proposed to ignore the existence of *khuntkalli* rights and make no record of headmen's rights". It was, however, never intended that headmen's rights should not be recorded. They are fully recorded in the case of the headmen of the Santal Parganas under the special Regulation there in force, and would similarly be recorded under a Kolhan Regulation.

16. Mr. Reid considers (Appendix D) that the special conditions of the Kolhan can be met by amending the Chota Nagpur Tenancy Act and that a special Regulation is not necessary. His proposals are as follows:—

As regards the objection that the Act introduces the agency and procedure of the Law Courts for the recovery of rent in place of the present system of distraint by the headmen, and will thereby destroy the present communal system of administration, Mr. Reid proposes that a provision be inserted in the Act authorizing the Munda to realize arrears of rent under the procedure of the Public Demands Recovery Act. I do not consider that this will meet the case. The Munda may be made the requisitioning officer. But he will have to submit a requisition in the prescribed form, notices will then have to be served on the defaulting raiyat. The raiyat can file petition of objection within 30 days which will be heard by the Certificate Officer at head-quarters, and at once the communal method of administration is done away with and the outside procedure of Courts is brought in, with the inevitable tendency to foster litigation.

17. If the case is to be met by amendment of the Tenancy Act, I consider that it should be by an amendment prescribing the present method of recovery of rent by distraint by the headman. The advantage of the present system is shown by the fact that the power of the distraint is of itself sufficient to realize the rent, and sale of the produce has hardly ever to be resorted to.

18. It must also be borne in mind that the headmen in the Kolhan do not hold any service land, as in the Santal Parganas, and are only remunerated by commission and the right to half the rent after three years of waste land brought under cultivation during the currency of the settlement, the other half going to the Manki [clause 17(b) of the record-of-rights]. If therefore the recovery of rent from the raiyats is made difficult and expensive, as it will be under the Certificate Procedure, which will require the headman to come into head-quarters, it will considerably detract from the attractions of the post of headman and as the waste land of the village becomes cultivated, suitable men may not be willing to hold the post. I may note that this has been found to be the case in the Santal

Parganas, in villages in the Godda Subdivision in which the *pradhani* service land is small. The Munda's commission is 18 per cent. which may appear large, but this is his remuneration not merely as a rent collector, but for the police and other general duties which he has to perform.

19. The Certificate Procedure also involves the sale of a raiyat's holding by the Court, and this is objectionable as it at once admits outsiders. Mr. Reid proposes to meet this by giving the Deputy Commissioner a right of presumption as landlord, and a right of vetoing purchase by an undesirable tenant. This will require an amendment of the Public Demands Recovery Act. I think that it is far better to legalize the present system of recovery by the Munda by distraint.

20. It is necessary that the Deputy Commissioner should retain the power which he exercises at present of dismissal and imposing fine on the Mankis and Mundas. Without this power it will not be possible to enforce their efficient performance of their police and other general duties. Under the Act a headman cannot be dismissed by an executive order, nor can he be fined. Under Chapter XV the headman can be recorded as liable to dismissal. But such dismissal will have to be enforced by a suit. The present executive proceedings are similar to those for the dismissal of a Police Officer. It will, as Mr. Sifton remarks, be unintelligible to the Ho mind that this power should be taken away from the Deputy Commissioner and the empty formality of a suit tried by one of his Deputy Collectors should be substituted. This is the more so, as the jurisdiction for the Deputy Commissioner's orders will be considered in a suit tried by one of his subordinates. It also has the grave objection of bringing the villagers before the law courts.

Mr. Reid proposes that the difficulty should be met by an amendment of the Act by an addition of a clause to section 39 empowering the Deputy Commissioner to take cognizance of all applications for the ejection of headmen. But as he will be the applicant, or plaintiff in the case, this cannot well be done.

21. In view of clause (C) of section 79 of the Tenancy Act, section 59 will also have to be amended, to give the Deputy Commissioner power to bring a suit against a headman for dismissal on any other ground than for arrears of rent. Moreover, it is doubtful whether any suit under the Tenancy Act would be legal for dismissal on the ground of failure to perform police duties, an object outside the scope of the Act. This is a point on which legal opinion may be taken.

22. No provision at all can be made under the Act for imposing fines. Mr. Reid considers that the power of dismissal is sufficient to ensure the necessary control over the headmen. I cannot agree with this view. There are many cases of minor neglect of duty for which the extreme penalty of dismissal is not required and would be unsuitable. Lesser offences would have to be ignored which would at once lead to loss of efficiency, and render the Police and general administration through the Mankis and Mundas impossible.

23. Mr. Reid is of opinion that under a Regulation the rights of the headmen will not be maintained. There is, however, no ground to suppose this. The record-of-rights of headmen in the Santal Parganas to which he refers is made under Regulation III of 1872 and a full record of the Kolhan headmen's right would be prepared under a Kolhan Regulation.

24. With reference to Mr. Reid's remark (Appendix D, paragraph 6) that the effect of the Chota Nagpur Tenancy Act on headmen in the Kolhan was considered by the Deputy Commissioner of Singhbhum at the time and the word "rights" was defined in the explanation to section 127 at his instance, I think that it was assumed by the Local Officers that the special rules in force in the Kolhan, which had the sanction and approval of Government, would remain in force, and that a record of headmen's rights and obligations made under the tenancy would record the rights and obligations as they at present exist under these rules, and that it was overlooked that the extension of the Tenancy Act to the Kolhan would *ipso motu* render all these rules illegal and ineffective. This is shown by the fact that the special conditions of the Kolhan do not appear to have been referred to in the reports and discussions which preceded the passing of the Chota Nagpur Tenancy Act, which they certainly would have been if it had been contemplated that the effect of extending the Act to the Kolhan would be to alter the whole system of its administration.

25. At present the transfer of raiyati holdings are not allowed, except with the permission of the Deputy Commissioner. Transfer will be introduced by the Tenancy Act. The provisions of section 46, as Mr. Reid observes, are being evaded and the prohibition against the transfer of tenancies are not as effectual as was anticipated. Moreover the sale of holdings by the Court for arrears of rent under section 205, introduces transfers, as already noted.

26. Mr. Reid proposes to amend section 46 by the insertion of two additional clauses, viz. :—

- (i) No raiyat should be permitted to enter into a *bhugat bandha* mortgage without the consent of the Deputy Commissioner; and

(ii) the Deputy Commissioner should be empowered at the expiration of the *bhugat baulha*, when the debt will have been automatically repaid, either on application or of his own motion, to summarily restore the possession of the mortgagor. He also proposes to amend section 208 by prescribing that all sales of raiyati holdings for arrears of rent should be made subject to the proviso, no appeal being allowed, that the purchaser before proceeding to take possession of the holding, obtains the sanction of the Deputy Commissioner.

27. The above amendments are all desirable and will be necessary if the settlement is made under the Tenancy Act. But it will be necessary to still further amend the Act, so as to give the Deputy Commissioner power to summarily eject any mortgagee in possession without his permission. This will meet the case as regards transfer by mortgage. But, as already noted, it is undesirable to introduce sale of holding by the Court for arrears of rent even subject to the proviso proposed by Mr. Reid.

28. The present Kolban Rules forbid the introduction of aliens. Under clause 15 (4) of the record-of-rights the Munda "shall not allow any foreigners not already recorded as resident raiyats to cultivate lands in the village without the written permission of the Deputy Commissioner, and he shall report at once to that Officer any such case that occurs" and under clause 19 "no resident of another village shall be allowed to settle in the village without written permission of the Deputy Commissioner". Mr. Reid says that the matter is merely one of estate management and that the headman is liable to dismissal for connivance in the introduction of aliens, and the evil cannot be more effectively dealt with under the powers conferred by a Regulation. The dismissal of the headman will not, however, remove the evil. Under section 61 (3) when the alien has been in possession for two years, he will have acquired an occupancy right and cannot be evicted.

29. To enforce the exclusion of aliens it is necessary that the Deputy Commissioner should have the power to eject undesirable aliens who have obtained an entrance contrary to the rules. This has been the practice and was incorporated in the rules drawn up by the Deputy Commissioner, Mr. Thomson. The rules referred to are printed on page 13 of the printed papers attached to the letter No. 108-T., dated the 16th June 1911, from the Director of Land Records, Bengal, a copy of which was submitted with Mr. McIntosh's letter No. 1228-R., dated the 22nd and 24th July 1912. This rule was approved by the Government of Bengal in their letter No. 3586, dated the 7th December 1903, to the Board of Revenue, Lower Provinces, a copy of which is printed on page 15 of the printed correspondence referred to.

30. In a case, however, in which the Deputy Commissioner, Mr. Carey, convicted two alien women who were engaged in illicit coolie recruiting, the High Court on a motion in 1909 held that the Deputy Commissioner had no legal power to pass such an order. A copy of the High Court's order is annexed (Appendix H). The Legal Remembrancer was consulted with reference to this ruling, and in his letter No. 343, dated the 13th February 1909 (Appendix I), he advised that as the record-of-rights in the Kolban was prepared without any legal authority, there is therefore no foundation in law for the rule in record-of-rights authorising the exclusion of foreigners from the Kolban, and that it will not be practicable to punish foreigners who refuse to leave the Kolban unless authority to do so is given by legislation. For this reason also, in addition to others, it is necessary that a special Regulation for the Kolban should be passed which would include this power.

31. Mr. Reid refers to the fact that in 1867 there were only 1,579 "foreign" cultivators in the Kolban, whereas in 1897 at Mr. Craven's settlement it was found that there were 15,755 of whom "10,112 have been introduced into the Estate through the connivance or negligence of the Mankis and Mundas" and argues from this "that the failure of the Deputy Commissioner to prevent the increase of the Hindu and Muhammadan population is due to the fact that he had no legal authority to deal with the evil, and that the executive rules of management have been to this extent a failure". I understand, however, that the increase mainly took place in a few villages on the border of the Kolban near Jaintgarh which have practically become Diku villages or bazars. It was probably for this reason that the Deputy Commissioners of those times did not exercise the power of expulsion, as its legality had not then been called in question. The rule has since been enforced and it was with this object that Mr. Thomson had the existing rules compiled, which were approved by the Government of Bengal.

In passing a Regulation it may be desirable to exclude certain bordering villages of the nature mentioned from the operation of the rule, though the Government of Bengal in their letter No. 3586 of the 7th December 1903, already referred to in paragraph 29 did not consider this to be necessary.

32. The Tenancy Act apart from admitting aliens to the Kolban will materially alter the position, and consequently the conduct of the aliens already settled there. Hitherto they have had the fear of expulsion if their conduct in money lending, illicitly obtaining their lands from the Hos or otherwise, should be unsatisfactory. Under the Tenancy Act they will feel that their position is secure and that they cannot be interfered with, and the restraint they at present have will cease.

33. With reference to the existence of *khuntkatti* rights in the Kolhan, Mr. Reid quotes from Sir William Hunter's Statistical Account of Bengal for the Singhbhum District, dated 1877, and from a report of Dr. Hayes, Deputy Commissioner, of 1875. These are practically the same, as the information in Sir William Hunter's Statistical Account was furnished by the Deputy Commissioner. The extract quoted is as follows :—

"Spare land—A considerable quantity of spare land exists in Singhbhum District, and the work of cutting jungle and constructing terraced rice fields goes on steadily year by year. This extension of cultivation has from the earliest time given rise to a special tenure, that of the *khuntkattidar*, or original reclaimer of the land, who has a permanent right of occupancy on the land cleared by himself or his ancestors, and is exempt in some cases from the liability to pay an enhanced rate of rent." This extract refers to the Singhbhum District generally, but as regards the Kolhan it is clear that Dr. Hayes did not consider that there was any *khuntkatti* right which exempted from enhancement, as he himself made the Settlement of the Kolhan in which he enhanced the previously existing rent. I may mention that the Deputy Commissioner, Mr. Sen, who has two and a half years' experience of the Kolhan, Mr. Sifton, Settlement Officer, Chota Nagpur, and Mr. Tuckey, Settlement Officer of the Kolhan, all informed me that the term *khuntkatti* was absolutely unknown in the Kolhan, until introduced by the Survey Amins during the last season's settlement operations. This was also borne out by the statements of the Mankis and Mundas at my enquiry.

34. As, however, *khuntkatti* rights have been recognized in the adjoining estates in the Singhbhum District and throughout Chota Nagpur, I recommend, as I have already stated, that they should be recognized in the Kolhan, the only question being whether they should be granted, as in the rest of Chota Nagpur, to only the descendants of the original clearers of the village, or to the descendants of the Hos who have cleared land, without distinction. Mr. Sen, in his report, dated the 3rd November 1914 on the memorial (Appendix F, paragraph 2) states that "the Mankis and Mundas chiefly want *khuntkatti* rights as they generally belong to the families of the original reclaimers, but to this the tenants are opposed". This is a further development since my enquiry in July, when not even the Mankis and Mundas wanted any distinction between one class of Hos and another.

35. Mr. Reid does not accept Mr. Sifton's statement that the present rates of rent for Hos in the Kolhan compare favourably with the *khuntkatti* rates of rent in other parts of Chota Nagpur. A comparative statement of *khuntkatti* rates is given in Appendix J, from which it will be seen that with the exception of a small number of holdings in the Gunla Subdivision, namely 37 *khuntkatti*, and 131 *Mundari khuntkatti khattians* only, the present rates of rent in the Kolhan are considerably less than those of *khuntkattidars* in other parts of Chota Nagpur. Moreover, as regards the 131 *Mundari khattians* in Gunla, these tenures are exceptional, and, as stated in paragraph 183 of the Ranchi Settlement Report, the rent is in the nature of a quit rent for the village, which when distributed over the area gives the low rate of rent per acre entered in Appendix VI of the Settlement Report.

36. With reference to Mr. Reid's remarks in the last paragraph of his letter that "there is no need for a new Regulation, unless its object is to destroy the customary rights of headmen and *khuntkatti* rights", I need only say that so far from aiming at the destruction of the customary rights of the headmen, or of the rights which the Hos at present have in their lands the whole object of a Regulation is to preserve the existing communal system intact and with it all the existing rights of the headmen and the rights which the Hos at present have in their lands.

37. Mr. Reid in his letter No. 6086, dated the 1st October 1914 (Appendix E), submits proposals for the recording of *khuntkatti* rights. If *khuntkatti* rights are granted to all Hos, they will hold at fixed rates all lands which they have held for 20 years previous to the passing of the Chota Nagpur Tenancy Act, namely since the year 1888. It will be difficult, for the Hos to prove the exact area they held before 1888, and it will be difficult, if not impossible, for the Settlement Officers to fix its identity, as there was no regular Settlement until 1897. *Gora* or uplands were not assessed to rent until the year 1897, and they appear to have been relinquished and cultivated at the option of the tenant. Before that date they can hardly be said to have been included in tenancies at all, and, in any case, it will be impossible for any tenant to prove that any specific areas of upland were so included before 1888. Mr. Reid therefore proposes "that all Hos and all recorded non-Hos (old tenants) who have reclaimed lands in the Estate be admitted to the rights of *khuntkattidars* and that the year 1897 be taken as the date or criterion for the determining to what extent they may have right to hold portions of the tenancies at fixed rents or not. If this proposal be accepted the Local Government should authorize the Settlement Officer to record as *khuntkattis* at fixed rent all rice lands held by *khuntkattidars* as defined above at the time of Mr. Craven's Settlement, and all other lands held by them as ordinary *khuntkatti* which is liable to pay an enhanced rate". I accept Mr. Reid's proposals as regards Hos, and recommend them to Government. But as regards non-Hos I see no reason to grant all of them *khuntkatti* rights or fixity of rent of all rice lands which they held at Mr. Craven's Settlement, and consider that they should be required to adduce evidence of 20 years' possession of all land to be recorded at fixed rent, though they should be granted *khuntkatti* right of half rate, as they at present have, in all rice land they held at Mr. Craven's Settlement.

38. Mr. Reid estimates, on the statistics which has been already prepared for 17 Pirs surveyed last cold weather, that the area of rice lands has increased by 7 per cent. and of uplands by 40 per cent., and assuming that this proportion will maintain for the whole area and that the excess lands are assessed at existing privileged rates the total increase in the rental will be Rs. 18,466 or 10.4 per cent. of the existing rental. He considers, however, that in view of the fact that the prices of staple food crops have risen so enormously during the last 20 years, and that the area proposed to be recorded at a fixed rent is considerable, the rates should be raised from 12 annas to 14 annas per acre for rice land and from 2 annas to 3 annas for upland which will give an increase of rental of approximately Rs. 24,000. If, however, a greater increase is demanded, the assessment might be raised to Re. 1 per acre for rice land.

39. I agree with Mr. Reid's proposals but consider that in view of the large area which will be held at fixed rates the assessment should be raised to Re. 1 per acre.

40. Mr. Sifton has made further enquiries during the present season as to the increase of cultivation, and finds in the 10 villages selected that there is no increase, but on the other hand an actual decrease of 38 bighas, and thinks that it is pretty clear that practically all the land suitable for rice cultivation in the open country north of Chaibassa had been already taken up before Mr. Craven's Settlement. Although the above will not be the case in other parts of the Kolhan, it seems probably that the proportion of increase of cultivation in the 17 Pirs on which Mr. Reid's estimate is based, will not be maintained on the area of the entire estate.

41. The Deputy Commissioner has submitted a report on the memorial of the Mankis, Mundas, and raiyats to His Honour the Lieutenant-Governor (Appendix C) in his letter No. 1751-R., dated the 4th November 1914 (Appendix F). I agree with his report on all the clauses of the memorial. The claim for unreserved rights in the protected forests is quite unreasonable and would soon lead to the entire destruction of those forests.

42. As regards clause 10 of the memorial, no forced labour, *bet-begari*, is exacted from the tenants, but they are required under clause 15 (7) of the record-of-rights to keep in repair all embankments; works of irrigation, boundary pillars, and village roads. The Mankis, Mundas, and raiyats all object to this duty and say that they prefer to pay road cess. As this is of the nature of a praedial service which have been commuted in all other parts of Chota Nagpur I recommend that their liability under this clause should be done away with and that they should be assessed to road cess, in lieu of repairing the roads.

43. The obligation to repair works of irrigation, bandhs, boundary pillars and to protect roadside trees should be commuted and added to their rent. According to their prevailing custom the Mankis require the Mundas and raiyats of all villages within their Pir to assist on the repair on roads and other works anywhere in the Pir, and not only in their own village. The commutation should be at a general rate based on the estimated cost of these works throughout the Estate.

44. I annex a copy of a Note, dated the 29th October 1914, I submitted to the Honourable Mr. Lvinge (Appendix G) regarding certain modifications required to be made in the Notification for the settlement of the Kolhan so as to leave the present proposal for a special Regulation open to further consideration. This proposal has been already considered by the Board and revised Notification No. 8309-R., dated the 9th November 1914, has been issued, under which the settlement is now being made.

45. I also annex a copy of a Note, dated the 11th September 1914, by Babu Dhan, Massi Panna, Assistant Settlement Officer in the Kolhan (Appendix K), in which he states the objections to the procedure of the Chota Nagpur Tenancy Act from the point of view of an aboriginal. Babu Dhan Massi Panna is an Uraon Sub-Deputy Collector who has had Settlement experience in Dhalbhum, Manbhum, Hazaribagh, and the Kolhan, and has received honourable mention in the Annual Settlement Reports of the Director of Land Records. His views are worth consideration, as he is himself an aboriginal of the Chota Nagpur and has also worked in the Kolhan and is thus in a position to enter into and understand the feelings of the aboriginal people there.

46. For the reasons already given it will be seen that the introduction of the Chota Nagpur Tenancy Act into the Kolhan will have the following results:—

- (1) It will do away with the present communal system of administration through the Mankis and Mundas, which is well suited to the people of the Kolhan, which has worked satisfactorily, and which they wish to be retained.
- (2) It will introduce the working of law courts amongst a primitive people, which will foster litigation and generally have an undesirable effect.
- (3) It will introduce the procedure for the recovery of rent by suit in place of the present simple and expeditious method of distraint by the Munda. This, apart from its being undesirable on other grounds mentioned, will also tend to break up the present communal system of administration.
- (4) It will introduce the transferability of holdings (a) by sale by auction under decree of the Court for arrears of rent under section 208 and (b) by permitting voluntary transfer, as provided in section 16.

- (5) It will allow the entry of aliens into Kolhan, with its attendant evils.
- (6) The introduction of *khuntkalli* rights as defined in the Act will introduce a distinction between different classes of Hos which does not at present exist, which they do not recognize, and do not desire.
- (7) It will introduce the principle of fixity of rent in the case of *khuntkallidari*, which has not hitherto existed in the Kolhan.

In this respect, however, I recommend that the privilege of fixity of rent be granted as a special case, as it has been granted under the Act in other parts of Chota Nagpur.

47. Mr. Reid considers that the above objections can be met by the amendment of the Chota Nagpur Tenancy Act. I have, however, shown that the amendments proposed will not fully meet the requirements. This is especially the case in the introduction of transferability of holding, and the introduction of aliens and no amendment will meet the great objection that by depriving the Deputy Commissioner of his present powers of control over the Mankis and Mundas, for the enforcement of their police and general duties, it will put an end to the present system of communal administration.

48. A special Regulation for the Kolhan is required, not merely that the present settlement may be made in conformity with the existing customs of the Hos, and that principles at variance with them and which are made undesirable may not be introduced by the provisions of the Chota Nagpur Tenancy Act, but for carrying on under legal sanction the present form of the administration. As Mr. McIntosh observed in his letter No. 1228-R., dated the 22nd—24th July 1912, the keynote of the administration of the Kolhan has been to preserve the area for the aboriginal population and to treat it, in the interests of these aborigines, more as a political State than as a part of an ordinary British district.

49. I therefore recommend that the settlement of the Kolhan should not be made under the Chota Nagpur Tenancy Act, but that the Kolhan should be excluded for the purpose of its settlement and for continuing the present system of its administration.

APPENDIX D. No. (3).

Note on the Kolhan Resettlement recorded by Mr. J. D. Sifton, I.C.S., Settlement Officer of Chota Nagpur on the 30th May 1914.

I. The conclusion of the first field season of the Kolhan Resettlement suggests that a review of the situation there should be taken. When the question of the resettlement first arose the local authorities in consultation with the Director of Land Records made a representation to Government that the Chota Nagpur Tenancy Act was unsuited for the administration of the Kolhan as a Ho reserve, and proposed that a Regulation on the lines of the Damin-i-Koh Regulation of the Santal Parganas should be substituted. Government, however, in its letter No. 5097-R (A) of the 28th October 1912, to the Board of Revenue, decided that the misgivings regarding the mischief which might result from the application of the Chota Nagpur Tenancy Act were unfounded and that the resettlement should be made under that Act. After seeing the conditions of the Ho communal system and having an intimate knowledge of the practical working of the Tenancy Act since its introduction, I believe that its application in its present form to the Kolhan will undo the results of the precautions taken in the past to reserve this country for the Kols and that its application even with the introduction of special amendments and reservations for the Kolhan, is undesirable.

II. In the consideration of this subject the following premises are important and should receive their due weight—

- (i) Elsewhere in this province, Government is trying to revive artificially rural self-Government and a village communal system. In the Kolhan you have a tribal and communal system of self-Government of a purely natural growth in active operation and successful. The village headmen, each exercising police and administrative powers within his own village, are grouped together under the Manki of the Pir who exercises wider powers of influence and control. These headmen do all the work of the police and tahsildars in their *elakas*; they protect the village jungles, keep up the village roads, settle all the minor disputes among the villagers and, in fact, manage the whole of the village internal economy. This system of village polity is clearly one which should be carefully fostered and the introduction of any law which would tend to weaken or break it up is to be deprecated.
- (ii) There is among the Ho population a very strong communal* feeling. The Hos are all brothers and equals and they are banded together for the exclusion of the alien races. The present holding of a Ho raiyat has been reclaimed by himself or his ancestors (with the rare exception of lands which have fallen into the community through the extinction of a family). And where all the raiyats have made their own lands they recognize no distinction in title to them between those who came first to a village and those who came later. Government also has recognized their special title by taking from them rent at only half the rate at which the land of any alien Diku settler is assessed.
- (iii) In the Kolhan we are dealing with a protected race. The Hos have been protected against contact with the outer world by the complete recognition on their communal system of Government. The police have no jurisdiction in the Kolhan, the Hos have nothing to do with the numerous petty officials of the Khas Mahal, Chaukidari Tahsildars, Excise Officers, etc. They have also been protected from their own weakness by rigid rules forbidding transfer or mortgage of lands to aliens and forbidding the headmen to allow even the settlement of aliens in the village. In the rest of Chota Nagpur the Tenancy Act afforded to the raiyat a greater measure of protection against his landlord and against himself than he had enjoyed before. To the Ho raiyat the same Act means a relaxation of the rules framed to preserve him and opens the way for the entry of aliens who will admittedly exercise a corrupting and contaminating influence.
- (iv) You are dealing in the Kolhan with a primitive people accustomed to the form of personal government and appreciative of it. The less contact these people have with the Law Courts and the environment of petition writers and touts, the longer will they retain their simplicity and their tribal unity. The taste for litigation when once acquired by an aboriginal affects him worse than the strongest intoxicant. The object of Government should be to keep the Hos aloof from the influence of the Courts, and to maintain the intimate direct relations between the Deputy Commissioner or the Kolhan Superintendent and the Ho headmen and villagers.

* A curious illustration of the strength of this feeling occurs whenever an officer calls for coolies from a village to remove his camp. The Munda does not supply just that number of villagers which is required for the transfer, but every household has to supply a bearer whether he is required or not? Often twice the number of men required are turned out, but the essential principle is that every man must take a part in complying with the Government requisition even if it is only carrying a hurricane lantern or a camp chair.

- (v) You are dealing with a people in a unique position, so far as Chota Nagpur is concerned, in that they have no grievances to be redressed. They make no complaint even of forest production, and almost the only complaint heard in the Kolhan is that Dikus who have been settled for 10 or 20 years in a village ought to be turned out now, but are not.
- (vi) So far as I know, not a single officer with experience of administration of the Kolhan has expressed an opinion in favour of the application of the Chota Nagpur Tenancy Act to the Kolhan, nor can I find in the Act any signs that the special conditions of the Kolhan were ever separately considered at the time that the Act was framed.

III. One of the first and most widespread results of the application of the Tenancy Act to the Kolhan will be the introduction for the first time of rent suits. The practice hitherto has been for the Munda to inform the Deputy Commissioner that a certain raiyat has defaulted and obtained permission to distrain upon his crops. In the village record-of-rights the Munda is given also the ultimate resource of eviction but the instances of the exercise of this power are so rare as to be negligible. The procedure now will be that the Munda must go to Court, get a Mukhtear to draw up a plaint in full legal form, attend the Court for at least two or three formal hearings, at all of which there will be something to pay. When the decree is obtained, formal execution proceedings are necessary. In the end the raiyat will either pay or not pay up. If he pays up, all the direct and indirect expenses of the suit will have to be shared by the Munda and the raiyat. If he does not pay up, the holding will, as the law stands at present, be put up to auction and purchased by the highest bidder. If a Diku mahajan wants a foot-hold in the village, not for the purposes of private cultivation but for starting a mahajani business among the raiyats, he will be prepared to pay more than the value of the holding for such an object. The objection to the sale of holdings can be got round by an amendment of section 208 substituting a period of management of a holding for liquidation of the debt, not a very satisfactory solution for the Munda whose *patta* required him to pay the full rent for his village in spite of arrears. This is the method of recovery of rent arrears of *Mundarikkhunkallidars* in Ranchi and I believe it causes an infinite amount of trouble there. It is also suggested in the Government letter quoted above that rent might be realized by Certificate Procedure instead of by rent quit. The suggestion is, I think, mistaken. The Government demand is due from the Munda and Manki and the Certificate Procedure would only be used against them. This is clear from the third clause in the Munda's *patta* which reads "You shall not be entitled to abatement of rent in consequence of the failure of crops, absconding of raiyats, the non-payment of their rents or for any other cause whatever, and no such abatement shall be granted". When the Government revenue has been realized already from the Munda, it is impossible to certify that a portion of the same is also due from a raiyat to the Secretary of State in Council and so bring the case under section 7(g) of the Certificate Act. The present system of distraint is simple and satisfactory. It fits in with the Ho prejudice that there should be no outside interference in matters that belong purely to the village economy. The rent procedure of the Tenancy Act will detract from the prestige and position of the headman, will bring the Munda and the villagers into undesirable contact with the cheaper class of lawyers and their assistants and its introduction is an unnecessary sacrifice to the fetish of legal formalism.

IV. I refer next to another matter dealt with in the Government letter in respect of which there again appears to have been a misapprehension—the question of recording *khunkalli* rights in the Kolhan. In paragraph 4 of the letter it is stated: "The principal reasons urged against a resettlement under the Chota Nagpur Tenancy Act are—that it will be necessary to recognize *khunkalli* rights where they exist and that this will result in a loss of revenue to Government inasmuch as *khunkalli* raiyats hold either at fixed rates or at privileged rates cannot be assessed at full rates for newly reclaimed lands which have come under cultivation since the last settlement * * * In regard to this I am to say that the Local Government has insisted on the enforcement of *khunkalli* rights against the zamindars in all parts of Chota Nagpur where a settlement has been made, there is little doubt that similar rights exist in the Kolhan although the people may have been too ignorant to assert them and Government cannot ignore these rights merely because they may lose some revenue by doing so".

The idea expressed in this paragraph is that after Government had forced upon the private zamindar the recognition of a class of privileged raiyats paying rent at half the ordinary village rates, the local authorities were reluctant to grant similar privileges to the raiyats of a Government estate. But the fact is that Government has settled with all Hos at privileged rates, namely, half the rates at which settlement is granted to Dikus. Paragraph 4 of Mr. Craven's Settlement reads:—

" Rates of rent for cultivated land—

- (a) For (i) Kols and for (ii) old established Diku raiyats, i.e., those that were admitted as tenants at Dr. Hays's settlement and their descendants, the rate of rent for a local bigha of *bera* and *badi* land is six and a half annas and for a bigha of *gora* land one anna.

(b) For (iii) Dikus (foreigners) who have settled or acquired lands since that Settlement, the rates are double those above mentioned, that is to say, for *bera* and *badi* land, thirteen annas and for *gora* two annas per local bigha." (I should note that the Diku raiyats of Dr. Hayo's settlement were almost entirely aboriginal and quasi-aboriginal tribes other than Hos who are distinguished as "jungly Dikus"). This rate of rent for Hos works out at twelve annas per acre for all rice land. I need hardly say that such a rate allowed to all Hos compares favourably with the privileged rates of rent paid by the *khuntkatti* raiyats of almost any part of Chota Nagpur, and it would be ridiculous to accuse Government of any meanness in grudging *khuntkatti* rights among the Hos. Any loss of revenue due to recording certain of the Hos as *khuntkattidars* could easily be made up by a full assessment of the non-*khuntkatti* Hos. Even a fifty per cent. enhancement of the latter's rents could be paid and would still leave the rents extremely low. The objection to the introduction of the *khuntkatti* status in the Kolhan is not any loss of Government revenue but it is the division of the Hos into two classes, the introduction of a distinction which is entirely at variance with their own ideas. Mr. Kelly who was for a short time Superintendent of the Kolhan before he joined this Settlement, has put the case to the *khuntkatti* families in a number of villages, explaining that the law entitles them as *khuntkattidars* to hold land at lower rates than the rest of the Kolhan. They have replied, I believe in all cases, that all Hos have made their own lands and they do not wish to hold lands at lower rents than their relatives in other villages who are not *khuntkatti* raiyats. The *khuntkatti* family generally enjoys the social distinction of being the predominant *killi* in the village but this is a matter quite apart from the idea of a special status as raiyats. They regard a general rent enhancement as the proper way of increasing the revenue not an enhancement of the rents of a portion of the community only. It is noted in the letter above that there can be little doubt that *khuntkatti* rights exist though the people have been too ignorant to assert them. But as far as can be ascertained, the idea of rent privileges for *khuntkattidars* as distinct from other Hos is absolutely unknown. There is no trace in the Kolhan of the *Mundari khuntkatti* system where a *khuntkattidar* paid a fixed contribution to the village tribute irrespective of the area held by him, and the *parjas* of the same race paid rent. The earlier rent assessments in the Kolhan were made a plough tax imposed on all villagers alike. I consider it most implicit to introduce among the Hos a distinction which is unknown and will cause a grave disturbance of the communal spirit and sodality which is at present so pleasing a feature of the Ho tribal organization.

V. A third point dealt with in the Government letter is the position of the Mundas and Mankis under the Tenancy Act. Their legal position is discussed by Mr. Reid on page 137 of his edition "Ejectment—A headman cannot be dismissed; but he may be ejected from his tenure, but only in execution of a decree of Court (section 68). These headmen have police and general administrative duties to perform for failure in which they have always been liable to summary dismissal by the Deputy Commissioner. The proceedings would be similar to the proceedings for the dismissal of a daroga." It will be unintelligible to the Ho mind that this executive power should be taken away from the Deputy Commissioner and that the empty formality of a suit tried by one of his Deputy Collectors should be substituted. It would be an ill-advised action to belittle the position of the Deputy Commissioner in this way. It is also unnecessary because an appeal lies equally to the Commissioner from an executive order of dismissal and the procedure will again bring the Munda and probably most of the villages within the precincts of the law courts. It is quite certain that the constant resorts to the law court by the Deputy Commissioner on matters of every day administration will serve neither the prestige of Government nor the well-being of the aboriginals.

In regard to these headmen the Act is in an unsatisfactory state. Headmen should have been defined as a separate class of tenants. In section 4, as the Act stands, the Manki appears to be a tenure-holder and the Munda and under tenure-holder. A number of legal difficulties may arise from this, e.g. if the Munda fails to pay his rent is it the Manki or the Deputy Commissioner who is to realize it from him by suit? Is it the Manki or the Deputy Commissioner who should sue for his ejectment if the Munda misbehaves? How can the Deputy Commissioner legally exact fines from the headman for petty misdemeanours or failure to perform his duties which do not merit the major punishment of ejectment and dismissal? If the minor penalties cannot be enforced, the police functions of the headmen will have to be abandoned. In practical administration there has been no difficulty and in common sense there should be none, but so far the Kolhan has not been put within the four corners of a Tenancy Act.

VI. I have referred above to the danger of undesirable aliens settling in the Kolhan by purchasing holdings which are auctioned for rent arrears. But the Tenancy Act opens up other ways for their intrusion. Section 46 gives the raiyats the limited power of

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mortgaging and subletting their lands for a period not exceeding 5 years. The Ho is a spendthrift on the occasions of weddings and festivals: he suddenly finds himself endowed with a valuable security on which he can obtain credit: he will soon be mortgaging field after field and probably make a very bad bargain over the terms. The statutory limitation of the mortgage to 5 years will be evaded as easily as it is evaded elsewhere in Chota Nagpur. The Deputy Commissioner can only interfere to evict the mortgagee on the application of the raiyat. The mortgagee can generally stop the mouth of the raiyat by threats or by a further small loan; and three years after the expiry of the mortgage the Deputy-Commissioner's power of eviction is gone: and the mortgagee is secure.

There is yet another way in which the alien can establish himself. With the connivance of the Munda he can settle on the village waste lands and commence reclamation; if no action is taken to eject him within two years from the commencement of his reclamation his foothold is secure and he has a right of occupancy (*vide* sections 64 to 67). The Deputy Commissioner may punish the Munda when his fault is discovered, but he cannot remedy the mischief. The Mahajan often cares little for personal cultivation of the Munda. He only wants to obtain a legal status in the village as the starting point for his mahajani business there, and he will now be in a position to obtain that status. A considerable number of Dikus have settled in the Kolhan in the past, but they knew that their position was precarious and any open scandal would result in their expulsion. In the past all matters regarding the transfer of lands to Dikus or the settlement of Dikus in villages have been dealt with by the Deputy Commissioner personally and he has exercised the power (without legal sanction) of ejecting undesirables from the village where they were settling or even from the Kolhan Government Estate altogether. This salutary power for the protection of the Ho Reserve can no longer be exercised and the Tenancy Act will give the Dikus a firm position and they can practice any calling which does not transgress the common law. The settlement of one or more Dikus in a village is the introduction of an element antagonistic to the Munda's authority and to the communal system, and the hand of the Deputy Commissioner should be strengthened and not weakened in his dealing with intruders. It is to be noted that a class of Dikus who are most objectionable and are always trying to establish themselves in the Kolhan are Muhammadan hide dealers from Gaya. Those men incite the Ghosis already settled there to obtain hides by the usual method of poisoning cattle and even Hos have been adduced by these men to this detestable practice.

VII. Another point which deserves attention is the effect of the Tenancy Act upon the road system of the Kolhan. At present no Road Cess is levied but each village headman is responsible for the upkeep of a certain portion of the roads in or adjoining his village. This arrangement is part of the political system of leaving all matters within the Kolhan to the management of the tribal officials. But the liability for the upkeep of the roads undoubtedly falls within the definition of a prædial condition, and the Settlement Officer is required to commute all prædial conditions into a cash payment. The privilege of exemption from Road Cess is valued by the Hos and they are afraid that assessment of Road Cess will be one of the results of the present settlement. They prefer the continuance of the present system which is suited to the Kolhan but is inconsistent with the Tenancy Act, and which also produces results that would be quite impossible of accomplishment from the amount of Road Cess that the Kolhan would pay.

VIII. I am submitting this note in the hope that Government may consent to reconsider the suitability of the Chota Nagpur Tenancy Act for the Kolhan. I am very strongly of opinion that a system of personal administration (duly legalised) working in conjunction with the tribal organization is the proper method of dealing with a primitive people and the Kolhan needs a special Regulation in exactly the same degree as that portion of the Santal Parganas where the problems are the same. But if Government refuses to reopen this question, it is essential that the Tenancy Act should be amended as early as possible in order to exclude from application to the Kolhan those provisions of the Act which are plainly mischievous.

I would ask that this note may receive early consideration, because whatever policy Government may decide to adopt has to be put into practice as soon as the attestation stage opens next October.

APPENDIX D (4).

No. 5854, dated Ranchi, the 21st September 1914.

From—J. REID, Esq., I.C.S., Director of the Department of Land Records and Surveys,
To—The Commissioner of the Chota Nagpur Division.

I have the honour to address you on the subject of the suggested Regulation for the better government of the Kolhan and the proposals made by the Settlement Officer of Chota Nagpur for the conduct of the settlement operations in the estate. I understood that further enquiries were being made by you in consultation with the Settlement Officer and the Deputy Commissioner, that it was proposed to prepare a draft Regulation on the lines of the Santal Parganas Regulations, and I awaited the results of these investigations before submitting my own opinions. I also asked Mr. Sifton to submit more definite proposals, with a view to discover how far it was practicable to proceed on the lines indicated in his note. He has not submitted these proposals; but I understand that his view is that the rules for the management of the Kolhan Estate, which have, it appears, been from time to time approved by Government, should now be embodied in a Regulation or Statute and legalized that the Kolhan should be exempted from the scope of the Chota Nagpur Tenancy Act and that the record-of-rights should be prepared under the new Regulation. Pending, however, the preparation of a draft Regulation, I propose to discuss some aspects of Mr. Sifton's note and to submit my own opinions together with some proposals for the amendment of the Chota Nagpur Tenancy Act.

2. The question of exemption of the Kolhan from the scope of the Chota Nagpur Tenancy Act was fully considered in 1912, but the Local Government then decided that the record-of-rights and settlement of rents of the estate should be made in accordance with its provisions. The usual notifications were accordingly published, and the preliminary record of half the estate has been already prepared. No facts have, in my opinion, been elicited during the preparation of this record, which, in any way, detract from the wisdom of that decision; and the arguments now advanced are, with one exception, the same as those which were so fully considered in 1912.

3. In the first two paragraphs of his report, Mr. Sifton explains the necessity and wisdom for preserving the Ho communal system and the danger of furnishing fresh incentives to litigation. I agree generally with both propositions. My objections to the proposals now made are not based on any opposition to the principle that the communal system shall be preserved, but on the ground that it is proposed to ignore the existence of khuntkatti rights and to make no record of headman's rights, both of which are integral parts and the most important incidents of the historic village communal system as it has developed in Chota Nagpur. Mr. Gruning's letter No. ^{6027R(A)}₁₃₋₁₀₃, dated the 28th October 1912, which closed the discussion in 1912, foreshadowed the necessity of amending the local Tenancy Act, with the object of strengthening the hands of local executive officials and enabling them to safeguard the rights of the Hos in the manner that commended itself to the Local Government. I propose to submit suggestions for the amendment of the local Tenancy Act, with the object of giving effect to the decision then arrived at and to discuss the specific objections again made by the Settlement Officer to the application of the Tenancy Act.

4. I agree that the procedure for the realization of arrears of rent laid down in the Tenancy Act is unnecessarily elaborate for application in the Kolhan, where rents are light, arrears are few, and the issues are generally undisputed. Mr. Sifton is, however, mistaken in his view that the Certificate Procedure cannot be applied. Under the provisions of section 158A of the Bengal Tenancy Act any landlord of an area, in which a record-of-rights has been prepared, may apply to the Local Government for the application of the procedure prescribed by the Public Demands Recovery Act, 1895, to the recovery of arrears, which he alleges to be due, and when permission has been accorded he may proceed to collect the arrears under the provisions of that Act. The circumstances of the Kolhan are much simpler, and there is no necessity for any application to the Local Government or even to the Deputy Commissioner for permission to utilize the summary procedure. I propose, therefore, that a provision be inserted in the Act authorizing the Manki and Munda of any village situated in the Kolhan estate to realize arrears of rent under the procedure prescribed by the Public Demands Recovery Act.

The counter proposal is that the present practice of distraint be legalized. The Certificate Procedure is, however, itself a species of distraint, and if distraint is to be legalized, it will be found necessary to prescribe a procedure, which can hardly be less cumbersome than the procedure of the Certificate Act. Superfluous legalization is to be deprecated, and, as the procedure of the Certificate Act is adequate for all purposes, it seems unnecessary to devise another. I would not propose the abolition of the right of sale of holdings under section 202 in the Kolhan estate. In the last resort, it may be necessary, where it has become essential to get rid of an undesirable and spendthrift tenant. Resort to sale should be very infrequent; but, I should safeguard the Deputy Commissioner's right of pre-emption *qua* landlord, and his right of vetoing the purchase by an undesirable tenant. I have discussed the manner in which this can be effected in paragraph 7 below.

5. A headman cannot be dismissed by executive order, if a record of his rights and duties is prepared. Under the provisions of Chapter XV, the reasons for which he may be dismissed must be recorded, and, as these will be final and conclusive, the issue in a suit for his ejection will generally be of a very simple character. Whether the proceeding be dignified by the name of a suit or an application, it will be summary, and not more elaborate than the procedure which is necessary when a police officer or a *daroga* is placed under suspension, pending dismissal, and the effect of adhering to the provisions of law will thus be merely to legalize the acts of the executive authority, which, as carried out at present, are illegal and which must be ineffectual if there is any opposition.

The legal difficulties adverted to by Mr. Sifton will necessarily vanish. The Deputy Commissioner at present appoints and dismisses headmen, and the record-of-rights will clearly show that it is he alone who can initiate proceedings against the Munda or the Manki, either because they have failed to pay their rent or for other reasons connected with the discharge of their duties as officials of the State. Fines, it is true, cannot be inflicted on the Munda or the Manki for petty misdemeanours under the provisions of the Tenancy Act; but they will always be liable to the extreme penalty of dismissal or ejection from their office and tenure, on continued recalcitrance or neglect of their duties, and this ought to be a sufficient deterrent. In any case, the instances in which fines are inflicted are rare.

It is proposed, it is said, to legalize the present practice. I venture to think that, when an attempt is made to give effect to this wish, it will be found difficult to devise a less elaborate procedure than the one above outlined, if the Munda or Manki is to be given a right of appeal against dismissal or ejection. It will probably be advisable to substitute a procedure for ejection by application instead of by suit. This can be done by the addition of a clause to section 139 empowering the Deputy Commissioner to take cognizance of all applications for the ejection of headmen in the Kolhan estate. The effect of this amendment would be to reduce the cost of the proceedings to a minimum, to curtail the procedure, and to alter the course of the appeal, which would lie in all cases to the executive authorities.

6. Reference is made to the regulations and rules regarding the rights of headmen, their appointment and dismissal in the Santal Parganas. As a matter of fact, the existing rules in force in that district are based on the entries in the record-of-rights and are a formal expression of the existing practice based on the principles adopted during the Settlement,* whereas it is proposed to exempt the Kolhan from the provisions of the Chota Nagpur Tenancy Act under which a record can be made, which will finally settle the rights and duties of this class of tenants. As the destruction of the headman system is evidently not contemplated, this latter proposal appears to postulate that the rights of headmen will be maintained inviolable by the Deputy Commissioner. It, however, ignores the fact that the Deputy Commissioners, as so many members of the public, entertain very divergent views regarding the utility of headmen, whether as public servants or collectors of rent and revenues. Some officers are inclined to regard the special protection of aborigines as unnecessary and their headmen as an anachronism and a useless burden on the State, and should these views happen to prevail for any length of time, as has happened frequently in the past there is good reason to apprehend that the headman system will disappear in the Kolhan, as it has disappeared elsewhere, in the absence of a record-of-rights. The preparation of this record is, therefore, necessary to protect the headman not merely against the interloping Hindu and the Muhammadan but on occasion against the Deputy Commissioner, and it is, in any case, only fair and just that such customary rights as exist should be fully recorded. The mere fact that the record-of-rights will accurately define the rights and duties of the headmen and thus render the power of ejection or dismissal more difficult of exercise, is, in my opinion, even if it were the case, totally insufficient to outweigh these considerations.

The provisions of section 127 of the Tenancy Act, which prescribe the most elastic terms for the preparation of a record of headman's rights, was enacted with the full concurrence of the Deputy Commissioner of Singhbhum; and the word "rights" was defined, at his instance, so as to include the rights and duties of the headman's office as well as of his tenancy no doubt with a view to the conditions of the Kolhan as well as other parts of Singhbhum district. At the time when the provisions were enacted, I venture to think that nobody contemplated the possibility of any objections being urged against the preparation of such a record in the Kolhan or elsewhere in the Division.

7. It may be admitted at once that the provisions of section 46 of the Chota Nagpur Tenancy Act are being evaded, and that the prohibitions against transfer of tenancies are not as effectual as was anticipated. The reasons for the failure are, however, economic and therefore, more or less inevitable. The representatives of both landlords and raiyats, while admitting the wisdom of the general prohibition, considered, when the provisions were under consideration, that the absolute prohibition of the right of mortgage would, in seasons of stress, produce disastrous results. A limited right of transfer was accordingly allowed. When a spendthrift raiyat has once mortgaged his holding, experience shows that it is difficult for him to recover it. At the end of the period of five years, he may demand to be put in possession, whether he has paid the debt or not. If he has not paid the debt and recovers possession the only result is to precipitate a suit for recovery and a decree for the

amount plus costs, followed by an attachment of his crops. The raiyat is thus in a worse position than before, and it is not surprising that, in the circumstances, he prefers to allow a mortgage to run on and to become eventually more or less permanent.

With this experience and the policy that has been hitherto followed in the Kolhan to guide us, it is not difficult to prescribe a remedy suitable to the conditions prevailing in that estate. In this area, the rents are low and the cost of living light. The cultivator ought not, therefore, to require large loans. I should, therefore, limit the right of transfer to the *bhugulbandha* or usufructuary mortgage for a period of seven years.

In order to make this legislation effective, three additional clauses are required :—

- (i) No raiyat should be permitted to enter into a *bhugulbandha* mortgage without the consent of the Deputy Commissioner ;
- (ii) The Deputy Commissioner should be empowered, at the expiration of the *bhugulbandha*, when the debt will have been automatically repaid, either on application or of his own motion to summarily restore the possession of the mortgager ; and
- (iii) All sales of raiyats' holdings in the Kolhan for arrears of rent under section 208 of the Act should be made subject to the proviso—no appeal being allowed—that the purchaser, before proceeding to take possession of the holding, obtains the sanction of the Deputy Commissioner.

With these enactments in force, the executive authorities could prescribe very stringent regulations in order to safeguard the rights of the Hos and the communal system, and would be able to give full effect to the policy of the Local Government, which they are unable to do at present.

Mr. Sifton refers to the danger of the introduction of aliens through the connivance of the headman, and the probability of their obtaining occupancy rights under sections 64—67 of the Act. This, it seems to me, is a matter of estate management. The headman is liable to dismissal for such connivance, and the evil cannot be more effectually dealt with under the powers conferred by a Regulation. Besides, the argument is not cogent, for it is certain that under the existing scheme of management, which is so much applauded, the introduction of aliens has become so frequent that it does not attract much attention. According to Mr. Cook's figures—Mr. Cook was Deputy Commissioner of Singhbhum a few years ago and initiated the proposals under discussion—in the year 1887, there were only 1,579 "foreign" cultivators in the Kolhan, whereas in 1897, there were 15,755, of whom "10,112 has been introduced into the estate through the connivance or negligence of the Mankis and Mundas". It is permissible to believe that the failure of the Deputy Commissioner to prevent the increase of the Hindu and Muhammadan population is due to the fact that he had no legal authority to deal with the evil, and that the executive rules of management have been to this extent a failure.

8. There was no misapprehension regarding the question of recording *khuntkatti* rights. When the original proposals were under discussion, the effect of recording these rights on the land revenue was discussed; the figures were tabulated, and the loss of revenue entailed was unmistakably made a factor for consideration. In my opinion, it is essential that this factor should be considered. The expenses of Government continue to increase, and, it is, therefore, necessary that the income of the State, whether derived from rent or other cesses, should continue to increase in the same proportion. The Local Government cannot afford to exempt any portion of the Government estates from liability to pay enhanced rents or revenue, without very good reasons, and the question for consideration is whether on administrative or political reasons or on the still stronger ground that good faith and the dictates of justice demand it, the Local Government are prepared to make the sacrifice. I have already expressed my opinion on this subject in paragraph 3 of my note, dated the 7th September 1912, and I see no reason to recant from it.

9. The Settlement Officer has, however, now stated the case for the non-recognition of *khuntkatti* right in another way. He says that the Hos already hold at privileged rates which compare favourably with the rates of rent paid by *khuntkattidars* of almost any part of Chota Nagpur, and it is implied that there is, therefore, no reason to suppose that the local authorities will ever treat the Hos otherwise than generously. As far as this argument is concerned, there is no reason why the rights should not be recorded, if it is proposed to recognize them in practice. The existing rent rates of the Kolhan estate do not, however, compare favourably with *khuntkatti* rates in the greater part of Chota Nagpur. The average rent paid by Mundari *khuntkattidars* in tact *khuntkatti* villages in Banchi, that is, in the area in which *khuntkatti* privileges have been maintained, is only one anna per cultivated* acre while the lands of others classes of *khuntkattidars* in the same district, who are locally known as *bhuinhars*, are either held rent-free or at a small rent fixed in perpetuity; in pargana Dhalbhum, the rates of rent actually paid for *khuntkatti* holdings was found to be 5 annas per bigha for rice and 3 annas 3 pias per bigha of the total acre, which compares favourably with the rates at present in vogue in the Kolhan, *vis.*, 0½ annas per bigha for all rice landst ;

* Paragraph 189, Banchi Settlement Report.

† Appendix II, Dhalbhum Settlement Report.

in the large Porahat zamindari estate the rates of rent are the same as those in vogue in the Kolhan; and, in every area of considerable extent dealt with in Chota Nagpur since the initiation of Settlement operations on a large scale, the rates assessed on lands held under a *khuntkatti* title were, as far as I am aware, found to be generally less than the ordinary rates now existing in the Kolhan. The argument in any case ignores the most important incident of *khuntkatti* holdings, *viz.*, fixity of rent, a privilege attached to the oldest of these tenancies, which has been fully recognized by the Legislature since 1897* and which has since been recorded as a common incident of this special tenure in Singhbhum by writers such as Sir William Hunter † as long ago as 1877, and by Deputy Commissioners of Singhbhum, such as Dr. Hayes. ‡

10. Having discoursed the aspects of the *khuntkatti* question above referred to, the Settlement Officer, however, admits that the real objection to the introduction of the *khuntkatti* status in the Kolhan, is "not any loss of Government revenue, but the division of the Hos into two classes and the introduction of a distinction which is entirely at variance with their own ideas". Mr. Sifton refers to the fact that the *khuntkatti killi* or *sept* is not by local usage or custom entitled to any special privileges in the matter of rent over and above those enjoyed by all Hos as reclaimers of the soil. The law extends the privileges attaching to this class of tenancy only to the original clearers of the villages and their descendants in male line, while all persons, who have reclaimed land in the Kolhan, claim that they are entitled to equal privileges. This is the crux of the whole question, and it is pertinent to enquire the reasons that led to the enhancement of the provisions of law that now regulate *khuntkatti* rights.

Under the old Tenancy Act of Chota Nagpur (Act I of 1879), every tenant of land locally known as *bhuinhari* or *khuntkatti* was entitled to hold such lands at half rates in any event, and at a fixed rent for ever, if he could show that the tenure had been created more than 20 years before the institution of the suit to enhance the rent (section 19). Lands locally known as *khuntkatti* in Singhbhum are those reclaimed from jungle and waste by the cultivator of the soil, who according to the aboriginal custom, was recognized as having a special proprietary right in the fields which he reclaimed. Such lands are everywhere known to the present day as *khuntkatti* in Singhbhum district and as *khuntkatti* or *bhuinhari* in Ranchi.

When Act I of 1879 came under review in 1908, the question of *khuntkatti* rights was fully discussed, and *khuntkatti* was formally defined. It was considered that the conferment of the *khuntkatti* status on the large class of reclaimers of the soil would result in an enormous diminution of the income of the zamindars, actual or prospective, and the right was accordingly confined to the pioneers of the villages and their descendants in the male line. This definition was also based on the equitable consideration that the right implies ownership by the *khuntkatti killi* of the jungle out of which the village was made, and descent from a pioneer family of the *killi*. It was well known that the solution did not accord with the facts and the claims of the aborigines, not only in the Kolhan, but throughout the greater part of Chota Nagpur. The old definition was the one which was universally recognized by the raiyats and known to the landlords: but, it was considered impracticable to give full effect to it, in view of the fact that the landlords had succeeded in generally ignoring the law and assessing the lands at half or frequently at full rates.

The Hos of the Kolhan understand the meaning of *khuntkatti* in its wider and older sense. They do not recognize the distinction laid down in the law between pioneers and their descendants and the non-pioneers as regards rent, though they still recognize the primacy of the *killi* of the original founders. It is, I submit, clearly unfair that the Hos of Kolhan, who are entitled to these privileges by law, should be deprived of them, because the law has developed in a manner that is at variance with their custom, or that they should be made the victims of an anomaly for which they are, in no way, responsible. In other parts of Chota Nagpur where the customary rights attaching to this class of tenancies were exactly similar, the law has been given full effect to, and the non-*khuntkatti* raiyats have not complained, nor has the communal spirit been, in any way, disturbed.

It may, however, be found preferable to record *khuntkatti* rights in accordance with custom and thus include a larger class within the definition. The procedure would undoubtedly simplify matters; but it could only be done with the consent of the Local Government.

* Section 19 of Act I of 1879, and section 37 of Act VI of 1908.

† "Spare Land.—A considerable area of spare land exists in Singhbhum district, and the work of cutting jungle and constructing terrace rice fields goes on steadily year by year. This extension of cultivation has from the earliest time given rise to a special tenure, that of the *khuntkattidar* or original reclainer of the land, who has a permanent right of occupancy on the land cleared by himself or his ancestors, and is exempt in some cases from the liability to pay an enhanced rate of rent" (Statistical Account of Bengal, Vol. XVII, page 66, 1877).

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in the large Porahat zamindari estate the rates of rent are the same as those in vogue in the Kolhan; and, in every area of considerable extent dealt with in Chota Nagpur since the initiation of Settlement operations on a large scale, the rates assessed on lands held under a *khuntkatti* title were, as far as I am aware, found to be generally less than the ordinary rates now existing in the Kolhan. The argument in any case ignores the most important incident of *khuntkatti* holdings, *viz.*, fixity of rent, a privilege attached to the oldest of these tenancies, which has been fully recognized by the Legislature since 1897* and which has since been recorded as a common incident of this special tenure in Singhbhum by writers such as Sir William Hunter † as long ago as 1877, and by Deputy Commissioners of Singhbhum, such as Dr. Hayes. ‡

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I propose to submit proposals showing the exact financial effect of such an arrangement combined with proposals for the settlement of rents in the whole estate, as soon as the statistics are available, within the next week or so.

11. I venture to again refer to the great administrative and political difficulties in the way of disregarding the existence of *khuntkatti* rights and headmen's rights.

These rights were recorded in 1909-10 in the Monoharpur tenure, which was formerly a part of the Kolhan under the notification published by Government. In the case of the Porahat Estate, records of both classes of rights have been prepared. A special officer (Mr. T. S. Macpherson, I.C.S.) was deputed by the Local Government in 1903 to make a local enquiry and to prepare a special record of the rights of tenants "to hold lands on special conditions as *khuntkattidars*". * The Local Government then insisted, as far as possible, on the recognition of these rights by the zamindar of the estate. Porahat will be reserved and resettled in the year 1919 under the 20 years' programme, and a final record of these rights will be prepared under the provisions of the amended Tenancy Act, which was not in force when the original record was prepared. The agrarian conditions of the Kolhan and Porahat are identical. There is the same headman system; the same rates of rent for all Hos are in vogue; and the system of settling abandoned tenancies and reclaiming waste lands are similar. The proprietor of Porahat has constantly endeavoured to destroy the headman system and to deprive the cultivators of their customary rights. It will, however, be found impossible to make an adequate record of these rights in 1919 and so safeguard the tenant's interests against the proprietor and his tenure-holders, which has been hitherto the policy of the Local Government, if the Kolhan is now exempted from the scope of the provisions of the Act, which alone can make such a record effective. In the settlement of the the Kharsawan State the principle of *khuntkatti* was again fully recognized. † In every case, since settlement operations began in Chota Nagpur, there has been no deviation from this policy, and if it be now abandoned in the case of the Kolhan, the Local Government will, no doubt, be accused, and with some show of reason, of having been influenced by their own interests as landlords of the estate.

12. It is not clear what, it is proposed, should be the scope of the suggested Regulation. If it aims, on valid grounds, at the exclusion of non-Hos from the Kolhan it can hardly fail to be invidious and therefore impolitic. It is impossible, in my opinion, at this stage to maintain or create a sort of Ho conclave in which non-Hos may enter even for such purposes as trade. The protection of the Hos should be treated solely as an agrarian question: they reclaimed the lands which they till from the jungle; they are not capable of holding these lands, if they are not protected against themselves, and it is therefore necessary on equitable and political grounds that the Deputy Commissioner of the district should have complete power to save their lands from the clutches of the money-lender and the intrusion of alien cultivators. There can be no special virtue in a new regulation. The Chota Nagpur Tenancy Act is a regulation, which gives vastly greater powers to the executive officers than any Tenancy Act in force in this part of India, and if the proposals which I have adumbrated are given effect to, there is no doubt that the local officers will be able and will be obliged, to fully safeguard the lands and the communal system of the Hos. There is, therefore, no need of a new Regulation, unless its object is to destroy the customary rights of headmen and *khuntkatti* rights. To destroy these, in face of the historical development of the Kolhan, and the previous history of the question, would, I believe, be a blot on the Revenue Administration, and the policy is incompatible with the spirit of fair play, which has characterized British Revenue Administration since the Government of India devolved on the Crown.

* Mr. Macpherson's Porahat Final Report, paragraph 13, page 6.

† "130. These are only found in the Kolhan pir of Kharsawan where the large majority of the inhabitants are Kols. These men claimed at first that they were Mundari *khuntkattidars* within the meaning of Act I of 1879, and that, in consequence, they were not liable to any enhancement of rent. Enquiry however demonstrated that what they really understood by the term *khuntkatti* was "clearers of the soil" only; any person, they informed me who came and cleared jungle with his own hands and made lands could become a *khuntkattidar*. It will be seen of course that this meaning is very different from that used in Ranchi where an idea like the above would have been indignantly repudiated. At the same time there could be no doubt that people in the Kolhan pir had certain privileges not extended to the raiyats of the Sadant pir, because they had, unaided by the state, cleared the jungles and made lands. I accordingly entered all those who are descendants of the original clearers of the soil as *khuntkatti* regarding the lands their ancestors cleared, and explained that the term *khuntkatti* carried with it the following privileges."

25 A question which gave some trouble during attestation was the status of the raiyats in the Kolhan pir of Kharsawan. During *Khanapuri* these men had claimed to be the original clearers of the soil and stated that they were *khuntkattidars*.

206. I reported this to the Commissioner and asked how I was to proceed if I discovered that these men were really mundari *khuntkattidars* or even only *khuntkattidars* (as at that time they appeared to me to be) since Act I of 1879 was not in force in the States.

207. The Commissioner referred the matter to Government who, in their letter No. 673-P. D., dated the 5th July 1905, recorded that in the case of *bonafide* mundari *khuntkattidars*, the Ranchi procedure should be followed, and Act I of 1879 should be adopted in Kharsawan. The Act being silent as to Hos or Sonthals, who might be *khuntkattidars*, I made another reference on this point to the Commissioner who asked me to submit two test cases if they could be found." (Paragraphs 130 and 205-207 of the Serakela and Kharsawan Settlement Report.

APPENDIX D (5).

No. 17-215-5, dated Bankipore, the 14th December 1914.

From—H. K. BRISCON, Esq., I.C.S., Secretary to the Board of Revenue, Bihar and Orissa,
To—The Secretary to the Government of Bihar and Orissa, Revenue Department.

Member-in-charge.
THE HON'BLE MR. W. MAUDE, C.S.I., I.C.S.

With reference to the correspondence resting with Government, order Revenue Department, No. 6501-R.S.—114, dated the 22nd September 1913, to the address of the Board on the subject of the Survey and Settlement of the Kolhan Government Estate in the district of Singhbhum, I am directed to forward, for the orders of Government, a copy of a letter No. 6752, dated the 31st October 1914, from the Director of Land Records and Surveys, Bihar and Orissa, and also a copy of a letter No. 509-T.R., dated the 8th December 1914, from the Commissioner of the Chota Nagpur Division together with the enclosures to the latter communication save those of which Government is already in possession. It will be seen that the Director of Land Records and Surveys, Bihar and Orissa, requires early orders regarding the preparation of the Record-of-Rights, which is due for attestation during the current season, in respect of *khuntkattidari* riyats and village headmen in the Kolhan.

It will be seen also that the Commissioner of the Division, following the opinion of the Deputy Commissioner of Singhbhum and of the Settlement Officer of the Kolhan (Mr. Sifton), is desirous that the Chota Nagpur Tenancy Act should be now rescinded from the Kolhan and that that estate should be governed by a special regulation on the lines of the Santal Parganas Regulation. Various reasons are given to explain why in the opinion of these officers a survey and settlement cannot be made under the Chota Nagpur Tenancy Act of 1908, without detriment to the Kolhan and the Hos. It will also be seen from a letter from the Director of Land Records and Surveys, No. 5854, dated the 21st September 1914, to the Commissioner, which forms one of the enclosures to the Commissioner's letter, that Mr. Reid does not share the views of the local officers, but considers that if the Chota Nagpur Tenancy Act be amended in certain particulars a settlement can be effected under it as satisfactorily as it could be under any special Regulation.

It is clearly essential to settle with rapidity the main point as to whether the settlement shall go on as it is now doing under the Chota Nagpur Tenancy Act or shall be stopped and hung up pending the making of a Regulation. The case is, therefore, an urgent one and the Board will endeavour to deal with it as briefly as possible so as not to cause unnecessary delay.

The first point that strikes the Board very forcibly is that there is little or nothing in the arguments now put forward by the local officers which was not fully considered when it was decided in September 1912 that the Survey and Settlement operations in the Kolhan should be made under the Chota Nagpur Tenancy Act. The references are to be found in Proceedings Nos. 20-41—^S—11 of 1913 in the Land Revenue Department of Government. The difficulties were pointed out at that time by the Commissioner of the Division (Mr. McIntosh) who also forwarded a letter dealing fully with the matter from the then Director of Land Records (Mr. McPherson), now Secretary to the Government of Bihar and Orissa, in the Revenue Department, who recorded in addition a minute drawn up after a local visit to Chaibassa. The then Deputy Commissioner (Mr. W. B. Thomson) was also opposed to the use of the Chota Nagpur Tenancy Act which he considered unsuitable to the Kolhan.

3. With this mass of local opinion before it Government looking at the matter as the Board understands from a broader point of view than that of the local officers deliberately decided to retain the Chota Nagpur Tenancy Act for settlement purposes and recommended accordingly to the Government of India. Two further points were recognized, during the course of the discussion, namely, (1) that a revisional settlement in the Kolhan was a matter of importance and urgency when the existing settlement period should expire in 1917 and (2) that the passing of a Regulation would entail the obtaining the consent of the Secretary of State to the application to the Kolhan of the provisions of section 1 of the Government of India Act (33, Vict. Cap. 3) of 1870.

The proceedings in the Bengal Council when Act VI (B. C.) of 1908 was passed are not now before the Board but it may be taken for granted that the Act was not made applicable to the Singhbhum district without due consideration. There are cogent arguments in favour of the extension by degrees to backward tracts of definite tenancy laws assimilating as far as possible to those which are in force in more advanced areas, and the desire of the local officers, once more expressed in the course of their present proposals, that the Kolhan should be kept as a reserve for the Hos does not necessarily imply that this can only be done by putting the estate back under a form of law which must be regarded as one of survival. In the opinion of the Board, therefore, it is unlikely that either the Government of India or the Secretary of State would agree to the abandonment of a course that has been adopted after due consideration, especially as a change of policy at this late hour would involve considerable delay in the completion of the settlement operations.

4. The arguments against the continuation of the settlement proceedings under the Chota Nagpur Tenancy Act are summarized by the Commissioner in paragraph 45 of his letter.

The first argument is that the communal system of administration will be done away with. The system as described in the present correspondence appears to consist mainly in the complete authority, of a paternal nature, which is exercised by the village headman over the village community. It is not apparent why this result need necessarily ensue. The rights and obligations of the headmen will be recorded under Chapter XV of the Act and such a record should tend to establish rather than detract from the position of the headmen in relation to the village community.

The second argument is that the working of law courts will be brought into action. The allusion seems to be to the institution of suits for rent. The objection presupposes that rents will not be recoverable by the Certificate Procedure, a supposition which rests again on the view that the headmen being technically tenure-holders as defined by section 5 of the Act, the rents which they have to collect are not Government rents and must therefore be recovered by regular suits in court. This view which is fully dealt with in paragraph III of the Settlement Officer's note, appears to the Board to be open to question. Although the headmen in the Kolhan may technically come under the definition of tenure-holders, they have in fact never been anything else but mere rent-collectors of a rent that is due to Government and not to them, and if this view is correct it would seem that the rents, which are now recovered by distraint without any legal sanction, would in future be recoverable by the certificate procedure. The headmen then, instead of applying to the Deputy Commissioner for a distraint warrant, would apply for a certificate.

The Commissioner in his summary of objections has not referred to the certificate procedure, but it has been objected to this procedure that even if legal it would still bring the Hos into contact with Courts, i.e., the certificate court, and is therefore as open to censure as a procedure of recovery by rent suits. This argument also appears to the Board to be open to question. Under rule 14 of schedule II of the Public Demands Recovery Act of 1914, one of the means of recovery by the certificate procedure is by attachment of crops. Assuming therefore that rent dues can be recovered by the certificate procedure there seems to be no reason why with proper executive control the method of recovery should not for all practical purposes continue to be what it now is, namely, the method of distraint on standing crops, a method which is said to be entirely effective. The cases in which recourse has to be had to compulsion are reported to be few and if necessary a special certificate officer could be appointed who would do his work peripatetically, that the evils of a court procedure would be minimized.

5. If the above views are correct the Commissioner's fourth objection which is that transferability of holdings will be introduced, will disappear because the Certificate Officer will be forbidden by executive order to sell holdings.

6. The Commissioner's fifth objection is that the entry of aliens will be allowed. This argument also loses its force if holdings are not to be brought to sale in execution of certificates.

7. The Commissioner's sixth objection is that the introduction of *khuntkatti* rights will introduce an undesirable distinction between different classes of Hos. It will be seen from paragraph 3 of the Director of Land Records and Surveys' letter No. 6086, dated the 1st October 1914, which is one of the enclosures to the Commissioner's letter, that the Director of Land Records proposes to record all Hos as *khuntkattidar* raiyats. There will in that case be no distinction between Ho and Ho. The only distinction will be between the lands, which they are proved or presumed to have held for 20 years prior to 1908 and which they will therefore hold at fixed rent, and their other lands. At present they hold no lands at fixed rents. It is essentially conceivable that they will object to a considerable proportion of their lands being declared free from liability to enhancement.

In this connection it will be noticed that in his letter of the 31st October addressed to the Board, the Director of Land Records appears to have somewhat modified his proposals, as to the recording of the *khuntkatti* right to hold at fixed rents. His original proposal was to so record all rice lands held at the time of Mr. Craven's Settlement in 1897. His subsequent proposal is to limit the amount to one-fourth of the holding. This appears to be somewhat arbitrary, and the Board would prefer the original proposal.

8. The Commissioner's seventh objection is that the principle of fixity of rent will be introduced into the Kolhan. As, however, he recommends in the same paragraph that fixity of rent should be granted as a special case the argument appears to be void of weight.

9. On the whole therefore the Hon'ble Member considers that a sufficient case has not been made out for the reversal at this late stage of the decision which was arrived at with the deliberation, to conduct the settlement under the provisions of the Chota Nagpur Tenancy Act. The notes in the proceedings of October 1913 in the Government file show that the present Commissioner was himself at that time of opinion that this was the proper course of action.

The consequential amendments, if any, which may be necessary in the Act, can be considered at leisure hereafter.

If the Director of Land Records' proposals with regard to the recording of Hos as *khuntkattidar* raiyats are accepted, it will apparently be necessary to restore the original notification of the 9th August 1913, which was modified by the subsequent notification No. ^{2300 R.} 3-118, dated the 9th November 1914, by which the status of *khuntkattidar* has been excluded from the record.

APPENDIX D (6).

No. ^{113 B. T.}_{8-6 of 1915}, dated Bankipore, the 11th February 1915.

From—The Hon'ble Mr. H. McPHERSON, I.C.S., Secretary to the Government of Bihar and Orissa,
Revenue Department,

To—The Secretary to the Board of Revenue, Bihar and Orissa.

I am directed to refer to your letter No. 17-215-5, dated the 14th December 1914, on the subject of the Survey and Settlement of the Kolhan Government Estate in the district of Singhbhum, and to say that after careful consideration of the arguments for a special Regulation adduced by the Settlement Officer of Chota Nagpur and the Commissioner, the Lieutenant-Governor in Council accepts the opinion of the Board that a sufficient case has not been made out for the adoption of this course. He accordingly directs that the survey and settlement operations shall continue under the provisions of the Chota Nagpur Tenancy Act.

2. A revised notification of survey and settlement will shortly issue in supersession of all previous notifications on the same subject.

APPENDIX D (7).

No. 1269-R., dated Chaibasa, the 9th June 1917.

From—M. G. HALLETT, Esq., I.O.S., Deputy Commissioner, Singhbhum.

To—The Commissioner of the Chota Nagpur Division.

In accordance with the orders of the Board of Revenue contained in Mr. Briscoe's letter No. 19-34-2, dated the 19th March 1917, forwarded with your memo. No. 878-R., dated the 23rd March 1917, I have the honour to submit my proposals for the amendment of the Chota Nagpur Tenancy Act to suit the conditions of the Kolhan Government.

1. For the administration of the Kolhan Government Estate it is essential that (a) the Mankis and Mundas should be controlled by the Deputy Commissioner, (b) the Deputy Commissioner should have powers to prevent the settlement of Dikkus or foreigners and thereby keep the Kolhan as a reserve for the Hos.

Vide Legal Encombrancer's letter No. 343' Hitherto these objects have been secured by dated the 13th February 1909, to the Commissioner of the Chota Nagpur Division. executive orders, but such executive orders have no legal basis, and if challenged in the courts,

as in the case of Emperor *versus* Kansora Tanti and Lakshmi Tanti, they are bound to be withdrawn. The record-of-rights prepared in the present settlement under the Chota Nagpur Tenancy Act correctly records existing conditions, of which the most important are (a) the obligation of the Mankis and Mundas to collect rent and to carry out certain police, revenue and miscellaneous duties, (b) the liabilities of the Mankis and Mundas to fine, suspension and dismissal, for failure to perform these duties, by order of the Deputy Commissioner, (c) the rights of the Mankis and Mundas to settle waste land and abandoned holdings subject to certain limitations which are imposed with the object of giving preference to the Hos and excluding Dikkus. In the previous correspondence regarding the settlement of the Kolhan Government Estate, though the proposal to pass a special regulation has been rejected by Government, the necessity of amending the Chota Nagpur Tenancy Act to suit these conditions has been fully recognized.

2. To maintain and legalize existing conditions the Act requires amendment on four principal points:—

- (a) The position of headmen.
- (b) The recovery of rent.
- (c) The exclusion of and control over Dikkus.
- (d) The limitation of transfers.

These amendments cover a wide field and the simplest method of amendment appears to be to add to the Act a chapter applicable only to the Kolhan Government Estate. A further reason for amendment in this way is that this amendment could be introduced before the general question of the amendment of the Act is taken up. It is, I understand, not proposed to take up the general amendment of the Act until the settlement operations have been completed over the whole of Chota Nagpur, i. e., after three or four years, but it is very desirable that the adaptation of the Act to suit the Kolhan should be brought into effect at an earlier date, if possible by April 1st, 1918, the date on which the new rent settlement will be introduced. Further, if this course is followed, the amendments necessary for the Kolhan, the majority of which are not contentious [provided the two principal points (a) control of headmen, (b) reservation of the Estate for Hos are admitted] will not be mixed up with the contentious amendments necessary in the Act as a whole. In dealing with the special points for amendment below, I give further reasons which render preparation of a special Chapter desirable.

(a) *Position of Headmen.*

3. The position of the Mankis and Mundas of the Kolhan Government Estate is very different from that of aboriginal headmen in other parts of Chota Nagpur. They are primarily rent-collectors and police officers and by virtue of these, two functions are bound under the record-of-rights to perform certain duties. In return for this work they are remunerated by a share of the collection, and for a failure to perform these duties they are liable to fine, suspension and dismissal under the orders of the Deputy Commissioner. Their lands are entirely separate from their office and are not held free of rent or at privileged rates, and dismissal from office does not involve ejection from their holding.

To secure the efficient performance of these duties, it is essential that the Deputy Commissioner should continue to have these powers of punishment. The control over the Mankis and Mundas must be as efficient as the control exercised over subordinate police officers by the Superintendent of Police or over tahsildars by the Manager of an estate. It has been suggested by Mr. Reid in paragraph 5 of his letter No. 5864, dated the 21st September 1914, that it is not necessary to have the powers of fine and suspension. With this view I entirely disagree. The punishment of dismissal in the case of a Manki or

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Munda is an extremely severe one, involving, as it does, not only the loss of the annual "nala" or share of collections which in the case of a Manki ranges from Rs. 100 to Rs. 600 and in the case of a Munda from Rs. 20 to Rs. 100, but also the loss of prestige or position as headmen. It is not desirable to inflict such a punishment except in very bad cases and after repeated warnings and minor punishments have failed to cause the defaulting headmen to amend his ways, for not only is such a punishment too severe but also the dismissal of a popular and influential headman is apt to defeat its own aim, the people not readily following a new Manki or Munda who has not the hereditary position behind him. A fine is a very suitable punishment of neglect of work such as failure to report crime, or forest offences. The power has not been abused in the past, and is still less likely to be abused in the future, if the power is exercised subject to legal restrictions.

5. The Chota Nagpur Tenancy Act contains no provision for imposing these minor penalties and is also very vague regarding the ejection of headmen. This point is dealt with by Mr. McPherson, late Director of Land Records, in paragraph 15 of his note on the Kolhan Re-settlement. Even assuming that a headman can be dismissed or ejected from his office for a breach of the conditions of his *patta*, there is a further doubtful point whether this can be done by application or by suit. Cases have occurred in Dhalbhum in which *pradhans* have been ejected for breach of the conditions of their *patta* by suits under section 139 (6). This procedure, if followed in the Kolhan, would be most deplorable for appeals in suits lying to the District Judge. Such appeals apart from the delay involved in their decision would have two most undesirable results (1) they would bring the headmen into contact with the courts, (2) they would lessen to a very great extent the authority of the Deputy Commissioner and tend to undermine the whole system of the village communities. To admit an appeal to the civil court in cases of dismissal of a Manki is as unreasonable as to allow a dismissed tahsildar or Sub-Inspector a similar right.

6. It has been suggested in paragraph 4 (2) of Mr. Gruning's letter No. 5097, dated the 28th October 1912, that section 77 of the Chota Nagpur Tenancy Act which refers primarily to ghatwals and by virtue of which the Deputy Commissioner may dismiss a ghatwal by executive orders, may be held to apply to Mankis and Mundas also. This point was discussed by me with the Legal Remembrancer who considered that this view of the section was open to doubt. In view of this doubt, I consider that the Act should be amended.

7. This amendment may be done in one of three ways:—

- (a) By an addition to section 139, as suggested by Mr. Reid, in paragraph 5 of his letter No. 5854, dated the 21st September 1914.
- (b) By an addition to section 77.
- (c) By including a section to cover this point in the proposed new Chapter applicable only to the Kolhan.

Of these alternatives, (a) is open to the objection that it would not include the imposition of minor penalties, or if it did, the procedure would be unnecessarily elaborate in the case of imposition of a fine. Further, even though the appeal against an order on an application would lie to the Commissioner, the formal procedure of a revenue case would have to be followed, involving some delay and cost to the parties, while it appears somewhat anomalous for the Deputy Commissioner to have to file an application before himself or before a Deputy Collector to secure the punishment of headman.

(b) This alternative is possible, but it is not easy to draft an amendment which would not be either clumsy or lacking in clearness.

(c) Appears preferable as this section could correctly reproduce the existing practice. Mr. Reid anticipates in paragraph 7 of his letter cited above that it is necessary to protect the headmen "not only against the interloping Hindus and Muhammadans but on occasion against the Deputy Commissioner". If definite rules for appeal and revision were contained in the law, and if the law definitely stated the reasons for which a Manki or Munda could be dismissed, there would be no possibility of any attempt by an eccentric Deputy Commissioner to abolish the headmen system.

Recovery of Rent.

8. Rent due from defaulting tenants is recovered by the distraint and sale of their crops or moveable property and in the case of habitual defaulters by the transfer of the holdings. This procedure has no legal sanction. To avoid the possibility of the introduction of *dikkas* by the medium of sanction sales, it has been suggested that certificate procedure should be followed, but unless some amendment is made of the Chota Nagpur Tenancy Act and the Certificate Act, I doubt whether certificate procedure is possible. The legal difficulty involved is stated fully in paragraph III of Mr. Sifton's Note, Appendix A to the Commissioner's letter No. 509-T.R., dated the 8th December 1914. The Board of Revenue in paragraph 4 of Mr. Briscoe's letter No. 17-215-5, dated the 14th December 1915, do not accept Mr. Sifton's point of view, but I venture to differ from the view expressed by the Board. The difficulty arises out of the point noticed by Mr. McPherson in paragraph 12 of his Note on the Kolhan Re-settlement, viz., that under the Tenancy Act the Mankis and

Mundas must fall within the definition of tenure-holders and under-tenure-holders respectively, and that no intermediate status of headman is recognized. In the present record-of-rights the Mankis and Mundas are entered in the *Khowat* as rent-receivers under the Secretary of State. This entry taken with the entry recording their right to settle tenants and the entry recording their liability to pay the full rent without any abatement undoubtedly brings them under the definition of tenure-holders. If they are tenure-holders, the rent payable by the tenants is not due direct to Government, and hence does not fall under Schedule I of the Bihar and Orissa Public Demands Recovery Act, IV of 1914. A further point to be noted which makes the legality of recovery by certificate procedure doubtful is that in actual practice a Munda often pays up the rent of a village in full, even though some arrears are outstanding, and does not apply for distraint till arrears of one or two years are due from a tenant. In such cases it is more difficult to hold that the rent is recoverable by certificate procedure, for at the time when the application is made, there is no sum due to Government. There is also another entry in the record which makes it doubtful whether the rent of a tenant can be held to be directly due to Government, for it is recorded that a Munda is also liable to the distraint and sale of his crops for failure to pay rent, and this provision though not often used is suitable in the case of a negligent Munda.

9. It will be seen from this that the attempt to make existing conditions fit in with the existing law gives rise to numerous doubtful points, and here again it is desirable to remove all doubts by amending the Act to meet existing conditions, by recognizing the true position of the Munda and the true relationship between Government, the Manki, the Munda and the tenants. This amendment can most conveniently be made by a section in a special chapter.

(c) *The exclusion of and control over Dikkus.*

10. The experience of the present settlement goes to show that the executive measures which have been taken since Craven's settlement have been very successful. In the North Kolhan an enquiry was made into 110 cases dealing with 153 persons who were ordered to be ejected from their villages. Of these 138 men left the village permanently, six left but subsequently returned and nine only never left the village. In one Manki's circle no new Dikkus were found to have settled since Craven's settlement, while in one attestation circle consisting of Kotgarh, Jamda, Saranda and portion of Bor Pir out of 411 new "Dikkus" (this expression includes not only immigrants from outside the estate but also any Dikkus moving from one village to another) 171 held merely homestead lands, and were principally Goals invited by the Hos to look after their cattle, while 110 were Mundas and Oraons, who are classified as Dikkus, who had settled in abandoned villages in Saranda Pir. The final reports on the present settlement operations will no doubt contain further proof of the success of these measures, but these figures are sufficient to show that the argument put forward by Mr. Reid in paragraph 7 of his letter No. 5854, dated the 21st September 1914, is fallacious. Mr. Reid then contends that the large increase in the number of Dikkus between 1867 and 1897 shows that the evil has not effectually been dealt with by the executive rules and argues from this that the evil can also not be effectually dealt with by legislation. Mr. Reid has failed to recognize that it was not till after the startling figures produced at Craven's settlement that Government passed orders regarding the exclusion of foreigners and that it is only since 1897 that steps have been taken by the local officers to control the influx. There is no doubt that the undesirable foreigner such as the money-lender has been deterred by these measures from attempting to settle in the Kolhan, but it is probable that if these measures are relaxed, he will gradually obtain land there, with the result that the Ho will become contaminated, and will become involved in debt and that the village system will gradually be undermined. It is necessary to have some legal power to prevent this undesirable result. It is true that the exclusion of Dikkus is to some extent a question of estate management, and that if the Deputy Commissioner is able to exercise effective control over the Mankis and Mundas, it will be difficult for foreigners to obtain settlement; but it is necessary to supplement this control over the headmen by making certain additions to the existing law, and these additions might suitably be included in the special chapter which has been suggested.

11. Sections 64 to 67 of the Chota Nagpur Tenancy Act already give the Deputy Commissioner the power to eject persons making *Kokkar* without the consent of the landlord, and though the period of two years within which the application for ejectment must be made is rather short, I think that these sections may be regarded as sufficient to prevent this method of settlement of undesirables. There are however other ways in which a foreigner may obtain settlement in the Kolhan. The Munda has the right to settle waste land and abandoned holdings, but he must settle with a Ho or a resident *raijat*. It is expressly recorded that he may not settle land with a "non-resident Dikku". The question then arises as to the position of persons settled by a Munda in contravention of these rules. The Board of Revenue in their letter No. 17-131-4, dated the 18th August 1915, to the Director of Land Records, a copy of which is enclosed, agrees with the Legal Remembrancer that whether the Mundas are held to be tenure-holders or merely collecting agents, tenants settled by them in contravention of these orders and without the Deputy Commissioner's permission do not become trespassers but have non-occupancy rights.

Mr. T. S. Mepheron whom I have consulted was inclined to differ from this view and to hold that if the Munda is merely the agent of the landlord, the person settled by him would be a trespasser. As the point is doubtful, it again appears desirable to remove the doubt by means of an express provision of law and I strongly recommend that a section similar to section 65 be inserted in the Act, whereby any person receiving settlement of waste land or of an abandoned holding, whether for the purpose of bringing it under cultivation or of erecting a homestead by the Munda in contravention of the record-of-rights is liable to ejectment by an order of the Deputy Commissioner, passed on application of the Manki or *suo. motu*, provided the order is passed within two years of the date on which settlement was made. This amendment is in my opinion moderate and as ejectment can only be allowed within a period of two years, there is little chance of hardship being caused by the order. Provided, however Mankis promptly report unauthorized settlements, this period, I think, will be sufficient.

(d) *Limitation of transfer.*

12. With the extension of the Chota Nagpur Tenancy Act to the Kolhan transfers will be governed by section 46, a section which has failed in other districts to achieve the object with which it was drafted. In the Kolhan transfers are governed by Mr. Thomson's rules (vide enclosures to Mr. McPherson's note on the Kodhan Re-settlement) and these rules while securing the exclusion of Dikkus secure also a fair price for the tenants. These rules have worked very well in the past, and from enquiries made by the Settlement Department into 1,322 cases in the North Kodhan, it appears that the orders of the Deputy Commissioner have been carried out in 1,223 cases; in most cases the order was to return the land to the mortgager; of the 99 cases in which the orders were not carried out, 46 were cases between Hos in which the order to keep possession with the mortgagee was not carried out but possession was restored to the mortgager. The success of these rules is a strong argument in favour of legalising the existing practice which follows the rules drafted by Mr. V.B. Thompson. Mr. Reid's suggestion in paragraph 7 of his letter cited above to amend the Act by allowing *bhugut-bandha* mortgages if approved by the Deputy Commissioner and by empowering the Deputy Commissioner to restore possession does not go far enough. There is no objection to sales or other transfers provided they are approved by the Deputy Commissioner who can then prevent inequitable mortgages and also keep out undesirables. The Deputy Commissioner must also have the power to interfere in cases in which his previous approval is not taken, and either to disallow the transfer or allow it subject to such conditions as he considers equitable. This might be secured by amending section 46, but as the amendment of this section raises the general question of the amendment of this Act, the best course appears to be to include a new section in a special chapter and thus avoid raising any general discussion.

13. I have prepared a rough draft of the proposed Chapter, which will in any case serve as a basis for further discussion.

14. In conclusion I would urge most strongly that these amendments be accepted. It would no doubt be possible to administer the Kodhan as at present by executive orders, but such a course is far from desirable. The sooner the existing practice is legalised the better, and I would urge Government most strongly to introduce these amendments into the Council during the coming cold weather session, so that the administration of the Estate in accordance with the Act may be introduced simultaneously with the conclusion of the settlement operations.

No. 17-131-4, dated Bankipore, the 18th August 1915.

From—H. K. BRISQOE, Esq., I.C.S., Officiating Secretary to the Board of Revenue, Bihar and Orissa,
Member-in-charge:—

The Hon'ble Mr. C. E. A. W. OLDHAM, I.C.S.

In reply to your letter No. 3421, dated the 4th June 1915, and enclosure, on the subject of the status of foreign tenants introduced into the Kolhan by the Mundas in contravention of the terms of their *pattas*, I am directed to say that the Hon'ble the Superintendent and Remembrancer of Legal Affairs, Bihar and Orissa, holds that whether the Mundas are held to be tenure-holders, or merely collecting agents with power to make settlements subject to certain restrictions, such tenants have a right to claim to be non-occupancy tenants at first, and after the lapse of 12 years, to obtain occupancy rights and that the fact that the Munda has neglected to get the permission of the Deputy Commissioner makes him liable to dismissal, but does not convert the tenants into trespassers or take away rights which have accrued.

2. The Board is of opinion that the view taken by the Legal Remembrancer is correct.

DRAFT AMENDMENT
OF THE
CHOTA NAGPUR TENANCY ACT.

CHAPTER XX.

SPECIAL PROVISIONS WITH REGARD TO THE KOLHAN
GOVERNMENT ESTATE.

NOTES.

1. *Definition.*—The term "Village headman" means and includes Mankis, or headmen of circles of villages and Mundas or headmen of villages.

The insertion of this definition avoids repetition in the drafting of the subsequent section.

2. *Application of preceding sections to village headmen and raiyats in the Kolhan Government Estate.*—Such of the preceding sections as are applicable to village headmen and raiyats in the Kolhan Government Estate shall in their application to such persons and their tenancies be read subject to the provisions of the following sections of this chapter.

This is a reproduction, *mutatis mutandis*, of section 229 of the Chota Nagpur Tenancy Act. It is intended to show that in all cases not covered by the special sections of this chapter, the ordinary provisions of the Act apply.

3. *Duties of a village headman.*—A village headman shall perform the duties recorded in the record-of-rights prepared under Chapter XV.

As the record-of-rights contains a full list of such duties, it does not appear necessary to detail them in the Act.

4. *Punishment of village headman.*—(1) A village headman who fails to perform any of the duties recorded in the record-of-rights recorded under Chapter XV or to carry out any orders of the Deputy Commissioner not inconsistent with that record, shall be liable, under the orders of the Deputy Commissioner, to any of the following punishments:—

- (a) Fine,
- (b) Suspension,
- (c) Dismissal,

provided that an order of dismissal shall be subject to the approval of the Commissioner.

(2) An appeal against an order of the Deputy Commissioner passed under sub-section (1) shall lie to the Commissioner and shall be filed within thirty days of the date of the order.

(3) A fine imposed on a village headman under sub-section (1) shall be recoverable under the Bihar and Orissa Public Demands Recovery Act.

This is in accordance with the record-of-rights.

There is usually no difficulty over recovery of a fine, but at present it is recovered, if necessary, by distraint, which is not legal.

5. *Transfer of holdings.*—No transfer by a raiyat of his rights in his holding or any portion thereof shall be valid, unless made with the previous approval of the Deputy Commissioner.

6. *Procedure in cases of illegal transfer.*—(1) If any person obtain possession of a raiyat's tenancy or portion thereof in contravention of the provisions of section 5, the Deputy Commissioner may eject him therefrom or may allow him to retain possession subject to such conditions as be considered equitable.

Cf. section 242, Chota Nagpur Tenancy Act.

This clause would allow the Deputy Commissioner to follow the rules drafted by Mr. Thomson. If considered necessary a time-limit may be inserted.

(2) No suit shall be maintainable in any court in respect of such orders; but an appeal shall lie as provided in Chapter XVI.

Cf. second clause of section 242, Chota Nagpur Tenancy Act.

7. *Restoration of possession on the expiry of a mortgage or lease.*—At any time within three years after the expiration of the period for which a raiyat has under section 5 or 6 transferred his right in his holding or any portion thereof, the Deputy Commissioner may on the application of the raiyat or of his own motion, put the raiyat in possession of such holding or portion in the prescribed manner.

NOTES.
Cf. section 46 (4).

8. *Settlement of waste land or abandoned holdings.*—A village headman shall have the right to settle waste land or abandoned holdings provided the settlement is made in accordance with the conditions recorded in the record-of-rights prepared under Chapter XV.

9. *Procedure in case of illegal settlement by village headman.*—(1) No settlement made by a village headman in contravention of the conditions recorded in the record-of-rights under Chapter XV shall be valid, and the Deputy Commissioner may, within two years from the date of such settlement, after making such enquiry as he thinks fit,

- (a) order the ejectment of the person so settled, or
- (b) direct that the person so settled be left in undisturbed possession of the land.

Cf. section 65.

(2) An appeal against an order of the Deputy Commissioner passed under sub-section (1) shall lie as provided in Chapter XVI.

10. *Recovery of rent from village headmen.*—When an arrear of rent accrues in respect of a village or circle of villages from a village headman, no suit shall be maintainable in any court for the recovery of such arrears, but the Deputy Commissioner may make a certificate authorizing the recovery thereof, from the village headman with simple interest not exceeding twelve and a half or (in the case of money recoverable under the Cess Act, 1880,) at twelve and a half per centum per annum under, the Bihar and Orissa Public Demands Recovery Act, 1914.

Cf. section 244, Chota Nagpur Tenancy Act. If the Cess Act is introduced the levy of interest will have to be allowed; at present interest is not generally necessary.

11. *Recovery of rent from raiyats.*—When an arrear of rent accrues in respect of a raiyat's holding, no suit shall be maintainable in any court for the recovery thereof, but the Deputy Commissioner may, on the application of the village headman or of his own motion, after making such enquiry as he considers necessary, make a certificate authorizing the recovery thereof with simple interest not exceeding twelve and a half or (in the case of money recoverable under the Cess Act, 1880,) at twelve and a half per centum per annum under the Bihar and Orissa Public Demands Recovery Act, 1914.

Cf. section 244, Chota Nagpur Tenancy Act. It does not appear necessary to be as elaborate as in that section, the due being really a debt to Government.

APPENDIX E.

Note on the Hos by Mr. DAHN MASHI PANNA, Assistant Settlement Officer.

Economic condition.—In considering the economic condition of the Kolhan people one should have in view their wants and mode of life. Before the Kolhan had been made into a British territory the people lived a nomad and predatory life, and for their livelihood depended mostly on the natural products of the earth such as game, leaves and roots of trees, and herbs which grew in the jungles. After the country had been subdued the people gave their attention to cultivation of corn and other grains. As regards the dress, the people went about almost naked before the occupation of the country by the British, and it is only after the British occupation that the people have taken to dressing themselves properly. What the present state of the people is will appear from the following description of their dress, jewellery, weapons, agricultural and other implements, household utensils and furniture live-stocks and food.

(a) *Dress.*—The dress is very simple and scanty. The hot climate of the country also lends a good deal to the scanty dress. The dress is mostly necessary to protect the body from cold and so the absence of cold does away with most of the dressing necessities. The children go about naked without any dress. Whenever one enters a Ho village he finds that all the children that have gathered about him are, without any exception, naked. Up to their 5th or 6th year both the boys and girls go about naked. After that age the boys may be seen without any dress and naked up to the age of ten or twelve when they put on only a *langot*, a strip of cloth tied round their loins. The *langot* or loin-cloth is worn by a man up to his old age. Very old men who sit at home and are unfit for work wear only a piece of cloth about $2\frac{1}{2}$ feet in length which is passed between the legs and over a string which encircles the waist. A small portion of this cloth, which is known as *bandar botoi* is allowed to hang in front. A girl from the age of seven and sometime long after, up to the age of ten or twelve wears the same kind of *langot* (which is also ordinarily known as *botoi*) as is used by a boy or young man. From the similarity in the dress it is often difficult to distinguish a boy from a girl. The chief distinction is that a small portion of the *botoi* is allowed to hang in front in the case of a boy, while in the case of a girl it is not so allowed, and sometimes the *botoi*, which is wrapped round the waist, is broadened a bit so as to cover the front to some extent. When a girl is attaining the age of puberty she puts on a small piece of *sari* about two yards in length and a cubit in breadth. This *sari* suffices to cover her legs from the waist to the knees. When she grows up to womanhood she puts on a longer piece of *sari* which enables her to conceal her breasts at the approach of a stranger or to cover her body at night. When she becomes old and has to spend her days indoors she like old men, takes to her *botoi* again, that is, she remains satisfied with her *botoi* only. The *botoi* is regarded as the national dress of Ho womenfolk. Before the introduction of the cotton dress, the Ho women used to cover their nakedness with *botois* made of leaves. I have been told by the Hos themselves that the women regard the *botoi* as their national dress and will not discard it. The *botoi* is the dress with which a Ho woman begins to dress herself and it forms her inner dress throughout her life and in her old age it is her only dress. The *botoi* (in the shape of a piece of cloth passed between the legs and over a string encircling the waist) forms her inner dress and over it she puts on her *sari*. Even a young woman will not feel blushing to bathe in her *botoi* in the presence of a male Ho. At night the *botoi* is her night dress while her *sari* forms a covering for her whole body. A woman who discards the *botoi* is regarded as outside the pale of the Ho community, and the Ho women have the superstitious belief that if a woman discards the *botoi* she will be not recognized and admitted in their society by her ancestors in the next world.

During the cold season most of the people pass their nights near a fire. Those who can afford have wrappers, called *chadars* or *pichouries*, to cover their bodies at night or when they appear before officers. To a good many of the women their *saris* are the only dress to protect their bodies from cold and to the men their *chadars*. But the people are gradually adopting the dress of their civilized neighbours. One now sees many a male Ho putting on *dhotis* instead of the *langots*. They have taken to coats and shirts also. This change of dress is mostly noticeable near Chaibassa. The women also have begun to dress in imported *saris* and the dress of the females near Chaibassa is quite decent and graceful. But I did not notice any Ho woman who was not a Christian put on a *jhua* or jacket.

(b) *Jewellery.*—The Hos have few articles of jewellery, both for males and females. The young man has generally *karas* or wristlets made of iron or brass. Of late years some have taken to wristlets made of silver. Rings made of iron, copper or brass are worn by some in their fingers. The Ho woman's list of jewellery is also practically nil. The Ho woman's body is bereft of ornaments. The most common jewellery of hers is the brass anklets called *andus*. A visit to the braziers' shops at the Chaibassa town bazar will afford great amusement to the visitor. He will see how the *andus* are put in the ankles and what a painful process it is. Leather thongs are tied a few inches above the ankle. Then the anklet is inserted on the foot and the leather strips are passed through it. After this the heel is moistened with water and the brazier lying on the ground and placing one of his feet on the heel of the female draws the leather strips upwards and the anklet is brought by pressure into its position on the ankle. The pain is terrible for the time being and there is hardly a female who does not cry at the time of

putting on the anklet. Sometimes the skin becomes greatly bruised and the heel gets swollen. The female has to support herself on the shoulders and arms of her companions. The anklet fits in so tightly that it is impossible to take it off without breaking it. Besides the anklet, the other two ornaments that one sees on the person of a Ho woman are the nose-pin, called *nukfuli* and earrings, called *kantuli*. The nose and ears of all women are pierced, but very few utilize the holes for putting on ornaments. The Ho women have taken to put on only gold nose-pins and earrings. Their idea seems to be to have gold ornaments for the nose and ears or no ornaments at all.

But though the Ho male and female, especially the young ones, do not go in for artificial ornaments they are very fond of what nature provides. On festive occasions they adorn their heads with flowers and flowers are always welcome presents to them.

(c) *Weapons.*—The bow and arrow are the sole weapons used now-a-days by the Ho on journeys and in hunting, and in keeping watch over their crops against the ravages of wild beasts and fowls. The regular and annual hunting excursions which the Hos used to have in former times have ceased now, and with the making of reserved and protected forests the Ho has now hardly any jungles left to him where he can hunt freely.

(d) *Agricultural and other implements.*—With the reduction of forest areas for the free use of the Hos where they could hunt and get roots for their living, the Hos have become essentially agriculturists. They cannot be called good agriculturists, still they are agriculturists and must depend for their living on agricultural produce. For his agriculture the Ho uses a variety of implements. To prepare the land for cultivation, the Ho uses the plough, which consists of the wooden frame (*maib*), an iron plough-share (*pahal*) and a yoke (*anr*), the harrow (*atogom*), an earth remover (*kurha*), the hoe (*kullam*) and occasionally the crow-bar (*gainta*). To reap his corn he uses the sickle (*datarom*). On the thrashing floor he uses a pitch fork (*ankai*). To fell trees and split wood he has the axe (*hake*). The Ho generally, manages his own carpentry and for this purpose he has his edge and chisel. To catch fish, in a few Ho houses fishing nets (*julom*) of different varieties may be seen. Occasionally a Ho has a crude wooden oil press of his own, but generally the villagers combine to have one or two in a village in which all the persons who require their services can press out their oil.

(e) *Household utensils and furniture.*—The household utensils and furniture used by the Hos are neither numerous nor costly. To cook his food the Ho uses earthen pots (*chatu*) made by the *kumhars* or potters. The Ho's service of plates consists of a few bell-metal cups (*dabu*) and dishes (*thari* and *chinni*). Stone plates and cups and sometimes wooden bowls are also used. Wooden spoons (*daru lundi*) and iron ladles (*mad lundi*) are used to turn rice and curries in the cooking pots. Earthen jars (*lachatu*) are used to hold water. Those who can afford to buy, use brass *lotus* for holding water to wash their hands and feet with but those who cannot afford to have brass *lotus* (and the number of such persons is very large) use earthen pots of small size, called *chukas*. In jungly villages the people greatly utilize leaves of sal trees as eating plates and cups. Two or three bamboo baskets to carry grain, etc., and a winnowing fan to clear it of sand and husks, a knife to cut meat and vegetables, another variety of meat-cutter known as *bainthi* in Hindi (*tegn katu*) and a few brooms to clean the rooms and courtyards, made of grass, are among the other household implements of the Ho. For his furniture he has a few mats made of palm leaves by his womanfolk, a few low stools made of wood (*luru gandu*) and small string stools (*machila gandu*), made of *sabai* grass ropes on wooden frames. String bedsteads called *parkom* are to be seen in almost every Ho house. The Ho does not like to sleep on the mat spread on the ground and so he always tries to provide himself with a *parkom*. He makes the legs and poles of the *parkom* himself, and as for the strings in the *parkom* he gets them from the reserved forests or buys them for a few annas in the *hats*. The strings are made of *sabai* grass.

The Ho is very fond of music and dances. The musical instruments are (1) *Dama* (*Nagara* in Hindi), a large drum made of iron and hide of ox or buffalo, (2) *Dumang* (*Mandar* in Hindi), another variety of the drum having an earthen framework with the top and bottom made of ox-hide, (3) *Kartal* or oymbal made of brass, (4) *Binam* or *Sarangi*, a fiddle made of wood and goat-skin with strings of horse's tail, (5) *Ratu* or bamboo flute, (6) *Ghanti* or brass gong and (7) *Diring* or horn of both domesticated and wild buffalo. The *Dama*, *Dumang*, *Kartal* and *Ghanti* are used in all festivals and dances. The *Binam* and *Ratu* are the musical instruments used chiefly during the *Mage* festival, when their discordant sounds are to be heard almost day and night in a Ho village. The young men use the *Binam* mostly, while boys and children use the *Ratu*. During the period of the *Mage* festival, which lasts for a month or two, the *Binam* is the constant companion of a young man. I wonder if the Hos ever got tired of the monotonous sound of the instrument. The *Ratu* is the constant companion of shepherd boys. The *Diring* or horn is used as a trumpet during the *Mage* festival, but the big horn of the wild buffalo or bison is chiefly blown during the *Jangjapi* or *homburial* ceremony. The latter is called *Bir-diring* or *jungle-horn* as it is obtained from wild buffaloes. The *Bir-diring* produces a low and deep sound and at night when two of them are blown alternately they produce a weird noise which well befits the mystic ceremony in the silence of the night, in connection with the dead.

Diring
(Binam)

(f) *Live-stock*.—Buffaloes, oxen and cows are used by the Hos in agriculture. The ordinary cultivator uses cows chiefly and the buffaloes are used by the richer class only. An average Ho cultivator generally possesses one pair of oxen or one pair of cows or a pair consisting of one ox and one cow. The plough-cattle are of low breed and of stunted growth. The cows are not milked but as the Ho yokes them to the plough they are over-worked and cannot breed strong and healthy calves. Besides this, the Ho does not keep any bull for breeding purposes. The young bulls before they are fit for the plough serve as parent bulls, and this service they can render for a year only, for next year they are castrated and turned into oxen. In addition to this, either a brother or son or even grandson bull becomes the father of the offspring of its sister or mother or grandmother cow and thus there is a deterioration in the breed of the cattle from generation to generation.

Very few Ho cultivators, and they generally of the richer class only, own sheep and goats. They are reared for home consumption. They are killed and eaten during festivals and weddings, and are sacrificed to the gods during periodic festivals and during sickness. They are sold also for making payment of rents and for purchasing cloths and other necessities. The pig is a very rare sight in the Kolhan. Formerly the Hos were big pig-eaters and they reared pigs in large numbers. But probably owing to the influence of Dikku settlers they have given up the rearing of these animals. Horses and ponies are only the luxuries of a few rich Mankis and Mundas. Those that are to be seen in a few villages belong to the Muhammadan traders who have settled in the Kolhan. The Ho is particularly averse to the horse and pony and it is difficult to make him approach them even when they are in bridles.

There is hardly any Ho family which does not possess one or two fowls. The fowls are reared in large numbers, and in the morning the crowing of cocks fills the air throughout the whole of the Kolhan villages. They are eaten as luxuries during feasts, but are consumed mostly in offering sacrifices to the *Bongas* or Ho gods. Ordinarily from 20 to 30 fowls are sacrificed by each Ho cultivator in the year. He cannot sow seeds without offering a fowl to his *Bonga*, nor can he eat the fruits of his fields without first making a thank-offering of a fowl. It is during illness in his house that the Ho is called upon to make a large number of fowl offering to the *Bongas* to appease their anger. Before the opening of the workshop at Sakchi by Messrs. Tata & Co., the fowls were sold very cheap. One could buy a fair-sized fowl for two annas, but at present the same cannot be had for less than five annas. There is a great demand for fowls by the European population of Sakchi, and a great part of their demand is met from the Kolhan.

Pigeons are reared by the richer class of Hos. In the courtyard of almost every rich Ho there is a pigeon loft. Only the young pigeons are eaten or sold in the markets. At present they are sold at three to four annas a pair.

Of late years a few of the Hos have begun to rear ducks and geese, and in course of time these water fowls will be very plentiful, as the Hos have been learning the value of these birds, and every Ho who owns a tank or a *bandh* will try to rear them.

(g) *Food*.—The staple food of the Ho is rice. Every one who can afford it takes two meals a day consisting of boiled rice and vegetables. *Dal* or pulse as an adjunct of boiled rice is enjoyed by the rich only, but to the majority it is a luxury and is taken only at the time of feasts or when entertaining a guest. Various kinds of small plants found in the fields growing naturally such as *Mu aa*, *Bor aa* and *Kansari* (*juit aa*) form his vegetable curry. The leaves of some trees as *Munga Singa* (Kainar in Hindu), *Hesa* (peepal) and *Jota* (tamarind) form his vegetable diet. During the rains and in winter his *bukai* or homestead garden supplies him with vegetables, beans, gourds, pumpkins, brinjals, etc. Beef and flesh of buffalo, sheep, goat, fowls, ducks, etc., and of all kinds of birds, except vulture and kite and fish are eaten by the Ho. Even the flesh of dead animals are eaten by him. A Ho woman's knowledge of cookery is very simple and of a primitive kind. She can prepare a tasty food without spices or with a nominal quantity of the same to a Ho only.

The *diang* or rice-beer is the national drink of the Ho. He cannot remain without it. Formerly the *diang* was the only food for a Ho, and still there are old men and women who subsist chiefly on this drink. A Ho girl who is an expert in preparing good *diang* fetches a high bride-price. The *diang* is prepared with rice by the addition of some intoxicating drugs, and with a moderate use, I have been informed, it is strengthening and beneficial to health. But the Ho is not a moderate drinker and consequently its effects are often very deleterious.

The mahua fruits or rather the corolla are not so much prized as articles of food by the Hos as is done by other people in Chota Nagpur. They are generally wasted and allowed to be eaten up by cattle. It is only when pressed by hunger that the Ho will collect them for food.

(h) *Material condition*.—The Mankis who receive commission of Rs. 500 to Rs. 1,000 a year are generally well off, and so are the Mundas of big villages. The Manki of Khas Pukharia in Thal Pir, Sadhu Manki, is said to be the richest Ho in the Kolhan. He is credited with possessing wealth of the value of more than a lakh of rupees. Next to Sadhu

Manki, the Manki of Asura, named Banmali Manki, is said to be the second richest Ho in the Kolhan but the people in general are poor. A Ho is a spendthrift and does not lay by much for the future. He is a poor agriculturist, extremely superstitious and conservative in his idea of agriculture. He does not think of the future. Unless pressed by starvation he is not inclined to work. If he has enough of food, he will not work but will spend his time in loafing, smoking and drinking.

The houses of the Hos are made of mud walls and thatched roofs. The poor Ho has only a single room-house in which his family and his cattle live together. A rich Ho has three or four houses enclosing a courtyard. His houses though built of mud walls and thatched roofs have a better appearance and show the care of his womanfolk. Tiles are being introduced by the rich, and in order to give a nicer look and symmetry, *bacha* bricks are used in the construction of new houses by the well-off Hos. Most of the houses in a Ho village are mere hovels, and their unkept and dilapidated condition bespeak the poverty of the people.

The rents are extremely low in the Kolhan and the people are not subject to the illegal exactions and oppressions of intermediary landlords. But in spite of that, the people are poor. In ordinary years they manage anyhow to pass their life, but a single bad year tells very heavily on the people. If the Hos have enough to eat and drink they will hardly leave their country. But during the last famine of 1915-16 more than 10,000 persons from the Kolhan went as coolies to Assam.

(1) *Traits and character.*—A Ho is a spendthrift and whatever rice he gets from his fields he spends it mostly in his *ding* or ricebeer which is his national drink. He is improvident and does not lay by much for the future. Unless forced by starvation he will not work. He is extremely superstitious and conservative in his ideas. Exclusiveness is still his characteristic and all foreigners whom he calls Dikkus are looked upon by him with a suspicious eye.

The Ho is not an energetic and enterprising man. A Ho male is an indolent and lazy fellow. The women are the only hardworking members in a Ho family. Except ploughing and sowing seeds they do all works in connection with agriculture. While the men may spend their time idly in smoking and drinking at home, their women folk may be seen toiling in the fields. It is the women who largely contribute to the support of a family. It is a common sight at Chaibassa to see women dragging heavy rollers to pave the public roads and working at pulleys in the sinking of wells. In works which require strength and energy it is mostly the women who are employed.

Among the Hos the men are generally lean and are of weak constitution, while the women look robust, strong and their muscles well-developed. It seems that immoderate drinking and specially the smoking habit have been telling heavily and producing bad effects on the constitution of men. Old men told me that smoking tobacco was not so much in vogue 40 to 50 years ago and was practically unknown among boys and children. But nowadays there is hardly any man who does not smoke tobacco. They smoke tobacco in the form of a cigar, the tobacco being rolled up in a *sakhua* (*sarjom*) leaf. The tobacco cigar or *sika* as it is called by the Ho is carried by him behind his ear or in loin cloth. As for fire the Ho does not carry a matchbox but carries it in a straw rope called *bindi* which smolders very slowly. Children begin to smoke *sika* at the age of four or five years, and one can easily see how the lungs are affected deleteriously even from young age. Tobacco in the form it is used by the Hos is becoming a curse to them and unless juvenile smoking be stopped the future generation of Hos will be worse.

But though a Ho is poor, he is happy and contented. He will laugh and play and dance even when his stomach is empty. The women seem to be more cheerful and hearty than men. It is not difficult even for a foreigner to excite a hearty laugh from the women. A direct and straight look at the women or a little talk with them will cause a peal of laughter from them.

The Hos are said to be very truthful formerly, but this characteristic has been lost now and this is specially the case with those who live near Chaibassa or other mostly Dikku villages in the interior, such as Jaganathpur or Jainagarh. As a rule truthfulness is to be expected more from an ignorant and uneducated Ho than from one who has been to school. The little education which the Ho has received has not improved him in the matter of truthfulness. Simplicity of dress and manner does not contain a pure soul inside. In a matter not affecting his interests, the Ho speaks truth, but where his interests are affected he will go to any length of falsehood. It is often very difficult to perceive at once whether a Ho is telling truth or a lie. But as he is not intelligent, a little cross-examination will generally reveal the truth and the clumsiness of the man's lie. Experience at attestation, but especially at the inquiries regarding *Khatkatti* rights, showed how untruthful the Hos are and what are their moral ideas about truth. At the outset when the people did not know or understand about *Khatkatti* rights and privileges, they generally spoke the truth, but when they had come to understand them they began to tell untruths and in this they were helped by their a little educated brethren. This was evident from the manner in which they chattered their stories about the founding of a village and in their concocted long-drawn genealogical trees.

Want of modesty is another characteristic of the Hos. Males and females may be seen bathing naked almost side by side in the tanks and streams in the interior, and the scantiness of their dress make them oblivious of the decency of a civilized life. Respect of superiors, except that of their own headmen, is still unknown among them to a large extent, and it is only by education that the Hos are learning what respect is due to their superiors. When a Government Officer visits a Ho village the people come to meet him in a most unceremonious manner. They do not understand if there is any disrespectfulness in sitting or smoking before an Officer. A Ho will not hesitate to ask an Officer, of whatever rank or office, for a stick of his match-box to light his *fika* or cigar and smoke it in his presence.

The Ho men and women are very amative. Their songs and dances are all incentives to love. There is great freedom among young men and women, but this freedom is confined to the members of the tribe only. All the Ho festivals are times for making love to the youth of both sexes, but the Mage festival is notorious for debauchery. At this festival the greatest freedom is allowed to both married and unmarried, young or old. Men and women throw all sense of decency and decorum to the winds and obscene language rules the day for the time being. Education, however, is opening the eyes of the people to the evils of the Mage festival and it is to be hoped that it will be not many years hence that the Hos will keep the festival in a more decent manner.

Customs and Ceremonies.—A short description of a few of the customs and ceremonies observed by the Hos is given below.

The most important events in the life of a man or woman are birth, marriage and death and some very interesting ceremonies and superstitions are connected with these events among the Hos.

(a) *Birth.*—In a Ho family it is invariably the husband who attends his wife at the time of her child-birth. If he be absent from home, or if the woman be very ill then only a midwife, a near female relation of the husband and usually an old woman, is called in to help the woman in child-birth. The labour in child-birth is easy and it seems quite natural for the Ho woman. She can get up from bed and do household work an hour after her delivery. But if for any reasons the labour be very painful and there be much delay in delivery fowls and goats are sacrificed to the *Bongas* with the hope of appeasing their anger and speeding the delivery. The navel-string of the newly-born child is cut by the husband or in his absence by the mother herself. Where it reaches the knees of the child, the navel-string is tied tightly with a piece of thread and is then cut by the sharp edges of bamboo or *gangau* tree peelings. The placenta is buried at a place where the woman takes her bath. After the cutting of the navel-string the child is placed on an old and tattered piece of mat after being previously bathed in tepid water. The mother also takes her bath in tepid water and is then given hot boiled rice and gruel to eat. Till the day of the purification ceremony, which is held on the 21st day after the child-birth, both mother and child are bathed in tepid water, and the former is fed only on hot boiled rice and gruel.

The child is considered impure or unclean for seven days only. On the seventh day of its birth, the child's head is shaved and the old mat on which it was lying so long is burnt. When the mat burns the child is pointed towards the burning mat and addressed to with the words "See, boy, thy bride is burning" if it be a male child, and "See, girl thy bridegroom is burning" if it be a female child. After this purification ceremony the child is considered to be clean and can be touched by any body. But as the parents and the midwife are still considered to be unclean the child can be touched only when it is not in contact with them and has been placed in a mat or bed.

On the 21st day after the birth of the child, a purification ceremony is observed when the parents and all those who had attended at the lying-in bed are purified from ceremonial uncleanness. The child's head is shaved again and the child's father's head is also shaved. The woman for the first time after the birth of her child takes her bath in cold water in a tank or stream. The houses are cleaned for the occasion and all near relations are invited to the feast. All the old earthen utensils are thrown away and the food is cooked in new ones. On return from bathing in a tank or stream with his male relations the husband first enters his house and offers drink libation of *diang* to the spirits of his dead ancestors. Then if it had been necessary to offer sacrifices to the *Bongas* at the time of child-birth, a thank offering of the *diang* is made to the *Bongas* also. After the offering of these libations the guests are invited to a feast of rice, *dal* and meat curry. But before eating, an offering of all kinds of cooked food is made to the spirits of the dead ancestors. The parents for the first time after the birth of their child partake of meat at this purification ceremony.

On the 22nd day from its birth the child is given a name. A cup of water is provided with a few grains of *Urid* pulse. After invoking the aid of the *Bongas* two grains of the pulse are put in the water in the name of a dead ancestor which is announced in a loud voice to the assembled guests. If the two grains close together and remain floating on the water then the name at the announcing of which the grains float is given to the child. The child is usually given the name of one of its ancestors. But when a trial has been given to all the names of the dead ancestors and the grains still do not close together or float, a new name is suggested and tried. A child of the male sex is usually given the name borne by its uncle or grandfather, and it is not an uncommon thing to find several members of a Ho family bearing the same name. But of late there has been a tendency to give fanciful and foreign names to Ho children. I came across not a few Hos who are addressed as Saheb Ho. An unusual event, such as the visit of an Amin, Doctor or a Settlement Deputy to a Ho village at the time of the birth of a Ho child has been the cause of its name being given as Amin Ho

Dakdar Ho or Dipti Ho. Captain Dalton has given not a few names to the Ho children Kaptan Ho and Dalton Ho are the names which a good many Hos bear. The Hindu god Krishna, Ram and Lakhan also have given names to Ho children and now-a-days there is a tendency among educated Hos to give Hindu names to their children.

When a child is born, relations and neighbours strike the roof of the lying-in house in front of the door with big sticks. The belief is that the beating dispels the fears of the newly-born child in its new circumstances. According to another superstition the father has to abstain from tobacco smoking from the time of the beginning of the labour-pains to the actual birth of the child and the belief is that the infringement of the rule causes red eruptions in the face of the new-born child.

A Ho woman abstains from meat diet during the period of her uncleanness because she believes that indulgence in a meat diet causes what is known as *Sikka* disease. The *Sikka* is the puerperal fever attended with diarrhoea and the disease is much dreaded by the Ho woman.

(b) *Marriage*.—Child marriage is unknown among the Hos and boys and girls always marry after they have attained puberty. The most common and honourable form of marriage is where the bride is purchased for a price. The bride-price is counted in so many head of cattle but is usually paid partly in kind and partly in cash. In making payment in cash one rupee is considered as equivalent to one head of cattle. So when it has been settled that the bride-price or *gonong* would be *gel bo* (lit. ten head), it might be paid by the delivery of six cows and four rupees in cash. The bride-price varies from five head of cattle in poor families to fifty head of cattle in rich families.

Parents and guardians arrange for the marriage of their sons. After selecting a girl whom they see in a market or fair they send go-betweens to the girl's parents to arrange for the marriage. When the girl's parents and other relations agree to the proposals, the *gonong* or bride-price is settled. After the go-betweens have returned back to the bridegroom's parents and announced to them the *gonong* demanded by the bride's parents, a consultation is held between the parents and their relations as to the best way of meeting the demand of the *gonong*. The Hos well understand the value of reciprocal assistance, and so it is easily settled how much of the *gonong* will be paid individually by all the relations. After arrangements to pay the *gonong*, preparations are made for the betrothal ceremony and a date is announced to the bride's parents when the bridegroom's party would go to their house for the ceremony.

On the appointed day, the bridegroom and his party go to the bride's house with drums and other musical instruments. The party consist mostly of young men and women. The party on their way to the bride's house carefully note the good and bad omens they come across. The party reaches the bride's house in the evening and their approach is announced by the beating of the drums. When the party enters the bride's house water mixed with turmeric powder is given them to wash their feet with. After the washing of the feet the party is conducted to a house or a temporary shed made of leaves. When the bridegroom's party has seated itself, tobacco and *diang* are provided to them. After resting for some hours the party is feasted with rice, *dal* and meat curry. After eating the party retires for the night. Next day, after bathing, the betrothal ceremony takes place. Two *manehis* or low seats are placed side by side and the bridegroom and bride are made to sit on them. Then the best *diang* which the bridegroom has brought from his house is placed in front of the two. The bridegroom pours out some of this *diang* in a cup and hands it over to the bride. The bride after drinking a little returns the cup to the bridegroom and then he also drinks from the same cup. After this the groomsmen and bridesmaids are given *diang* but now the bride has to serve it out. After the drinking of the *diang* necklaces are exchanged by the pair and this ceremony seals the betrothal contract. Before departing the bride touches the feet of the bridegroom and does not relax her hold until the bridegroom makes a present of one to five rupees in cash then and there. This present is known as *krulil*.

After the betrothal ceremony which is called *Bapla*, the hosts and guests all meet together and then begin the singing of *Bapla* songs in which the hosts praise the virtues of the bride, while the guests praise those of the bridegroom. Then there is the usual drinking of *diang* and dancing in which all the young and old join. At dinner time the guests are anointed with oil mixed with turmeric and are garlanded with flowers. After this a feast is provided and then the bridegroom's party returns to his village. At the time of parting the bridegroom's party stands on one side and the bride's party on the other side in a row. They salute one another and say "To-day have contracted *balasaka* or relationship and let this relationship endure for ever".

After the *Bapla* ceremony it is the turn of the bride's parents and relations to go to the house of the bridegroom to fetch the *gonong* or bride-price. On the appointed day the bride's party arrives at the house of the bridegroom and are treated with the usual prodigality of *diang* and feasts. The party has also to carefully note all the omens that it saw on its way. Next day in the morning both sides meet together and announce all the omens that they have seen on their journeys. If there be any bad omen, then *Denwas* are called in who know the secrets of the means to drive off the effects of bad omens and who tell the people what sacrifices will have to be made to the *Bongas* to counteract the evils. Then the *gonong*, as has been already settled, is brought out and delivered to the bride's party who

Bapla omens
belasaka
both sides have found belasaka

krulil

belasaka

then, after partaking of *diang* and food, return to their home with the cattle and cash. At the time of parting both sides are again reminded of the marriage contract with the utterance of the words "We have formed *bilasaka* now and let this relationship endure for ever".

For actual marriage a date is fixed and the bride goes to the house of the bridegroom for the marriage ceremonies. If any bad omens have been seen by either party which are bad for the marriage then according to the prescription of the *Denwas*, fowls or goats are sacrificed at a place midway between the villages of the bridegroom and bride. At this sacrifice men have to be present from both sides. After the sacrifice the actual date of marriage is discussed and settled and each side returns to its respective village.

Before the marriage a few young men from the bridegroom's village go to the bride's house to fetch her for the marriage. These men are called *or era* (lit. or pull, drag and a woman, wife) men.

The *or era* men are received by the bride's parents with a cheer and after treating them to *diang* and feast preparations are made by the bride and her relations to repair to the house of the bridegroom. The party leaves the bride's house with drums and other musical instruments and arrive at the bridegroom's house in the evening. While bearing the village the women pluck off branches of trees and with these in their hands they form into lines with the bride in the centre and with songs and dance, they enter the house. On the approach of the bride's party the bridegroom and his relations come out to meet it with a pot of rice-beer which is offered to the bride while she is still on the way. On entering the house all the branches of trees which the women have brought are thrown on the roof of the bridal chamber. The bride is given a new *sari* smeared with turmeric water and after her hands and feet have been washed she retires with her relations to the temporary shed, or booth of branches and leaves of trees, where they are lodged for a while. After a few hours of the arrival of the bride, the marriage ceremony takes place. It is a very simple affair. A mat is spread on the courtyard and the bridegroom and bride are made to sit on it facing one another. Two small cups, one containing oil and another turmeric powder, are placed on the mat. The bridegroom first anoints the bride with these materials and then the bride anoints the bridegroom, and this anointing one another with oil and turmeric seals the marriage contract. Four pots of rice-beer are then brought out from the bridegroom's house. Two of these pots are carried by the bride on her head, one above the other, one is carried by her in her arm and the fourth one is carried by the bridegroom on his shoulder and taken to the booth where the bride's parents have been lodged. After delivering the rice-beer the bridegroom returns to his own house leaving the bride with her parents. The guests are then provided with rice, *dab*, he-goats, etc., according to the means of the bridegroom. The night is then spent in feasting, drinking and dances. In the morning the bride is taken to the bridegroom's house with dances and songs and delivered to the bridegroom. At the separation from her parents and relations the bride generally weeps and cries much. The parents and relations try to comfort her as much as they can and after giving her some lectures and advice to be obedient to the bridegroom and the parents-in-law they retire to their own villages.

The above is a description of a common marriage ceremony which is held in repute. But the *gonong* or bride-price is so high among the Hos that it is not always possible for a young man to marry a girl of his choice in the regular way. So there are met with several instances of what may be termed irregular marriages. It often happens that a young man takes away the girl of his choice from a fair or market to his house and there they live as husband and wife. When the parents come to know of their daughter's elopement or enticement they go to the young man's house and try to extract as much *gonong* as they can. If the young man agrees to pay the *gonong* he is acknowledged as their son-in-law and the matter ends there. But if he be not willing to pay any *gonong* the girl is taken away by the parents as if nothing has happened to her. The girl also gladly leaves the young man (especially if she does not find his house suitable or after her liking). Sometimes a young man and girl fall in love and form a secret intimacy and as a result when they fall to inconvenience the man is obliged to take her as his wife. In such cases except bearing the social opprobrium the couple has nothing to fear. But if the young man refuses to take the girl as his wife a social punch is held and the man is obliged to take the woman as his wife in addition to a fine imposed on him or is made to give some land for the maintenance of the offspring. The Mage festival is the occasion of many so called love marriages, and also for the maintenance suits that are brought in the Deputy Commissioner's court. The high price demanded for brides is the cause of the existence of a large number of old maids in every village and the larger number of females in the population of a Ho village. An unmarried man when he is asked why he has not married yet says that he has no *gonong* to pay and buy a wife with, and when a similar question is put to a woman not married yet her reply is that no man has come yet to buy her. Among the Hos an unmarried sister is also entitled to a share of her parent's landed property whenever there is a partition among her brothers. This fact also tends to keep a woman single if she does not find a suitable husband.

The Hos are exogamous people and cannot marry among their own *killi*. Besides this, marrying a person of lower social status renders a man or woman liable to social excommunication. Thus, a Munda or Manki must marry a woman belonging to a Munda's or Manki's family. If he marries a woman of a social status lower than his own or into families known as *p. 9* he is liable to social excommunication.

(c) *Death*:—The usual and respectable mode of disposing of the dead body is to burn it. When a person dies all the near relations who can conveniently be summoned are called in. When they come they, each according to his or her means, offer pieces of cloth or copper or silver coins and place them over the corpse. Preparations are then made to burn the corpse by making a funeral pyre on the courtyard of the house. The body is washed and after anointing it with oil and turmeric it is dressed in new clothes. Garlands of flowers are also placed over the body. All the personal ornaments of the dead person are also placed over the body. When the pyre is ready the corpse is taken out of the house and is placed for a short time in the courtyard. Here the villagers, men and women bring small quantities of rice each and place it underneath the head of the corpse. The members of the deceased person's family also bring out of their houses handfuls of paddy, pulse and other grains and place them for a short while in the palms of both the hands of the corpse. These grains are taken off and are properly preserved and at the time of sowing they are mixed with the seeds and sown in the fields. The corpse before being placed on the pyre is turned round it seven times. The corpse is then put on the pyre and wood is placed all round it so as to cover it entirely. A fire is then applied to the pyre. The corpse is usually burned in the evening and the whole crowd of men and women have to keep watch the whole night with their wailing lamentations. In the morning the females of the house sprinkle water over the ashes with the branches of peepal trees and put out the fire. The charred bones are then carefully searched and are collected in a winnowing fan. After being washed, the bones are spread on a new piece of cloth and placed in the sun to dry. All the ashes are then collected and buried in a corner of the courtyard.

After picking out the charred bones all the women go to a neighbouring tank or stream to bathe. They are headed by an old woman with a spade in her hands. At the bathing place three steps are prepared by the old woman with the spade according to the number of three days for the purification ceremony. On return from bathing the bones are placed in a new earthen pot and are hung by means of a piece of sawai rope from the roof of either the kitchen or the cattle house. The relations that have come from other villages are then sent off. They are informed that when every thing will be ready invitation will be sent out to them to be present at the *Jangtopa* ceremony.

The next day the women of the house go for bathing to the same tank or stream where they had gone the previous day headed by the same old woman with a spade. One of the steps is destroyed and the old woman announces to her followers and companions that two days hence the purification ceremony will take place. While returning home they make several halts on the way and address the spirit of deceased person thus: "O spirit of the dead, if you be on the tree or under it, wherever you are come and follow us home". After arriving at the house, the place where the corpse had been burnt, is plastered with cowdung and a small earthen pot covered on the mouth with the leaves of the *Kend* (*Tiril* in Ho) tree is placed on the spot. It is believed that the spirit of the deceased takes its residence in the pot, and for two days tooth-brush (*datuan* in Hindi) and water are placed near it so that the spirit might wash and cleanse its face and teeth as the person used to do while alive.

On the third day the old woman and other women of the house resort to the tank or stream as on the previous two days, and after bathing the third step on the bank is destroyed. On this day a small quantity of rice mixed with turmeric powder is cooked in a broken piece of an earthen vessel which is called *Suang mandi*. A flat stone about two cubits by one cubit is placed on four small stones in the courtyard. This stone is called *Panchaiti-diri*. The women on return from their bath wash their feet on this *Panchaiti-diri*, applying a little of the *Suang-mandi* to their feet. By washing their feet on the *Panchaiti-diri* the women become cleansed of their ceremonial uncleanness. Every one who touches the dead body has to wash his feet on the stone and thus becomes clean. In the afternoon an earthen horse with an earthen horseman on it is made and is placed near the pot covered with the leaves of *Kend* tree in the courtyard. If the deceased is a male, bows and arrows, and in the case of the deceased being a female strawsents on which water pots are placed on the head while fetching water, are also placed there. At night the kitchen house is properly swept with a broom and ashes are spread on the floor. Then a woman with two iron ploughshares in her hands goes out to fetch the shade of the deceased. She is followed by another woman with a pot containing water in her hand. The first woman strikes the two ploughshares together and at the sound the second woman pours out a little water on the ground. On arriving at the spot where the earthen pot covered with the *Kend* tree is, the first-woman addresses the shade thus: "O the Spirit of the deceased, if you be on any tree or any where else in the shape of a mosquito or a fly; if you be hungry or thirsty, come and follow me". Speaking thus she touches the pot with her feet. Then she goes towards the kitchen house striking the ploughshares together and the other woman pouring water at the sound. At the door of the house two women are posted, one inside and the other outside it. The woman with the ploughshares addresses these women with the words "*Sukuila chi Dukuila*". She utters these words seven times. When the women at the door reply *Sukuila* it is meant that the spirit or shade of the deceased person has entered the house. Then with any marks on the ashes spread on the floor, they divine the causes of the death. If there be a long streak on the ashes as if of a rope it is said that the person died by the agency of spirits of the dead ancestors. If there be traces like the foot-prints made by lizards it is said that the spirit of the *Hil's* (*Jurubonga*) took the person away. If there be marks like the foot-prints of crabs it is



Tiril (Kend?)

laya adar

earthen horse

earthen horse

*Sukuila
Dukuila*

said that the person was taken away by the family god. If there be seen foot-prints of a cat, it is said that witches killed the person. If the marks be like the foot-prints of a kind of beetle found in the sands it is said that some sorcerer did the killing. If there be marks like that of a snake it is said that the person was killed by a female goddess known as *Jugni Bonga*. Lastly, if there be found small holes here and there in the ashes it is said that the person died of consumption. If none of the abovementioned marks be found then it is said the person died a natural death.

Great preparations are made for the *Jangtopa* ceremony and much expense is also incurred. Huge pieces of flat stones are searched for and after much labour they are brought to the burial place. The size of the stone which is called *Sasan diri* indicates the greatness of the deceased person. In the case of a rich man some 200 to 300 men are required to fetch a big and heavy stone from a hill or a ravine. When a *Sasandiri* has been procured, invitations are sent out to all the relatives to attend the *Jangtopa* ceremony on a fixed day. Each family, whether from amongst the relatives or from those in the village who are invited to the ceremony, has to bring some rice and a pot of rice-beer.

On the day of the *Jangtopa* ceremony, a new earthen pot is provided. It is painted on the outside with various figures with rice-powder. A garland made of small cakes made of rice, is hung round the neck of the pot, and a big cake is placed on the mouth as a cover. The charred bones are then taken off from the roof where they had been hanging so long on a small pot, and are put in the new pot now provided for them. A hole is dug in the *Sasan* or grave-yard of family and the pot containing the charred bones is placed in it and is buried and over it the *Sasandiri* is placed. Before the pot is buried it is filled to the brim with rice. While the pot is being buried a piece of thread about three cubits long with its one end outside the hole is also buried. This thread is subsequently pulled off and is dragged by the feet for a short distance towards the house of the deceased person. This is done with the belief that the spirit of the deceased would come out of the hole through the thin way made by the pulling off of the thread. After placing the *Sasandiri* over the grave, oil is poured on the *Sasandiris* of all the dead ancestors. Also fried rice and *Sasang-mandi* (turmeric-rice) are spread on the *Sasandiris* in the whole grave-yard, with the idea of feeding the spirits of the dead ancestors. During the *Jangtopa* ceremony, and a few days before, when the preparations are made for the ceremony *Bir-dirings*, or horns of bisons are sounded day and night.

After the *Jangtopa* ceremony all the men assembled eat and drink in honour of the deceased. Next day after their meal, the distant relatives are sent off to their homes, each family being provided with one pot of rice-beer to carry to those of the members of the family who could not be personally present at the ceremony. At the parting the relatives comfort the members of the deceased family in the following words:—"Man is born in the world to die, and every one of us will have to leave this world. So please do not be greatly upset at this death and do not think of the deceased person, but forget him and mind your work at home and in the fields".

The original custom to dispose of the dead body of a deceased person was to burn it as described above. But nowadays this old custom is being given up and the body itself is buried. This is due, in most part, to the denudation of village forests and the consequent difficulty to procure wood to burn the body. Formerly there was only one common *sasan* or burial ground for the members of one *killi* in each village, but nowadays with the disintegration of the village communal systems, each family or household is making a separate *sasan* of its own, and the *sasan* or burial ground is a corner of the very courtyard. The former reverence to the *sasandiris* is also passing away and with the custom of making *sasans* in the courtyards, they are being used now as seats, where a man can play or sleep, or as grinding stones, without any apparent thought of the things buried underneath.

When a person visits a Ho village, he usually sees erect stones planted by human agency on the ground. They are from two to ten feet high and many of them curiously shaped. They are found generally round the village site in conspicuous places, such as the roadsides or the meetings of two roads or threshing floors. These stones are called *Bid-diris* (i.e., planted stones) and are what may be termed memorial stones. These stones are planted in honour and memory of a deceased person to perpetuate his memory to the generations yet unborn. With the advance of education the custom of inscribing the names of the deceased with the year of birth and death, after the custom of the Christians, is being introduced. When these *Bid-diris* are planted all the near relations and the headmen of the villages are invited. A feast like that at the *Jangtopa* ceremony is also provided to all who attend the *Bid-diri* ceremony. The *Bid-diris* are permanent landmarks and at the present settlement they have been utilized as such by showing them as fixed marks in the maps.

Among the agricultural customs the following two are noted:—

The custom about Tumbul or gleaning:—During harvest, following, the reapers there are seen always a few gleaners in each field. These gleaners are either widows or orphans. They follow the reapers and glean from amongst the sheaves. The reapers purposely leave stalks of paddy for them to glean. This apparent liberality is shown to the gleaners because of the custom that the gleaners have to carry the sheaves from the fields they glean to the owner's threshing floor. Another agricultural custom that I noticed as special in the Kolhan was in respect of the disposal of carcasses of cattle dying a natural death. The Ho eat the flesh of dead animals and so they put some value on them. When an ox, a cow or

Jangtopa

Bir diring

X

*Bid-diri
Memorial stones*

a sheep or goat dies, the owner sends words to the villagers of the fact. Those who desire to get a share of the dead animal have to accompany the owner to his field and do some agricultural operation for him according to the season either in removing stones from his field or thickening the ails or ridges of his fields or in weeding, transplanting or reaping. They are required to do a half-day's work for the owner and then the flesh of the dead animal is distributed to all the workers. When a large number of workers turn up and the animal is small the portion each one gets is indeed very small, but the Ho would not mind it.

Omens.—The Hos are very superstitious and they believe in good and bad omens. In the description about Ho marriages I have mentioned that parties while arranging for the marriage have to observe all the good and bad omens in their journeys. The following is a list of some of the omens observed by the Hos.

To see a fox is regarded ordinarily as a good omen. When it is seen by a cultivator while he is engaged in sowing seeds in his fields, he expects a good harvest and says that he will be able to use a broom-stick in his threshing floor. The bushy tail of the fox resembles the broom-stick and when a farmer is able to use his broom-stick well in his threshing floor he has gathered in a good harvest. But the sight of the fox when a person is on errand to summon a doctor for a sick man, is regarded as a very bad omen for the sick man and no hope of recovery is entertained for him. A snake called Dhamna Bing when seen coming out of a hole is a bad omen, but in crossing one's path from left to right is a good omen. Sneezing by a man on the right side or in front of a male person is good for him, but it is regarded as a bad omen for a female person. Again sneezing on the left side or behind a male person is bad for him, but it is regarded as good for females. A woman seen with a pot full of water on her head is regarded as a good omen, but to see a woman carrying an empty pot is regarded as a bad omen. A tree or big branch of a tree falling or snapping is a very bad omen. Similarly the meaning of dogs or the squealing of pigs on the road-side is regarded as a bad omen. To see a fight between *Kuids* or kites in the air is also a bad omen.

Oaths.—During Settlement proceedings, many of the disputes had to be decided by making the parties take oaths. The usual mode of taking a solemn affirmation is to address the *Sing Bonga* in the following manner:—“Sirmaren Singbong, I chbakar labai kajiredo baba chauli kaho baa, uri merom ka hobaaa, bing hooai, kula joneai, kata toroai, sarti sarti kajiairedo bugin tainai” i.e., “O Sun-God, residing in the heavens above? (I call thee a witness) if I tell a lie, let paddy and rice and oxen and goats be not my portion (in this world) or let me be bitten by a snake or eaten by a tiger or let my feet dash against stones (in my journeys) but if I speak the truth, let every thing be well with me.” For an oath, while deciding the disputes about lands on the spot, the parties had to take a few grains of the paddy with a clod of earth from the field in dispute and walk round it or to place their hands on the heads of their children. Paddy, cow-dung and copper are the articles placed in the hands of a person taking an oath and making his statement. The skin of a tiger and the leaves of bamboo trees, as also the leaves of Munga (Moringas) trees are said to be very dreaded things as articles to take an oath with.

Religion and other superstitions of the Hos.—The religion of the Hos is termed Animism. The following is a list of the Gods and Spirits whom the Hos worship or offer sacrifice to.—

1. *Singh Bonga.*—The *Singh Bonga* or *Sun god* is the supreme god of the Hos. He is supposed to reside in the sun, or the sun itself is treated as the *Singh Bonga*. He is invoked during sickness. He is the god of rain also, and during drought he is invoked and sacrifices are offered to him. At the time of sowing seeds also his blessing is prayed for and after the harvest is gathered, the *kharhani puja* or *kolom bonga*, which is a thanks-offering, is done to him. To the *Singh Bonga* a white fowl is sacrificed.

2. *Marang Bonga.*—The *Marang Bonga* or the *Great-god* is said to be the presiding deity of the original home of the Hos. The Hos do not know where was their original home before they came into the Kolhan but they point to the west as the direction from which they came into the Kolhan. The original home of the Hos is said to be where there are “seven tanks, seven baulds, a hill of garlic and a hill of ginger.” He is addressed as “Hatu-dupud Disum Marang Bonga,” or as “Aia pukri, aia banda, rasuni buru, ade buru, Mahaburu Bonga”. His aid is invoked at the time of sickness and epidemic, and he is always remembered at the time of the thank-offering in the *kharhani puja*. A red cock is sacrificed in his name.

3. *Hatuko Bongas.*—These bongas or deities are presiding spirits of the village and are generally worshipped by all the villagers jointly. They look after the affairs of men, their cattle and their crops in the fields. They are three in number

I. *Deshauli Bonga.*—He is worshipped in the Mage and Baha festivals. A red-coloured cock and a red-coloured hen are sacrificed to him at the Mage festival. In Baha festival, only one cock of the red colour is sacrificed to him. During the epidemics of small-pox and cholera his aid is invoked and fowls of any colour and goats are offered to him. He is believed to send rain also, and so during drought he is prayed and sacrifices are made to him also.

II. *Jaker Buri.*—She is the wife of the Deshauli Bonga and she is worshipped along with her husband at the Mage and Baha festivals. She is said to have no power to confer any boon to mankind except that when she is pleased she can plead with her husband for her worshipper. But she is regarded as a very voracious goddess, and consequently, when her husband is satisfied with only one fowl at the Baha festival, every house in the village has to offer her one fowl and therefore in a big village hundreds of fowls are sacrificed in her honour in one day.

III. *Chandi*.—The Chandi is a female bonga, and she is believed to reside in water. She is also called Nage Era or Bindi Era. She is worshipped before the Mige Festival. A pig is sacrificed to her. In times of sickness, if its cause is [due to her displeasure, an offering of eggs and turmeric is made to her.

IV. *Oa Bongas*.—These are the household gods. They are the spirits of the dead ancestors. They are offered rice and rice-beer in small leaf-cups. They are worshipped in the house by the head of the family.

Besides the above four kinds of Bongas who are beneficent deities there are many malignant spirits which dwell in every ditch or ravine or in trees. They take delight in doing harm to men and their cattle if they find an opportunity to do so. These are the *Churin bongas* (the spirits of women dying in child birth), *Kachuri bongas* (the spirits of persons dying by being drowned), *Hankar bonga* (a spirit worshipped by the witches), *Najom bonga* (a spirit worshipped by those who practise in poisons), *Nusan or Mua bongas* (the spirits residing in grave-yards) and many others unnamed. They are much dreaded by the Hos and when any untoward thing happens to a man, and the cause is ascribed to one of these malignant spirits, sacrifices of fowls and cattle are made to it to appease its anger.

There is a *bonga* known as *Kariya bonga*. It is the god of Khariyas who at one time seem to have settled in the Kolhan. They are worshipped by the Khariyas if there are to be found any or by their disciples who may be of any caste. Their assistance is sought for by those who want to do harm to their enemies. It is believed that if two balls of cow-dung and a chicken be buried alive after invoking the aid of the Kariya bonga, then the person whose name is taken at the time of burying the chicken and the two balls of the cow-dung in an ant-hill in a field is sure to die. The *kariya bonga* is known also as *Tengen bonga*.

The ears of children are pierced, not so much with the idea of putting on ornaments but because, as the Hos believe, if they do not pierce their ears in this world, the spirits of their dead ancestors will pierce their ears in the next world with a huge pointed stick which will cause them much pain before admitting them in their society.

The women are tattooed in hands, feet, breast and waist. It is believed that if they do not tattoo their bodies in this world they will get no husbands in the next world.

The Hos are very conservative in their manners and customs which are more or less all connected with their religions. But with the advance of education, the belief in the *Bongas* and superstitions are gradually waning. The *Jahiras* are the sacred groves of the Hos, and formerly no Ho would dare to cut even a branch or use the wood for his household and other domestic purposes, but nowadays the respect due to the abodes of their *bongas* is dying out. The *Jahiras* are the only places where very old trees, the remnants of the original forestland tracts, are to be found, and the trees were preserved because no Ho would dare to cut a tree without exciting the wrath of its spiritual residents. But during the Settlement proceedings it was noticed that the trees in the *Jahiras* are getting thinned, and in some cases it was noticed that the trees had been skinned off, so that trees may die and the villagers be able to appropriate the dry wood without being accused by the local authorities as having felled live trees.

The destruction of *Jahiras* are but the outward signs of the waning of the old religious ideas, and the general tendency of education is to make the Ho an agnostic or lean towards Hinduism. Christianity has had little influence and has drawn but few converts, while of the proselytizing religion, Muhammadanism, there is hardly a convert from amongst the Hos. Had Hinduism been a proselytizing religion and had it admitted converts from other religions, it is probable, a good many Hos would have gone to its fold. Lately there has been started a new religion among the Hos by a Ho. The new religion is known as Satya or Punya Dharan, i. e., a true or holy religion. Its founder was one Singrai Ho of village Bhuta, in Barkela Pir. This religion was started in 1907 A. D. At present there are four Gurus or Teachers who since the death of the founder are propagating their new ideas among their tribesmen. They are Bamiya Ho of Garabatu, Hari Ho and Dula Ho of Guira and Birjo Ho of the same village. They worship only. One Invisible and Omnipotent God whom they address as Sat Malik or True Lord. They have no image or representation of their God and they denounce the idolatry of the Hindus. They worship Him by means of *Dhyan* or *jap* or meditation and devotion. They put on sacred threads like the Hindu Brahmans. They have given up all the dances and observances of the Hos. They have given up the drinking of *Diang* or rice-beer, and are pure vegetarians. They do not eat ghee, sugar or the ordinary salt, but use oil, *gur* (or treacle) or rock-salt instead. They do not eat any sweets or food prepared by the men of other religions. They bathe daily and whenever they go out of their houses they do not enter them again without taking their bath. They do not vaccinate their children nor do they use any medicine when they fall ill. Their belief is that prayer to their God will save them from illness. They observe many other ceremonies and have fixed rules for the daily conduct of their lives even to the minutest details. The adherents of this new religion are to be found in villages round about the Chaibassa Town. They are distinguished by their better dress and umbrellas of turmeric or red colour. The membership of this new religion is small and the number of adherents will not be more than 500.

Appendix F—Glossary of vernacular terms:

- Ar* or *ail*—The embankment or ridge between plots of rice land.
- Athrop*—Used of trees which have been planted or reared by a raiyat.
- Bail*—Second class embanked rice land for wet cultivation.
- Bakasht*—Used of land in the *khas* cultivating possession of a landlord.
- Bakasht Munda*—See report.
- Bakasrat*—Unnumbered.
- Bandh*—A reservoir made for irrigation or drinking purposes by embanking the lower end of a depression, or making a three-sided embankment on a slope. (Known as *ahar* in other parts.)
- Belagan Kabil lagan*—Lands which are for the present enjoyed free of rent but are liable to assessment.
- Bera*—First class embanked rice land for wet cultivation.
- Bid-diri*—(Ho) a memorial stone to a deceased person set up usually in a prominent place near the village.
- Brahmottar*—A tenure of land given to a Brahman.
- Dakua*—A village official—see report.
- Dakhakar*—An occupancy raiyat.
- Dakkatti*—Fees paid for the cultivation of lac and *tassar*.
- Darrayat*—An under-raiyat.
- Deshauli*—A sacred grove. The village god worshipped therein.
- Deuri*—A village priest—see report.
- Deurai land*—Land held by a *Deuri* in virtue of his office.
- Devasthan*—A place where a God lives and is worshipped.
- Dikku*—(Ho) A foreigner, non-aboriginal—see report.
- Gairmazrua Goirabad*—Uncultivated land.
- Gaudi*—(Ho) A kos, two to three miles.
- Gora*—Cultivated up-land.
- Thakti*—A subdivision consisting of a group of villages in charge of a Manki.
- Jahira*—A sacred grove.
- Jamabandi*—A rent-roll.
- Janch*—The scrutiny and completion of the record after attestation.
- Juridar*—A *juridar Munda* or *Munki* is an assistant appointed to help the *Munda* or *Munki*, or to hold charge of his duties during his minority.
- Kaemi*—The status of a settled raiyat.
- Khanapuri*—The preparation of the preliminary record-of-rights.
- Kharaur*—Land on which thatching grass is grown.
- Khatian*—The record-of-rights of the tenants.
- Khatian, part II*—The record of customary rights in jungle and waste lands.
- Khewat*—The record-of-rights of the proprietors and tenure-holders.
- Khunkatti*—See report and Chota Nagpur Tenancy Act, section 7.
- Kilki*—Clan or sept among the Hos.
- Lakhiraj*—A revenue-free grant of a village.
- Makin bari*—See report.
- Pahan*—The village priest among the Mundas.
- Parcha*—A copy of the draft *khatian* distributed after *khanapuri* and again after attestation.
- Partal*—Check lines run across a map to test the survey.
- Parti*—Waste and uncultivated land other than jungle.
- Pasad*—Provisions, fodder and fuel supplied to officers in camp.
- Sagar*—Small solid-wheeled bullock cart.
- Saiyu*—(Ho) Thatching grass.
- Salami*—A fee paid by a tenant at the beginning of his tenancy.
- Sarna*—A sacred grove,—see *Jahira*.
- Susan*—(Ho) A burial ground of the Hos.
- Sasndiri*—A grave stone placed flat over the buried bones in the *susan*, where as the memorial stone (*bid-diri*) is upright.