

Rights and concessions :

Khariar ex-zamindary :

The rights and concessions of the people are being regulated as per the provisions in Wazib-ul-urz. Though the lands laws have been enacted suitably in the recent settlement and the R.O.R. has been given affect to, from 1-4-1965, no effective steps have been taken to do away with the provisions in the wazib-ul-urz. The people are still enjoying rights and concessions as embodied in the Wazib-ul-urz in respect of their requirements of timber, firewood and grazing.

The people have no rights absolutely over timber, firewood, grazing in the so called zamindary Zapti forests and whatever rights and concessions are to be enjoyed by the people are admissible only in the Village Forests. The right over timber is confined to only unreserve species below 2' <sup>(60cm)</sup> girth and fruits and flowers from the trees. The grazing fee is linked with the payment of land revenue.

Padmapur ex-zamindariaries :

In Borasambar-Padmapur and other ex-zamindariaries also, the people have no right whatsoever in the zamindary Zapti forests. They are however, allowed to graze their gattle in the forests and waste lands other than zamindari Zaptis. They are further allowed to procure their requirements of firewood, thorns ( for fencing) grasses ( for thatching) and

## 5. Timber

1st class dry trees	Rs.1-0-0 per cft.	1-0-0 per cft.	2-0-0 per cft.
2nd class trees undressed.	Rs.3-0-0 per C.L.	1-8-0 per C.L.	6-0-0 per C.L.
Ballies.( 1½' to 2') in girth.	Rs.12-8-0 per 100 nos.	2-0-0 per Buffalow C.L.	18-0-0 per 100 nos.

The schedule of rates as revised by the Government of Orissa vide Forest, Fisheries and Animal Husbandry Department notification No.30957 dated 14-11-1977 are furnished in Appendix 5.

3rd class.

Kau, Chauldhua, Khar and Panasai, Baul,  
Landichar, leaves, Pippal, Jamun, Bamboos,  
Ankel, jamli.

## Schedule of rates :

Berasambar- Padmapur	Ghens	Bijepur and Mundomahal
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1. Kastkari.

## (a) Commutation.

Annual Halpati.	/8/- per plough	/8/- per plough	..
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Chulapati.	/8/- per plough.	/8/- per hearth.	..
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(b) Fuel.	Re 1-0-0 per Cart load.	Re 1-0-0 per cart load.	Rs.2/- per cart load
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	Re 0-1-0 per Bhar load.	Re 0-2-0 per Bhar load.	
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	Re 0-0-2 per Head load.	Re 0-1-0 per Head load.	
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2. Grazing : Annual

Buffalo and Horses.	Re 0-4-0	Re 0-4-0	
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Goat & sheep.	Re 0-1-0	Re 0-2-0	
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Cows and bullocks.	Re 0-2-0	Re 0-2-0	
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3. Professional jungle fees (Rojgari)

Annual.

(a) Black smith.	Rs. 3-0-0	Rs.2-0-0	..
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(b) Washer-man Kansari, Goldsmith, Neut, potter.	Rs.2-0-0	..	..
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(c) Chamar, Washer-woman.	Rs.1-8-0	Rs.1-8-0	..
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(d) Merchant.	Rs.4/- to Rs.8/-	..	..
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4. Bamboos

Local tenants per 100 nos.	Rs. 1-8-0	Re 0-12-0	
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Professional.	Rs. 2-0-0	Rs. 2-0-0	
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royats in connection with the village administration, service lands and the Village Servants, village customs, waste lands and forests, rights over the trees, village roads and other public paths.

Item 4 deals with the rights in the waste lands and forests and item 5 indicates clearly about the right over the trees.

1.. All the waste lands are the property of the Zamindar and it will be regulated under nistar rules. Gochar and Protected Forests are included in this and without any express permission of the Deputy Commissioner, these lands cannot be occupied by any body.

2.. The villagers can graze their cattle in the forests and waste lands ( which are not Zamindari Zapti), can procure their requirements of fuel wood, thorns ( for fencing), grasses ( for thatching) and timber ( for agricultural implements and house building) without making any payment, but cannot sell or barter the produce.

3.. The Forest lands in the Mahal will be managed by the Zamindar as per the regulations framed by the local Government from time to time.

Item 5. Right over trees :

1.. The felling and removal of all the trees on the waste lands will be regulated as per the rules framed by the Government under section 124 of C.P.L.R. Act, 1881.

2.. The flowers and fruits of the trees planted by the royats in their lands and homestead will be enjoyed by them along with their heirs so long as they reside in the village including the timber of such trees when they dry up. ~~with along their heirs so long they reside in the village.~~ On the transfer of the village, the rights on the trees also will be transferred. If a person plants trees on the other's lands and holdings, the flowers and

... on the lands of the holdings belongs to tenants.

### Chapter- 17

... fee ~~tax~~ payable for collecting and removing produce  
... outside the village boundaries is detailed below :-

... :- Re 1/- for the first plough in use and  
Re 0-8-0 per plough in excess.

Mulias of tenants and other villagers :-  
Re 0-8-0 per family.

... :- The above mentioned rates are in vogue now. The  
Zamindar retains the right to reduce or enhance them.

### Chapter- 13

On rights of villagers on another village :

After the crops are harvested in a village, cattle  
belonging to any other village, may graze free in such village.

Padmapur ex-zamindarias :

Wazib-Ul-Urz ( Hamid Settlement, 1925)

In the first part of the Wazib-Ul-Urz, the relation of the  
Zamindars with the Government and the rights and responsibilities  
of the Zamindars, has been clearly laid down in item 7. It  
provides that the Zamindari Forests and the forest lands will  
be managed by the express rules framed by the Board of Revenue.  
For collection and extraction of the forest produces from the  
Zamindari Zapti forests and other forests and ~~the~~ grazing  
cattle in those forests, the Zamindars will be guided by the  
set of rules and royalties framed by the Revenue Department.  
The Zamindar had no right whatsoever on mining minerals which are  
the sole property of the Government.

The second part of the Wazib-Ul-Urz deals about the  
relation of the Zamindars with the Tikkedars, Mafidars and

(c) About collecting fencing materials, the same as under (b)

(d) Rules for collecting bamboos :

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Tenants and their Halias or any other inhabitant of village shall pay royalty for bamboos whether removed from the village waste lands or from any other place.

(e) Timber for domestic purposes :

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Tenants, their Halias and other inhabitants of village may remove free trees of 2' in girth of unprohibited species such as Dha, Amla, Karda, Salai, Arjun etc., for constructing their huts or buildings and for agricultural purposes. Royalty shall be paid for trees of prohibited species or of girth above 2'.

The prohibited species are Sagun, Bija, Sahaj, Sisoo, Sal, Khair, Bandhan and Achu or Bakli.

(f) Fruits and perishable produces :

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The Zamindary had right over the fruit trees. Tenants and other villagers may enjoy the fruits free . In case of their selling fruits, they shall sell only to such contractors as selected or appointed by the Zamindar.

Chapter 7. Right over trees :

(a) Fruit trees :

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Rights have been recorded on the pattas. The produce of fruit trees as well as timber of the dead trees belonging to the right holder. The tenant loses his right over the trees. The Zamindar had right over such trees as Mahul, Harida, Char and Kendu. The disposal of the produces of such trees is regulated by the provisions of chapter .

(b) Other trees :

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The tenants may remove free for his banofide use small and miscellaneous trees of girth of upto 2' standing on the holdings.

timbers for agricultural implements and house building purposes without payment from the forests and other than Zamindari Zaptis, but they cannot sale or barter such produce.

Relevant extracts from Wazib-ul-Urz of 1922-23 Settlement of Khariar and 1935 settlement of Padmapur are reproduced below :-

(Sample copies of Wazib-ul-urz for Khariar and Padmapur ex-zamindaries are given in Appendix .. 4)

Relevant extracts from Wazib-ul-Urz of 1922-23

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(Khariar ex-zamindary)  
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Chapter 6. On rights over Village waste lands.  
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(i) Tenants and their Halias, and the Sukhbasis possessing not more than the required heads of cattle, may graze their cattle free. In the case of grazing cattle on lands outside the Village boundary, the tenants may graze free four heads of bullocks or buffalos per plough in use, and for cattle beyond this number, will pay grazing fee at ordinary rates for the first 8 heads in excess and at professional rates for the excess cattle.

(ii) Ordinary rates are double the tenants rates and the professional rates are double the ordinary rates. There are no tenants rate for horses and mares, and the ordinary <sup>rate</sup> for which <sup>is</sup> 4 annas per head.

(iii) Tenants rate :

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Buffalos .. 4 annas  
Cow and bullock .. 2 annas  
Goats and sheep .. 1 anna

(b) About collecting firewood, grasses, creepers, roots and leaves - Tenants and their Halias and the Sukhbasis may collect and remove free the produces for their own bonafide