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8. Paharia Settlement & Emergence Of Damin-i-Koh

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Abstract

The English East India Company's Government passed the following resolution in 1823, expressing its emotions for the Paharias (Hill people) who lived in the hilly regions of the territory, which was eventually included in the Damin-i-Koh estates after their limits were officially established. The resolution emphasised the government's attitude toward the Paharias, saying, "Government can have no desire to interfere with the hill people's existing possession in the mountains, or to assert any right incompatible with the free employment of all which their labour can obtain from that sterile soil."

Key Words: *Paharia. Settlement, Damin-i-Koh, Tribal, Forest, Land*

Introduction

The question of rights in the hills does not appear to have opened again till 1862, when applications were invited for the sale of Government waste Lands. In this connection the Government of India wrote to the Government of Bengal "the claim of hill men to the occupancy of the uninhabited hills in which they derive an income from the jungle produce, and which they may at any time bring into cultivation is too substantial a claim and one which has been by the Government to be set aside in favour of new purchasers".

Commenting on the above letter, Carstairs, then the Deputy Commissioner, Santhal Pargana held that the above paragraph of the letter of the Government of India to the Government of Bengal, seems to contemplate the right of the hill men to derive an income from the jungle produce of uninhabited hills, substantial to prevent the sale of the hills.



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As he observed in his report "It is somewhat vague, however, and seems to be of little value for our present enquiry. The Government had no occasion to discuss the question fully, as the only question was whether it should sell its rights to outsiders, and it was quite entitled, without giving reasons, to decide on not doing so. There was reference by the Commissioner A. Money of 5th April 1862, on the question how far Paharias could alienate their occupancy rights, but no definite orders given to have been passed, and government dismissed the question in its No. 368A of 28 April, 1862, with a vague instruction.

Revised rules for the sale of wastelands were published on 30th August 1862, and no sales as matter of fact have been affected. The question next comes up in Sir Richard Temple's minute of 1875. The general effect of the discussion on the minute is that the Paharias had rights though undefined, and that those rights, did not in the opinion of the Commissioner of the time (1862). Include a right of perpetual exemption from payment of rent.

In para 8 of Sir Richard Temple's minute it was stated that in 1871 Government did not admit the right of Paharias to the whole of the hills, occupied or not occupied "but it was laid down that the rights of the hill men should be adjusted, compromised and marked-off, the hills could not be used for other purposes."

Wood, who conducted the first Settlement in Santhal Pargana, according to the provisions of Regulation III of 1872, Between 1873 and 1879, had observed in his report about the lands held by the Paharias or hill men, "I think some definite orders should now be passed in regard to hill lands in the occupation of Paharias as Santhals having brought the whole of the cultivable lands in the plains and up to the foot of the hills under cultivation have appropriated also most of the small hillocks, and are gradually creeping up the slopes of the high hills, and as they are very prolific race, will soon require from natural increase of their numbers, lands for extension of cultivation, and none will be available, except hill lands, not a tints of which is required by the hill men for their own cultivation."



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The latter will therefore, if allowed, gradually become zeminders, and leasing out excess lands, realise rent from Santhals, a condition of affairs never, I should suppose, contemplated nor intended by Government when I permitted Peharias to enjoy rent free at its pleasure some 200 to 250 square miles of territory. I would not propose to assess Pahaia on their Koorowar cultivation ... carried on only on the precipitous slopes on hills ... by many of their Khuntees or spades, and would suggest that ample provisions be made for such purpose, but I think some enquiry should be made as to the actual requirements of the hill people, and that surplus lands be set aside for extension on Santhal cultivation. There is no doubt that numerous hills have been appropriated by hill Sardars, Neibs and Manjhis in consequence of the original holders having died leaving no heirs. In some instances, minors and widows have been forcibly ousted of their hills by hill Chiefs, who have appropriated them or assigned them over to other hill people for a consideration, and as no enquiries have been hitherto instituted since Mr. Cleveland's time ... it will be difficult, unless a thorough enquiry be made to determine who are and why are not the heirs of the original holders in Mr. Cleveland's time. I believe a regular list of all the Rajmahal hills was made by that officer when pensions were granted to hill Sardars, Naibs for their performance of police duties in the hills and Manjhis on the understanding that each Manjhi furnished a recruit for the Bhagalpur Hill Rangers - a regiment disbanded by Government shortly after the Santhal Insurrection.

While discussing the grant of jagira and pensions to various hill sardars and chiefs, Wood observed that according to his belief, Cleveland while assigning pensions to the Manjhis, must have picked up those, who had accepted 'the Hon'ble East India Company's Raj, while those who refused to recognise the same, and there were many who were not pensioned.

According to wood, the Government recognised only the right of occupancy required by hillmen and the uninhabited hills in the Damin-i-Koh, and in no way treated such persona as having any proprietary right to such hills.

With regard to the lands cultivated by the plough, wood held that it has been an old established custom, introduced by Pontet, Superintendent of Damin-i-Koh and since maintained, that Santals could take up all lands wherever they could use the plough, while the Paharias confined themselves to



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their 'Koorowar Cultivation' on the slopes of the hills and until very lately such was their sole method of cultivation. But in course of last few years the Paharias finding that they could cultivate better with the plough and secure larger crops with much less labour, those among them who were able to adopt cultivation by plough, now cultivate the more level plots of land, which used to lay fallow, as under the system of cultivation by spades, they did not care to cultivate them, as the clearing of jungle on flat lands was more laborious. According to wood, the Paharias had invited and induced Santhals to settle on the more level lands and had taken a small payment from the new Santhal settlers. In some cases the Paharias even stipulated a payment in kind in lieu of each rent, while in some areas the Santhal settlers had undertaken to plough certain areas of land for the hill Manjhis, the latter supplying seed and gathering in the crops himself at his own expenses.

In his report Wood also mentioned that those Paharias Sardars granting leases to Santhals, when called on to explain under what circumstances they gave such leases, they invariably claimed that the lands in question, had been given to them as "jagirs" by Pontet. But they were unable to file any authentic document relating to such grants by Pontet. According to wood, "the very fact that these leases have been granted by the Paharias to the Santhals, had vitiated one of the chief conditions of such jagir grants, even supposing the hillmen's statements were correct that an jagir has been granted to them by Mr. Pontet vide his letter no. . dated 4th February 1857.

While concluding his report relating to the Paharias, Wood wrote "I think the present is a very favourable opportunity to commence settlement operations' among the Paharias. A commencement - must be made some days and as the recent settlement has been well accepted by the Santhals, I do not think the hillmen would urge any opposition for being lightly assessed on lands cultivated by plough, leaving their Koorowa lands rent-free as before." He further suggested that if this proposal gets the approval of the Government, then an experienced officer having knowledge about the Paharias, should be entrusted with this work, under the supervision of the Deputy Commissioner, Santhal Parganas. |

Barlow, then the Commissioner of Bhagalpur Division (which then included Santhal Parganas district), while making this observation on the report of Wood's settlement wrote "Before concluding



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this report, I must refer to the most important question of hill lands occupied by the Paharias... I propose to submit a separate report upon this important subject. That an arrangement for disposal of lands between the Santhals and Paharias based on some authoritative system, would be necessary some day has of course been all along foreseen. The anxiety of Paharias at the present settlement in many instances to secure a lease for their lands from Government as protection in return for submitting themselves to assessments indicates very clearly that time for the decision of the matters begins to press. I have personally discussed the question with Wood. The following is a sketch of the views (as yet immature) which suggest themselves to me – (a) To hold an enquiry through an experienced Santhal officer and to decide to which of the hills the claims of any, Chiefs, Sirdars & others, such as have been recognised by Government apply, which are the unencumbered property of Government and to resume the latter, (b) within both the classes to decide the lands roughly into those that can be cultivated with the plough and those with the spades, (c) In case of lands cultivated by plough to establish the system of assessment and leases where Government was the holder of unencumbered hills, relations of landlord would be of course direct. In the either cases, the assessment would ordinarily be collected by the Siréars, Naibs and Manjhis, who would secure commission upon the same plan as the parganni and manjhis of village in the plain portion of the Damin estate do. The only condition would be that if a Chief refused to entertain the application of parties desiring to cultivate lands with plough in the portion of the hills to which he had claim upon the plan proposed, it would be necessary to let it be known that Government would not tolerate this kind of obstruction but would step in and deal direct with the party desirous of extending cultivation",

On receipt of the report, mentioned above, the Government of Bengal resolved "About one-sixth of the Damin-i-koh or in areas of from 200 to 250 sq. miles, is occupied by the Paharias, whose number at the census of 1872 amounted to 68,332. Mr. Wood's report shows that the Santhals have already extended their cultivation up to the foot of the hills and are beginning to occupy the slope and that consequently the time has come for laying down some of definite rules for preventing the two races from coming into collision, and for maintaining the proprietary rights of the Government. The Lt. Governor nor approves the Commissioner's proposal to hold the enquiry into this question through an experienced officer of the Santhal Pargana and this should be done as soon as possible after taking the census in January next. It should be distinctly understood that the Government is the proprietor of the



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hills, except so far as it may have transferred its proprietary right by the grant of Jaghirs to the Chiefs end beyond this the hillmen have no rights excepts that of occupancy. The leasing out of land other than the Jaghir lands by the Paharia Sirdar to Santhal cultivators should be in no case is permitted. The hillmen should not be disturbed in the occupation of such land as they require for their own support, but plough cultivation should be encouraged without being enforced". It was further resolved that the Lt. Governor approves and confirm the present settlement for 10 years form 1st April 1879.

During 1899-1900, Traverse survey of the entire Damin-i-Koh estate was completed, which included some tracts of unsettled Paharia country, but no detailed Traverse survey of the Paharia unsettled tracts made, as the Paharias had opposed the entry of Traverse surveyors and it was also felt that the impasse could best be dealt with at the Cadastral Survey stage, when Gazetted officers, having knowledge of the vernacular of the Paharias would be available, for explaining to them the intention of the Government for holding survey operations in their areas. But on 21st January, 1901 the Lt. Governor of Bengal decided that there should be no Traverse or other kind of survey of inter-village boundaries within the Paharia blocks and no attempt was therefore made in the caster half of Damin-i-Koh estate to do more than demarcate correctly the outer boundaries of the Paharia tracts.

Before the stoppage of the work of detailed survey in the unsettled Paharia blocks, a number of Paharia headmen had began to realise the advantages which were likely to accrue to them from a boundary survey and even from a rent settlement within their villages, as a result of which a fairly large number of applications for survey and settlement were filed.

In his Final Report, McPhersen made no secret of his dismay and unhappiness, as he could not conduct proper survey and settlement operations in large areas inhabited by Paharias, due to the orders issued by the Lt. Governor of Bengal, for keeping these operations restricted only "to the other demarcation of these areas."

As he wrote "We failed to touch the great Paharia blocks which form the stronghold of the Sauria Paharias of the North Domain. It has always been a matter of extreme regret to me that Government



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decided to refrain from Mauzawar boundary survey. The local officers have to this day no maps which show the relative position of hundreds of hill villages for which stipends are drawn by their manjhis. The disadvantage is great from many points of view... The absence of maps renders great difficulties of police, forest, and excise administration... the puzzling results of the enumeration of Paharias in the last census... are no doubt due largely to the want of maps. The moral effect on the Paharias could not fail to be mischievous.

During 1901-62 and 1902-03, a number of new Paharia villages had come under settlement. All Paharia raiyats in these villages had their rents settled at half-rates, but many villages included Santal raiyats, who had been introduced by the Paharia headmen and had been allowed to retain their holdings, as they were in possession with consent for a longtime. In their case, rents were settled according to the ordinary rules. The Paharia headman, who had applied for settlement at Khanapuri, did so under no misapprehension and showed no regret later, of having taken such a step. On the contrary they used to come to the attestation camps of the following season end enquire eagerly when their villages would be taken for settlement. They were pleased with the leniency of the assessment with the exemption from rent of Kureo lands, with the subsequent allotment of areas for the Kurao and they expressed the greatest satisfaction when their leases and a copy of their village Jamabandi were made over them. They regarded them as a sort of charter of their rights which would protect them from encroachment and dispossession.

In his Final Report, McPherson further mentions that amongst the Paharias applicants for settlement were a few belonging to the Mal Paharias, whose hills were situated in South Godda. They had applied for the extension of them of the Pakur system, before the settlement operations had begun. In the opinion of McPherson, the Chief object of the Paharia headmen, for applying for settlement was, to have areas demarcated in their respective villages, within which they would be able to carry on Kurao or Jhum type of cultivation without any danger of molestation by forest guards or prosecuted for breach of forest rules. In the Mal Paharis areas, i.e., the southern half of Damine-i-Koh, the policy followed by the Forest Department, was to allow no extension of previously existing Jhums or Kura



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cultivation, but as there was very imperfect information regarding the existing Jhums, the Paharias were left much to the mercy of the forest guards and their underlings.

In the opinion of McPherson the lands being utilised by the Paharies for Kurao or Jhum cultivation, should not be assessed and that in this case, the newly settled Paharias should be left in the same position as the Paharies of the unsettled tracts, a stipulation to this effect being entered in the record-of-rights of their villages. But Bompas, the then Deputy Commissioner of Santal Parganas, while supporting the non-assessment of lands under Kurao cultivation, took a different view regarding the question of forest rights. Bompas felt that the Pakur settlement of Paharia areas, which had been accepted by the Government as a model for future settlement operations in Paharia areas, should be followed, and that the opportunity should be availed of for giving effect to the policy of gradual restriction on Kurao cultivation, as recommended by the Government of India. He also emphasised on the fact that the Paharia applicants for settlement in future, must be informed about these conditions and should be allowed to withdraw their applications, in the event of non-acceptance of the above mentioned conditions.

The question of Kurao cultivation again came up, in connection with the boundary disputes between the Paharias and Santals. According to McPherson, this question was intimately related with Kurao cultivation. He suggested that, if the Government was prepared to guarantee the Paharias that their existing forest privileges would not be interfered with, and that it had no intention of altering the existing system of forest management, they would gladly, come forward and asked for settlement. He made a specific reference to the Mailer areas of North Damin-i-Koh, where the Paharias used to practice Kurao cultivation anywhere they pleased, the only restriction being that trees with a girth of more than two feet, should not be cut. They were allowed to cut all other timber and bring it to markets for sale after paying a royalty. The Lt. Governor of Bengal, expressed his willingness to give the Guarantee as suggested by McPherson.

A register was prepared, which showed for every settled Paharia village of Damin-i-Koh, the approximate area within which Kurao cultivation was freely being allowed. It was decided that in future no Kurao cultivation anywhere except in these villages would be allowed, within the prescribed



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limits, and in the unsettled Paharia areas, to the extent that they may be deemed proper under the forest regulations. McPherson held the view that at some future date, there was to be any tightening up of restrictions on Kurao cultivation within the latter area, it would not surprise him, if the Paharia haedmen applied for settlement of their hills, in order to obtain the clearly defined Kurao privileges of the settled villages. One great advantage of this Kurao allotment, according to him, was that there was lesser chance of friction between the Paharia raiyats and forest guards, as both would know exactly the limits within which Kurao cultivation may be practices without interference. In his report, McPherson wrote that maps were prepared on which allotments of loans for Kurao cultivation, were clearly marked end were prepared for the use of the officials of the Forest department, who were also asked to visit the various villages, in order to be familiar with such allotments and to see that the boundary lines, which had been marked by settlement amins on the spot had been demarcated with sufficient clarity. According to him, none of the Paharias who had applied for settlement withdrew their applications when they were informed about the conditions imposed and saw the Kurao cultivation areas being demarcated to their villages. He further suggested that in the current settlement, being conducted by him, the portions of land, in which Kurao cultivation would be permitted, have been very clearly demarcated in the Paharia villages and the Paharia raiyats, would be allowed to practice Kurao cultivation, in such portions without taking the permission of the Deputy Commissioner, But it was laid down, that if the Paharias unlawfully practice Kurao cultivation, beyond the prescribed portions, or if, within these permitted portions, they practice Kurao cultivation in such a way, as to use a damage by fire to the remaining forest areas of the village, the concession granted to them for Kurao cultivation would be withdrawn. This suggestion of McPherson was approved by the Government.

In his report McPherson also made a special mention about a number of villages, situated within an area known as the 'Old Reserve'.

These villages were not settled during the settlement operation conducted by Wood and used to be settled annually by the officers of the Forest Department, and the rights of the raiyats were not same as in other parts of Damin-i-Koh. He observed that these raiyats, who were mostly Mal Paharias, were very pleased to get their 'Khatians', after the settlement operations conducted in their areas and very



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gladly accepted that new rents fixed by the settlement officer with regard to their holdings, though “there was considerable enhancement over the amounts paid before the Forest Department.

Even after the settlement operations, conducted by McPherson, a number of Sauria Paharia hills situated in Godda and Rajmahal areas had been left unsettled. Owing to the growing importance of Sabai grass cultivation in paper making industry, a number of Mahajans had begun to exploit the Paharias, through a system known as “Chutki Bond”, by which the Paharias raiyats were swindled and were almost bond slaves of the former.

In 1907, a number of Paharia headmen had submitted a petition to the Lt. Governor of Bengal, drawing his attention towards the situation prevailing in certain Paharia areas of Damin-i-Kohe. An officer named, A. W. Stark was deputed by the Government to investigate, who found out that the Mahajans had systematically underestimated the areas and value of the produce in the Chutki Bonds and the poor backward Paharias had supplied them (Mahajans) with Sabai grass in much larger quantities, than was necessary for the liquidation of the advance given by the Mahajans.

As a result of the findings of Stark, the Government of Bengal decided to take some steps in order to save the poor, innocent Paharias from the clutches of the Mahajans. The Government of Bengal decided to take over the Sabai grass cultivation under its direct control and management and began to sell the Sabai grass crop, to the Paper Mills and advanced money to the Paharias for weeding and other connected works. But ultimately this arrangement did not work satisfactorily, resulting in a loss of Government money. Thus, this experiment failed and after three years, was finally abandoned and the Mahajans were allowed to enter this business again, but certain restrictive measures were imposed on them. As the exact areas of the land involved in Sabai Grass cultivation, belonging to individual Paharia raiyats, was not known, much difficulty was faced in making a fair estimate of the amount of crop in the annual Chutki contracts made by the Paharias with the local Sabai dealers for its sale and the average outturn of each Paharia, during the three years under the control of the Government was taken for the purpose, which was a mere guess work.

In order to solve the problem of the Paharias in 1912, Allanson then the Deputy Commissioner, Santal Parganas, again submitted a proposal that the Paharia areas not yet settled, should be brought under



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settlement under Regulation III of 1872, pointing out that it was essential for the protection of the interests of the Paharia inhabitants of these areas, This proposal of the Allanson was accepted by the Lt. Governor-in-Council, Bengal, and it was decided that a settlement of the Sauria Paharia hills situated in Godda and Rajmahal subdivisions of Santal Parganas, should be held.

Under the supervision of S. S. Day, settlement operations were carried on in the unsettled Paharia areas of Damin-i-Koh, which had begun in 1912. These operations were concluded in 1916.

Suggested Readings:

1. Report of R. Carstair's, Deputy Commissioner, Santhal Pargana, Dated 1st July. Para 10. Selections from Santhal Pargana's Settlement Papers, Vol. – I, Ed, by McPherson, Calcutta, 1910.
2. Letter No. 1214, Dated 6th March 1862, from the Government of India to the Government of Bengal, quoted in Caretair's Report.
3. Carstair's Report.
4. Wood's Report, Para 40 - Selections from Santhal Pargana, Settlement papers, Vol. I.
5. Barlow, Commissioner of Bhagalpur Division to the Secretary, Government of Bengal, Revenue Department, Dated 1st March 1880.
6. Resolution of the Government of Bengal, Revenue Department, Dated 10th April, 1880.
7. Oldham's note dated 8th March 1882, Para 46.
8. Lyall, Under Secretary to Government of Bengal, Revenue of the Department to the Dy. Commissioner, Santhal Parganas, dated 21st June, 1899. Selection from Santhal Parganas Settlement papers, Vol. I.
9. Carstairs's Report.
10. H. C. Williams, Commissioner, Bhagalpur Division to the Secretary to the Government of Bengal, Revenue Department, No. 1376R dated 12th August 1899.
11. Slacke, Secretary to Government of Bengal, Revenue Department to the Secretary Board of Revenue, Land Revenue Department letter No. 3043L dated: Calcutta, 31 August 1899.
12. Persons of non-Paharia origin.



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13. W B Oldham's note on settlement of Damin-i-Koh and the Paharia areas dated 2nd September, 1899, Selections from Santhal Parganas Settlement papers, Vol I.
14. Cerstairs's note dated 29th May 1900, selections from Santhal Parganas Settlement papers, Vol. I.
15. McPherson's note dated 21st December 1900, Pare 3, Selections from Santhal Parganas Settlement, Vol. I.
16. The area covered included 67 sq. miles of unsettled Paharia area and the hilly portions of the 'Old Reserve' in the Dumka Damin. Para 151 - Final Report of H. McPherson on the Survey and Settlement operations of districts of Santhal Pargana, 1895-1907. (Calcutta, 1909).
17. Final report - McPherson.
18. Cleveland was the Collector of Bhagalpur during 1779-1784, who used to be called as 'Con Sahib' by the local people of Santal Pergana area.
19. Lends cultivated with the Khuntees or Spades by the Paharias used to be called as Kurao lands.
20. Letter No. 3320 dated 21st August 1902, Para 4 - Final Report "McPherson.
21. Letter of the Government of Bengal, No. 754, dated 6th February, Final Report McPherson.
22. Old Reserve was the name of an area, covering about 40 sq miles of hilly and well-wooded portion of Dumka portion of, Damin-i-Koh.
23. Notification by Government of Bengal, No. 6389R dated 18th December 1912, Santhal Pargana, District Gazette (Rai Choudhury).
- 24.